

Elian Gonzalez's Case: Conflict Dynamics, Interests, and Positions

By Elton Simoes

MBA, Institut Europeen d'Administration des Affaires, 1994

BA, Pontificia Universidade Católica de São Paulo, 1986

BA, Fundação Getúlio Vargas de São Paulo, 1986

A Thesis Submitted in Partial Fulfillment of the Requirements for the Degree of

MASTER OF ARTS

in Dispute Resolution

© Elton Simoes, 2012

University of Victoria

All rights reserved. This thesis may not be reproduced in whole or in part, by
photocopy or other means, without permission of the

Supervisory Committee

Elían Gonzalez's Case: Conflict Dynamics, Interests, and Positions

By Elton Simoes

MBA, Institut Européen d'Administration des Affaires, 1994

BA, Pontifícia Universidade Católica de São Paulo, 1986

BA, Fundação Getúlio Vargas de São Paulo, 1986

Supervisory Committee

Lyn Davis, PhD (School of Public Administration)

Supervisor

Moussa Magassa (Faculty of Human and Social Development)

Member

Abstract

Supervisory Committee

Lyn Davis, PhD (School of Public Administration)
Supervisor

Moussa Magassa (Faculty of Human and Social Development)
Member

Elían González's case is an intriguing example of how a small-scale dispute over the custody of a boy escalated to the point at which it became an important element in a much larger conflict involving the U.S. and Cuban governments and the Cuban American exile community. Looking at this case from the standpoint of the field of dispute resolution, understanding both the interests and positions that drove the dispute for Elían's custody and how the conflict dynamics played out during this conflict will help shed light on Elían's impact on both the United States and the Cuban American exile community.

The purpose of this study is to understand the interests, positions, and conflict dynamics in the Elían González's custody dispute and its impact on the U.S. government and public opinion and on the Cuban American community, using case study documents and qualitative and quantitative studies.

Using an interest-based approach (Fisher, Ury, & Patton, 1991), this study attempts to separate the respective parties' interests from their positions during this conflict. Further, using the conflict analysis escalation dynamics model (Mitchell, 2006) and the conflict dimensions model (LeBaron & Pillay, 2006), this study demonstrates how the dispute over Elían's custody escalated from a small-scale, interpersonal dispute into a major international struggle involving communities, countries, and U.S. public opinion at large.

Table of Contents

Supervisory Committee	ii
Abstract.....	iii
Table of Contents.....	iv
Chapter 1 - Introduction.....	1
Research Questions	2
Chapter 2 - Methodology and Method.....	4
Steps in the Methodology.....	5
Ethical Considerations.....	7
Chapter 3 - Literature Review.....	9
Relevant Theoretical Frameworks	9
Previous Research on Elian Gonzalez’s Case	14
Chapter 4 - Context and Interests.....	18
The Media: From Custody Battle to a Large-Scale Dispute	18
Cuban Government’s Perspective	23
Cuban Americans’ Perspective	31
U.S. Federal Government’s (Clinton Administration) Perspective.....	38
Interests, Convergences, and Compatibilities	45
Chapter 5 - Conflict Dynamics and U.S. Public Opinion: The Elian Gonzalez Tale	49
Cuban American versus U.S. Government: Two Different Approaches	49
Applying the Conflict Analysis Escalation Dynamics Model to Elian Gonzalez’s Case	53

Relevant Events Before Escalation	53
Escalation	56
Mobilization	59
Enlargement	62
Polarization.....	64
Dissociation.....	68
Entrapment	73
Elian Gonzalez and U.S. Public Opinion: From Escalation to Entrapment.....	75
Chapter 6 - Conflict Dimensions in Elian Gonzalez's Dispute	77
Material Dimension.....	78
Symbolic Dimension	79
Relational Dimension.....	93
Chapter 7 - Conclusions and Final Considerations.....	100
Research Findings	100
Elian Gonzalez and the Study of Dispute Resolution	105
Contribution to Dispute Resolution Literature.....	107
Recommendations for Future Research	108
References.....	109

Chapter 1 - Introduction

On November 26, 1999, the day after Thanksgiving in Miami, Florida, the media spoke for the first time about a Cuban boy who had been rescued by a fishing boat in the ocean. His name was Elian Gonzalez.

