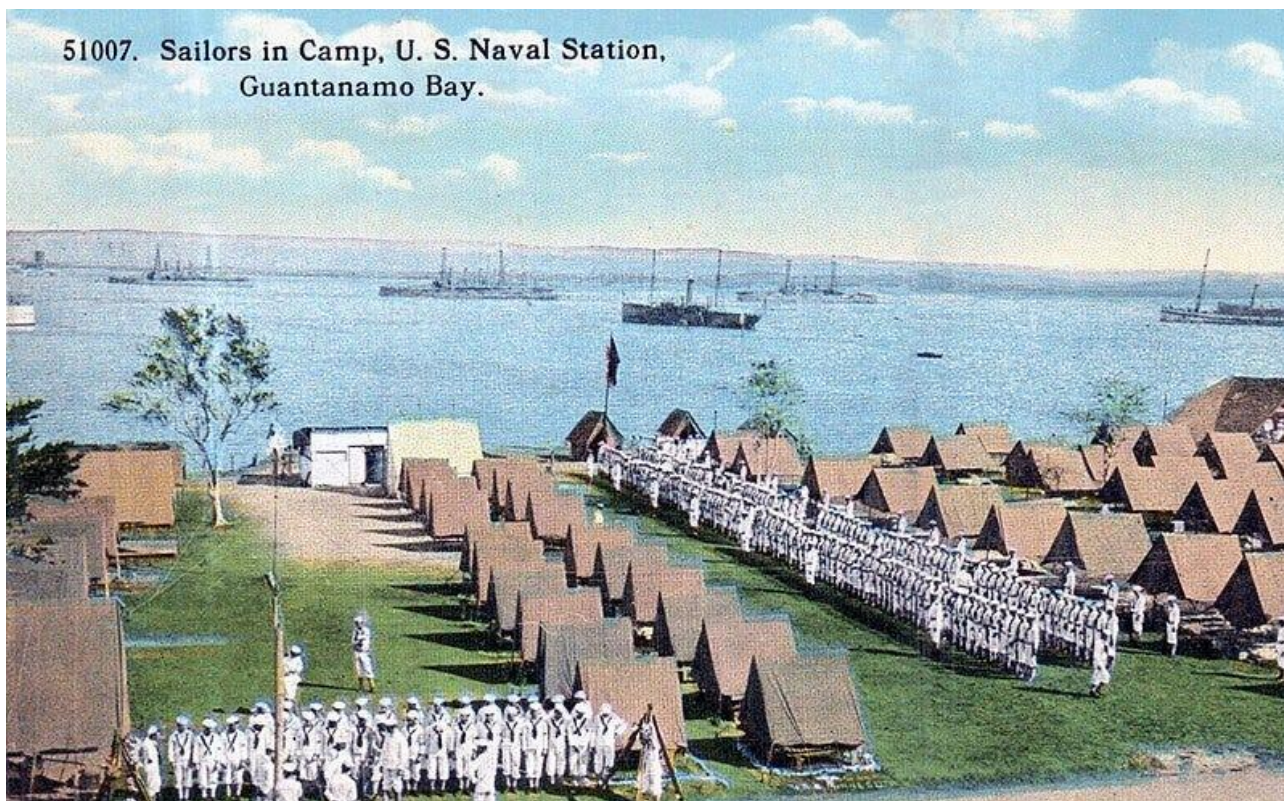


How Guantanamo Became a Black Hole

A history of imperialism and impunity, from Columbus to Trump

George Dillard



A 1909 postcard (public domain)

You may have missed it amidst the chaos of the first couple of weeks of the new Trump administration, but Guantanamo Bay is back in the news.

As part of his crusade against illegal immigration, the president announced that the infamous naval base will be the destination for migrants who Trump wants to remove from American communities but won't deport to their countries of origin. Trump explained the move by saying that "some of them are so bad, we don't even trust other countries to hold them, and we don't want them coming back, so we're going to send them out to Guantanamo."

