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Judge, Litigators Say Demanding Change of Cuba's Communist Government is Personal

By Michael A. Mora

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The U.S. Homeland Security secretary announced new sanctions—the freezing of assets and a U.S. travel ban—on Cuban government officials during his visit to Miami on Thursday.

And some South Florida litigators—like A. Dax Bello, the Cuban American Bar Association president and partner at Stewart Tilghman Fox Bianchi & Cain in Miami—said they fear recent sanctions have "no teeth," and that the U.S. needs to do more.

For instance, some requests widely sought since the last round of sanctions on communist officials are still being ignored, like providing Cubans with access to the internet, they said.

"The Cuban people's ability to communicate and coordinate is paramount," Bello said. "The truth is the pen can be mightier than the sword, but only when there is paper to write on. We need to get them that paper."

The sanctions entered on Thursday were the fourth round since thousands of people in Cuba took to the streets on July 11, which led to the arrest of hundreds of anti-government protesters, according to the U.S. government.

The protestors expressed their frustrations over food shortages, lack of medicines, prolonged power outages, worsening inflation and the coronavirus pandemic, according to the Associated Press. They shared a common chant of "Libertad," demanding freedom and change after nearly 65 years of one-party rule.

Now, Homeland Security Secretary Alejandro Mayorkas announced the U.S. Treasury Department's sanctions under the Global Magnitsky Act—targeting those who commit serious human rights abuses—on Cuban Ministry of Revolutionary Armed Forces officials Gens. Roberto Legra Sotolongo and Andres Laureano Gonzalez Brito, and Abelardo Jimenez Gonzalez of the Ministry of the Interior.

30 years in 30 minutes

For Javier Lopez, a partner at Kozyak Tropin & Throckmorton in Miami, the alleged crackdown on human rights is personal. His great uncle, Mario Chanes de Armas, was a childhood friend and one-time comrade of Fidel Castro, that was pivotal in conspiring against Gen. Fulgencio Batista after the 1952 military coup.

However, Armas soon became disenchanted after the revolution shifted toward communism when Castro came into power, his great nephew said. Lopez alleged the communist government arrested Armas on fabricated charges. He said the prison term started in 1960 and ended in 1990, making Armas the longest-held Cuban political prisoner.

"His trial and sentencing lasted 30 minutes. He got 30 years, so basically a year a minute," Lopez said. "He was in prison what they called the 'Plantado,' one of the original political prisoners. There is a group of about a dozen. They were tested many times and mentally tortured."

On two occasions, when Armas' father and son died, Castro spoke with the political prisoner outside of his prison cell, Lopez alleged. Castro allowed Armas to see his loved ones on one condition, Lopez said.

"Fidel said, 'I'm going to allow you to go to the funeral, but you have to wear the common prison uniform, not the political prison uniform.' My uncle said 'no' and didn't go," Lopez recalled.

And when the Cuban government decided to abolish the political prisoner uniform, the Plantados refused to wear the common prison uniform, Lopez said. As a result, prison officials forced them to be naked. In Armas' case, that lasted for his final seven years in prison, Lopez said.

Lopez said Cuban attorneys are instilled with these lessons because they often have family members with similar stories.

"You have a group of people that really appreciate what it means to be a lawyer," Lopez said. "And [they] can take on the awesome responsibility that we have to help people in probably the most important thing going on in the client's life."

And for Chief U.S. District Judge Cecilia M. Altonaga, who sits in the Southern District of Florida, her parents always believed that the way the country operated was temporary.

"The talk of going there and picking up the lives my parents have left became more and more infrequent," Altonaga said, "until we stopped talking about it altogether."

In her chambers sits her father's law school diploma that he earned from the University of Havana in 1951 juxtaposed next to hers from Yale Law School.

She said his diploma reminds her of his struggle because when he left Cuba and came to the country, he worked in the insurance field for several years before he earned his law degree again—this time in America.

“It’s hard to think about the repression that continues to this day 90 miles off our shores. That it continues after all these years,” Altonaga said. “I am not sure what he would have said about the events in Cuba other than nothing seemed to have changed.”