Elian's mother, Elisabeth Bretons, picked up Elian at his father's (Juan Miguel Gonzalez) house, in the seaside Cuban town of Vardar, on November 21, 1999. She told Juan Miguel that she, Elian, and her boyfriend were going for a picnic. Instead, they attempted to cross the 90-mile strait to the Florida coast on board a small, leaky, aluminum boat with nine other people on board. The next day, the boat capsized; out of the 11 people on board, nine were dead. Elian Gonzalez was one of the two survivors (Stephen, 2000).

Upon his arrival on U.S. soil, Elian immediately struck a chord in the hearts and minds of Cuban Americans. His relatives' refusal to return the boy to his father, in Cuba, triggered a dispute that quickly escalated to unanticipated proportions. In just a few days, a 6-year-old boy was in the center of the Cuba-U.S. relationship and the object of intense media coverage in a crisis that would take the better part of the next 8 months. Elian returned to Cuba on June 8, 2000, after being forcibly extracted from his uncle's house in a U.S. Immigration and Naturalization Service (INS) raid on April 22 and remaining on U.S. soil until all the appeals were exhausted in the legal battle between Cuban Americans and the U.S. federal government.

Between his arrival in the United States and his departure to Cuba, Elian's story triggered a series of events within the Cuban community in Miami. Amongst other things, giant Cuban flags flew on top of the houses in Little Havana; the Virgin Mary supposedly materialized in both the bedroom that Elian was using and in the window of a Miami

downtown bank; and Cuban Americans threatened to resist Elian's repatriation by both violent means and/or forming a human chain around Elian's uncle's house (Stephen, 2000).

Elian's story also captured the hearts and minds of the American people in unprecedented ways. In February 2000, a Gallup survey indicated that 8 out of every 10 Americans were following Elian's story, a figure that matched the Clinton-Lewinsky affair and the assassination of John F. Kennedy (Perez, 2005). During this tenure, American public opinion shifted. In December 1999, Gallup found that the American public was evenly split: 45% favored returning the child to Cuba and a similar percentage favored keeping him in the United States. Two weeks later, on January 26, this scenario had dramatically changed; according to Gallup, 60% of the people favored returning the boy to his father (Perez, 2005). The Elian Gonzalez case shows how culture can not only generate conflict but also serves as a catalyst for its escalation (LeBaron & Pillay, 2006). Ultimately, the cultural differences between the Cuban American and U.S. cultures played a decisive role in the decision by the U.S. courts to send Elian back to Cuba with his father. The aftermath of the conflict had several long-term consequences, particularly at the relational and symbolic levels.

Elian Gonzalez's case is now a distant memory for the U.S. public and the dispute about his return to Cuba has been settled. However, Elian Gonzalez remains a symbol for both Cubans and Cuban Americans. Yet, each of these groups sees in Elian's story different and contradictory meanings as part of a larger, more complex, unresolved conflict.

Research Questions

Elian Gonzalez's case is an intriguing example of how a small-scale dispute over the custody of a boy escalated to the point at which it became an important element in a much larger conflict involving the U.S. and Cuban governments and the Cuban American exile

community. Looking at this case from the standpoint of the field of dispute resolution, understanding both the interests and positions that drove the dispute for Elian's custody and how the conflict dynamics played out during this conflict will help shed light on Elian's impact on both the United States and the Cuban American exile community.

The purpose of this study is to understand the interests, positions, and conflict dynamics in the Elian Gonzalez's custody dispute and its impact on the U.S. government and public opinion and on the Cuban American community, using case study documents and qualitative and quantitative studies. To this end, this study will explore the following research questions:

1. Using an interest-based approach (Fisher, Ury, & Patton, 1991), what were the interests and positions involved in the Elian Gonzalez dispute between the Cuban American and U.S. federal governments?
2. Using the conflict analysis escalation dynamics model (Mitchell, 2006) and the conflict dimensions model (LeBaron & Pillay, 2006), how did the dispute over Elian's custody escalate from a small-scale, interpersonal dispute into a major international struggle involving communities, countries, and U.S. public opinion at large?