If Trump follows through on his announcement, Guantanamo will become a massive detention facility, housing up to 30,000 people in a state of legal limbo. This is the president's first move in

a [campaign](#) (which could cost as much as \$300 billion) to build detention facilities to house immigrants in facilities all over the country.

But Guantanamo is, as Ruth Bader Ginsburg once [said](#), a different “animal, there is no other like it.” This weird and secretive place has often operated on the fringes of American and international law, far from the view of the American public. It’s an avatar of American imperialism and impunity, a place where presidents send people they don’t know what else to do with. It looks like it will occupy that role once again.

From Columbus to Castro

For a place long associated with tension and cruelty, Guantanamo Bay seems like it was once a beautiful place. It’s a large natural harbor near the southeastern corner of Cuba encircled by vertiginous hills. Christopher Columbus immediately recognized its significance; he named it Puerto Grande when he landed there in 1494.

Though the Spanish never really developed the area into an active harbor, it was seen as a valuable piece of geography. The British captured the bay in 1741 as part of the War of Jenkins’ Ear, renaming it first Walthenham Harbor and then Cumberland Bay. The Spanish soon marched back in and recaptured the area. For the rest of the century, the bay served as an occasional hideout for privateers but was mostly a remote backwater and minor sugar port.

Guantanamo began to assume historical importance during the American attack on Cuba in the Spanish-American War. Soon after the war was launched under murky pretenses (American accusations that Spain had destroyed the USS Maine) and unconvincing rationales (the Americans claimed that they were fighting in support of Cuban and Filipino independence), the U.S. military descended on the bay.

Guantanamo was seen as a strategically important site, both a harbor that could protect naval vessels against hurricanes and the

gateway to the major city of Santiago a few dozen miles to the west. American naval vessels attacked the bay in June 1898, forcing out Spanish gunboats and cutting the telegraph wires that connected it to the rest of Cuba. Marines — — the first American troops to set foot in Cuba — soon captured Guantanamo, and Santiago surrendered a month later.

This “splendid little war” soon came to an end, and it became clear that the American commitment to Cuban independence was not particularly sincere. The United States, through the 1903 Platt Amendment, reserved a special role in Cuban affairs. The document decreed that Cuba could not freely enter into arrangements with other countries and

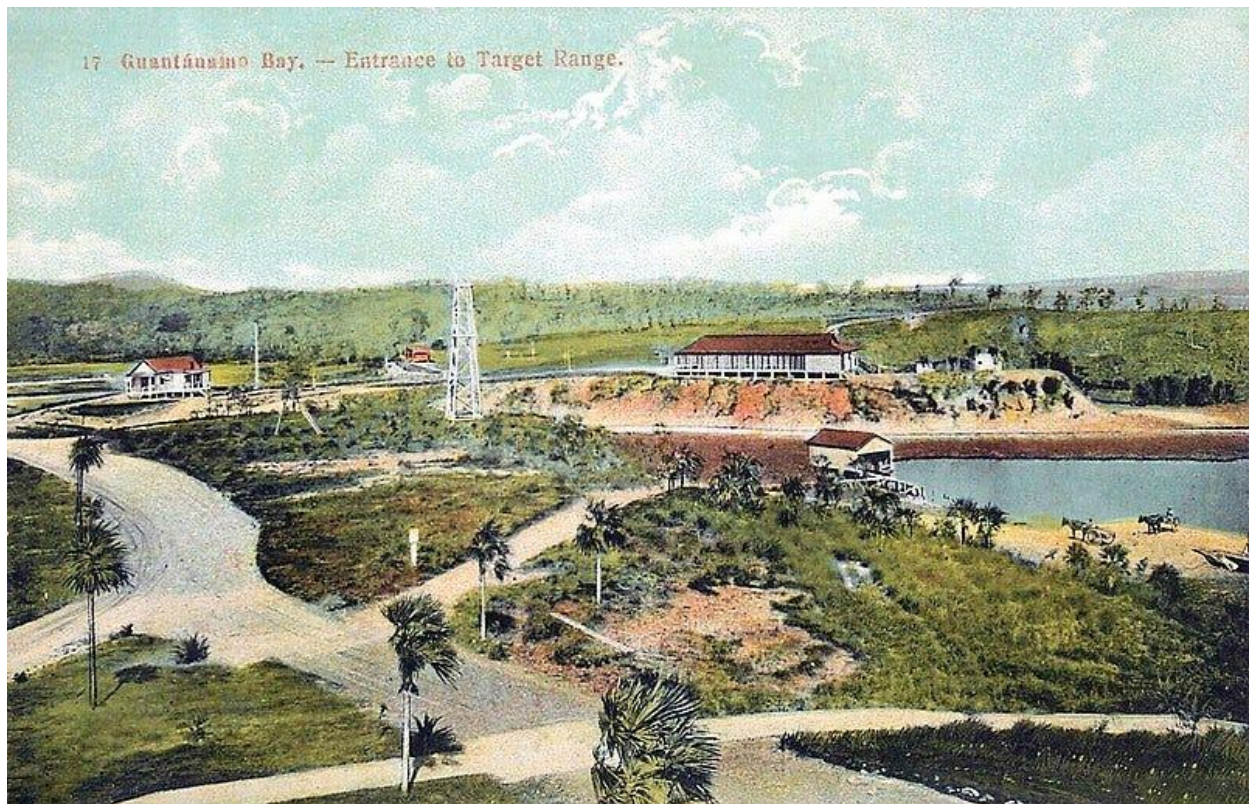
That the government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the government of Cuba.

Part of the deal was that the United States would retain Guantanamo Bay as a useful refueling station and naval base in the middle of the Caribbean, a body of water that policymakers envisioned as an “American lake.” The arrangement was formalized with a permanent lease, priced at the bargain-basement rate of \$2000 per year. Over the next few decades, the United States built up its facilities in the area, adding an air station during World War II.

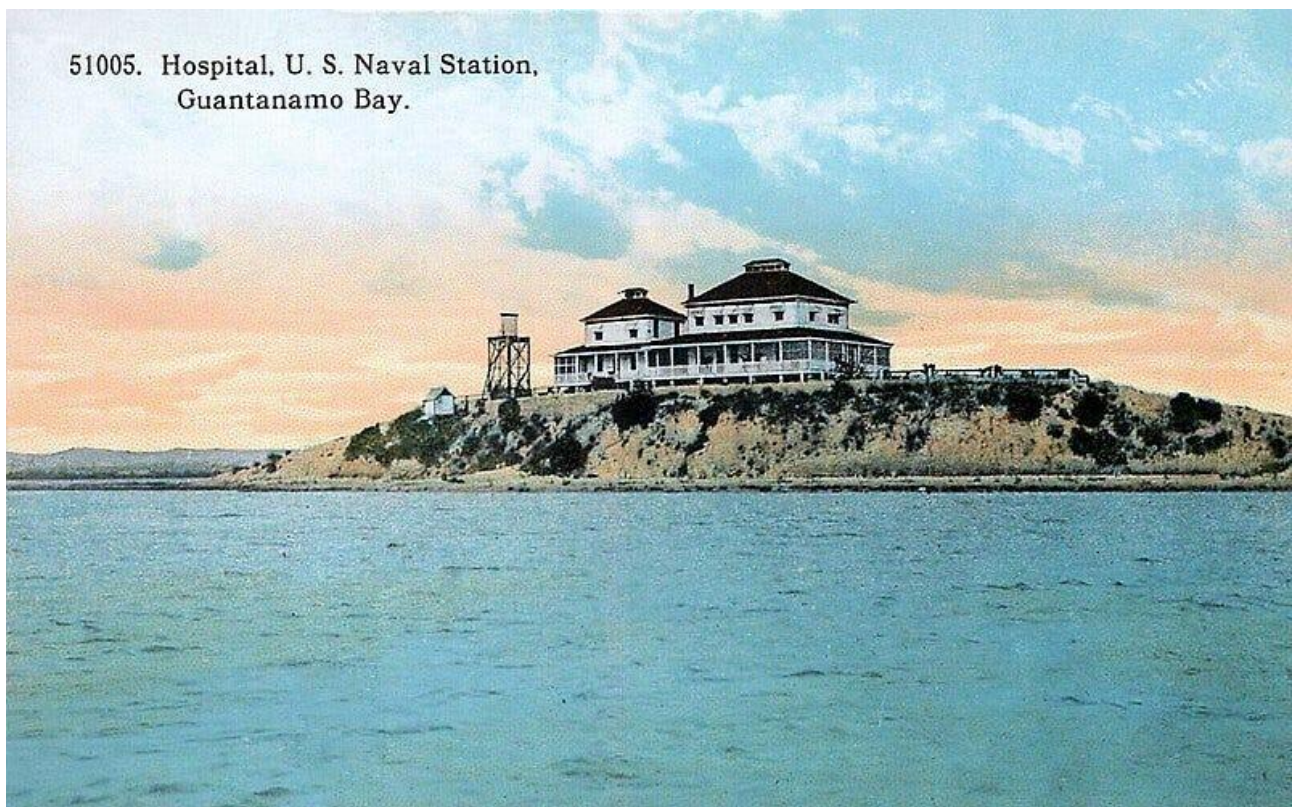
This was the beginning of an era in which the United States government would mangle the English language and its own legal values to do whatever it wanted in Guantanamo. To protect Cuban independence, the United States would limit its freedom of action and take some prime territory for itself. None of it made much sense, but it seems supremely logical compared to what came next.