Chapter 2 - Methodology and Method

This study is a qualitative study using a pragmatic research paradigm. Rather than focusing on method, this study emphasizes the research problems, using any and all approaches to understand them (Creswell, 2009).

This is an intrinsic case study, as its main objective is the understanding of one specific and particular case, and it does not aim at theory building (Stake, 2005) . It is, rather, a reflection on an intrinsic interest on Elian Gonzalez's custody dispute.

This case study focuses on the dispute between Cuban Americans and the U.S. federal government and is grounded by the interest-based conceptions and framework for dispute analysis (Fisher et al., 1991), which proposes the separation of people from problems and interests from positions. Elian Gonzalez's case analysis attempts to separate the problems involved in this dispute from the relationships between Cuban Americans and the other stakeholders, in particular the U.S. federal government. Understanding Cuban Americans' perceptions, emotions, and the way they have communicated with the other stakeholders is the key to the analysis. Additionally, the analysis separates the interests of both Cuban Americans and the U.S. government from their respective positions and explains why, in Elian Gonzalez's case, an agreement was not possible.

The analysis deals primarily with two key elements. The first is the identification of the respective interests and positions of two of the parties involved: the Cuban Americans and the U.S. federal government. The second is the impact of the Cuban Americans' positions on U.S. public opinion. The analysis focuses on how the dispute was presented by each of the parties and attempts to identify and measure the impact of those presentations on U.S. public opinion.

The interests and positions of the two parties involved are determined through the analysis of previous published research on the Elian Gonzalez case, combined with the review of the media coverage in the United States during and after the dispute. The impact of the Cuban Americans' positions on U.S. public opinion is measured through the opinion polls conducted by Gallup Institute and other institutes during and after the dispute.

Steps in the Methodology

There are three consecutive steps in the methodology. The first step is an attempt to separate each party's respective interests and positions. In doing so, the analysis uses the following definitions: interests are each side's "needs, desires, concerns and fears" (Fisher et al., 1991, p. 41), and positions are the "ideal outcome from the position-taker's point of view" (Chicanot & Sloan, 2003, p. 16).

The analysis, at this stage, primarily deals with the political and economic environments at the time the events happened and their relationship with the Elian Gonzalez dispute. The interests of each major stakeholder (Cuban Americans, U.S. federal government/Clinton administration and Cuban government) are summarized in a brief statement so that their convergences may be more clearly seen.

The second step, using the conflict analysis escalation dynamics model (Mitchell, 2006), analyzes the chain of events that led to the conflict escalation with emphasis on the use of symbols and metaphors used by the Cuban Americans to justify their positions, focusing particularly on the meaning of those symbols for the Cuban Americans and how they were understood by U.S. public opinion. The focus is to establish a timeline that lays out when and how each issue and/or position was presented by the Cuban Americans during the dispute and how those positions shifted over time. The primary sources at this stage are the

published texts surrounding the events related to this dispute, as well as the analysis and reinterpretation of studies and data related to Elian Gonzalez's case.

Since the published timelines in all studies analyzed do not show discrepancies on dates, times, and chain of events, I chose the timeline published by the Florida newspaper, the *Sun Sentinel*, as a reference in this study. The absence of discrepancies in the timeline is expected, as the Elian Gonzalez case has been closely followed and intensively covered by the media, which, in turn, kept the documentation of the events consistent.

At this stage, the conflict dimensions model (LeBaron & Pillay, 2006) is used by isolating each of the three different conflict levels: material, which represents the concrete aspects of the conflict; symbolic, which represents the meaning of issues to the people involved, and relational, which involves the parties' actions and roles in the conflict as well as their capacity to communicate to each other (LeBaron & Pillay, 2006).

In the third step, the relationship between the Cuban Americans' positions during the dispute and the shifts in U.S. public opinion are analyzed. In order to do so, the opinion polls published at the time of the conflict were used to assess trends, positions, and shifts in U.S. public opinion. The main source of quantitative data are the Gallup Institute opinion polls measuring U.S. views on Elian Gonzalez's case between 1999 and 2000. In addition, I used quantitative data from opinion polls conducted by the following organizations: CBS/New York Times, Institute for Public Opinion, NBC News/Wall Street Journal, Rasmussen Research, and Quinnipiac College.