Revolution and Cold War

In Navy photographs from the early 20th century, the place looks like a colonial-era delight. Not a bad place to be stationed at all:



1915 postcard ([public domain](#))



1909 postcard ([public domain](#))

Up to the middle of the 20th century, the situation in Guantanamo was unremarkable given the state of the world. A colonial power imposed its will on a country subject to its influence, signed a disingenuous treaty, appropriated some valuable land for itself, and established a military base on that land. It was a story with many parallels in the history of the last couple of centuries.

But things got strange in Guantanamo after the Cuban Revolution. When Fidel Castro took over in 1959, he was not yet a communist, but he knew that one of his biggest problems was the American presence on his island. Over the first half of the century, Americans had owned much of Cuba's land, dominated its industries, and dictated its policies. Castro had to chart a different course.

The new Cuban leader squabbled with the Eisenhower and Kennedy administrations; the conflicts drove Castro further left. Washington responded by trying to overthrow or assassinate Castro. Three years after Castro's ascent to power, Cuba became the center of a crisis that brought the world closer to nuclear war than it's ever been. All of this tension made the fact that the United States — whose leaders Fidel Castro [compared](#) to Hitler and Mussolini — owned a military base on Cuban soil pretty awkward.

Cuba stopped accepting the paltry lease payments of a few thousand dollars a year (though the Americans do [send](#) one every year in accordance with the lease agreement). This was a way for Castro to signal that the American presence was illegitimate. He also planted miles of cactus along the border between Cuba and the base; that natural barrier was soon replaced by tens of thousands of landmines that both sides scattered around Guantanamo. Castro cut off the base's water supply, forcing the Americans to build a desalination plant. The many Cubans who had worked at the base before the revolution found themselves in an uncomfortable position; some of them ended up having to [live in the base](#) for the rest of their lives, unable to return to their hometowns.

“We didn’t have no rights”

Though Guantanamo still serves as a significant military outpost, it’s more known today for its status as a place where the United States houses people it doesn’t otherwise know what to do with.

This history began in the 1970s when Haitian migrants fleeing the chaos of the Duvalier dictatorship started sailing en masse to Florida. Many of the boats couldn’t make it — the route took them through the Windward Passage, a famously rough patch of the sea.

Some refugee craft — [14 of them](#) during the 1970s — ended up having to seek assistance in Guantanamo. American soldiers helped some of the groups fix their damaged boats and head back out to sea; some other refugees were simply flown to the United States. But most of them were detained in Guantanamo, processed, and sent back to Haiti.

The events at Guantanamo turned out to be an important moment in American immigration policy. When Ronald Reagan assumed the presidency, he tried to recreate what had happened at Guantanamo more broadly. His [Haitian Migrant Interdiction Operation](#) attempted to push America’s borders outward. No longer would America wait for refugees to reach our shores before we turned them away.

After chaos surrounding the election of Jean-Bertrand Aristide in 1990 and a military coup against him in 1991, a new wave of Haitian refugees tried to make it to the United States. The INS decided to take interdicted refugees to — where else? — Guantanamo, where they would await the results of the legal asylum process without entering America proper.



Haitian refugees are returned from Guantanamo to Haiti, 1994
([public domain](#))

More than [12,000 Haitians](#) were held in Guantanamo without access to lawyers to help them navigate the asylum process. Hundreds of HIV-positive refugees were held indefinitely as the government refused to make a decision on their fate. Marie Genard, one of the refugees, described the conditions:

It was massive, a massive camp. And it was fenced with razor wire. And you have the tower with the guards, and then just during the day, you just roamed the yards. We didn't have no rights because, technically, we're not in the U.S. So it felt like you were in prison. I mean, that's what it was to us, it was being in a prison.

Because these people were hidden away in Guantanamo, Americans would not have to see these refugees' conditions or think about their plight. They occupied a strange legal gray zone, were treated like criminals even though they'd committed no crime, and were told they didn't have rights because they weren't actually in the United States. It took a grueling series of protests and court cases for the migrants to get fair asylum hearings.

Forever prisoners

Though many Americans might have viewed the Haitian-migrant episode at Guantanamo as a cautionary tale, the George W. Bush administration seems to have seen it as a road map. After 9/11, as the U.S. government detained thousands of suspected terrorists and insurgents, it wanted a place to put them outside the normal legal system. What better place than this strange little outpost of America surrounded by razor wire and landmines?

The Bush administration contorted the law and the English language to turn Guantanamo into the world's most notorious detention camp. The president's lawyers argued that Cuba has "ultimate sovereignty" over Guantanamo despite the fact that Guantanamo is full of American troops and has belonged to the United States for over a century. The government instead claims "complete jurisdiction" over the base.

Anybody who isn't motivated by money or politics to think differently would say those are the same thing, but the administration's lawyers managed to turn them into a meaningful distinction. What these legal contortions meant in practice was grim: the detainees in Guantanamo weren't subject to the laws of the United States or any international treaties.



Detainees at Guantanamo, 2002 ([public domain](#))

Guantanamo quickly became the most famous prison in the world. Hundreds of men from dozens of countries ended up there. Many were [held there](#) without ever being charged with a crime or offered a chance to defend themselves at trial. The Bush administration, unwilling to risk putting suspected terrorists on trial, fearful that legal proceedings would reveal classified information, unwilling to hand them over to other nations' justice systems, and not particularly interested in the human rights of these suspects, just kept them in a "[legal black hole](#)." Many of the people in Guantanamo were [badly mistreated](#) in violation of international law.

Though subsequent presidents promised to close the detention facility at Guantanamo, none of them completed the job. Upon taking office, Donald Trump inherited four “[forever prisoners](#)” who the United States has no intentions to release but will likely never put on trial. They include a Palestinian man who, it turns out, was not an Al Qaeda member but, if released, might release secret information about the way that the CIA mistreated him. He is imprisoned alongside another man who was found unfit to stand trial because he was driven insane by the black-site torture he suffered.

You might think that the history of Guantanamo would deter Donald Trump from making it the centerpiece of his new deportation campaign. You’d imagine he would want to avoid having his efforts linked with an ugly history of imperialism and cruelty. You’d guess that he might not want to associate himself with a legacy of Americans ignoring American values and laws when they’re inconvenient or might be enjoyed by groups of people that the government considered troublesome.

Or, maybe, this is exactly what attracts Trump to use Guantanamo. Its history shows that it’s the perfect place to disappear people into a legal vortex where truth and rights don’t exist.