Research Limitations

The research institutes did not grant access to the raw quantitative data. All quantitative information used in this study is public, consolidated quantitative results, published by each individual entity. Therefore, both the questions used in each of the opinion polls used in the analysis, and the statistical treatment of the data, were not specifically designed to meet this study's research questions. This limitation renders impossible further, more sophisticated, statistical analysis based on raw quantitative data collected by the research institutes. Additionally, this study relies exclusively on secondary sources of information, published in the United States.

Ethical Considerations

Since this study involves a conflict between two different cultures over specific cultural notions about family and religion, special attention must be paid to avoid portraying the positions and symbols stated by each group in a caricatured or derogatory way.

Elian's case touches sensitive nerves in both the Cuban American and U.S. communities by dealing with emotionally charged issues such as immigration, the Cold War, and religion and racism, amongst others. In this scenario, it is easy to let preconceived assumptions and prejudices impact the analysis. In order to address this concern, I have both attempted to keep an impartial position as an analyst, and, at the same time, relied on sources and peer-reviewed literature which represent several aspects and viewpoints so that we may achieve a fair balance of positions.

This research is based mainly in the analysis of secondary data and literature review. Its data collection method does not require dealing directly with the people that are the object

of the study. Therefore, the approval from the UVic HREB is not required, as this research project does not involve human participants or human biological materials and is limited to the use of materials in the public domain (University of Victoria, 2011).

Chapter 3 - Literature Review

The literature review focuses on two different aspects. The first aspect involves the identification of the relevant theoretical frameworks which ground the analysis. The second aspect focuses on previous research on Elian Gonzalez's case, covering several different and relevant themes, such as the political and economic environment, the historical circumstances, the symbols used by Cuban Americans in order to justify their positions, and media coverage.

Relevant Theoretical Frameworks

In this study, I use different theoretical frameworks in order to answer the research questions, understand the parties' behaviors, establish a framework that allows us to chronologically analyze the chain of events in the dispute, and understand the conflict dimensions involved. Following, I offer a brief description of the relevant theoretical frameworks used in this case study.

Interest-Based Model

A conflict or dispute happens when expectations, goals, or objectives diverge (Chicanot & Sloan, 2003). According to the interest-based model, the positions taken by each party in a conflict are underlined by interests that are not being met (Fisher et al., 1991). For the purposes of this study, we will separate interests in five different elements: needs, defined as the objectives each party finds mandatory; desires, defined as objectives that each party wants; concerns, defined as aspects of one party's positions that may bring anxiety to the

other party; fears, defined as aspects of one party's positions that may scare the other party; and hopes, defined as future objectives or expectations (Chicanot & Sloan, 2003).

The interest-based model proposes a separation between people and their problems and interests and their positions. In general terms, in proposing the separation between people and their problems, this method acknowledges that every party has two kinds of interests: the substance of the dispute or negotiation and the relationship with the other party or parties. The natural consequence is that, when a dispute happens, the relationship and the problem tend to be entangled, causing positional bargaining, which, ultimately, puts the relationship between the parties and the substance of the dispute in direct contradiction. Separating relationship from problem can be a very effective way to understand the nature of the conflict and it can lead to a more satisfactory solution (Fisher, Ury, & Patton, 1991).

The second important aspect of the interest-based method is the separation of interests from positions. It is critical to understand each of the main stakeholders' interests so that I may understand how they behaved and what they did in Elian Gonzalez's case. The interests define the problem, as the basic issue to be resolved is not reconciling conflicting positions but rather addressing the needs, desires, concerns, and fears (Fisher, Ury, & Patton, 1991).

Interests motivate people and are the drivers behind the positions. While position is what each party decides, interests are what motivate the party to make such decisions (Fisher, Ury, & Patton, 1991).

Fisher et al. (1991) offered another relevant concept for this case study: positional bargaining. It occurs when relationships becomes entangled with the problems, putting substance and the relationship in conflict. In this case, the interaction between the parties becomes a contest of will that only aggravates and deepens the conflict (Fisher et al., 1991).

Game Theory

In essence, game theory is a representation, in the form of games, of any form or interaction that involves strategic play. The central idea is that each player, in choosing his or her own moves, takes into account the future moves (or at least what he or she anticipates them to be) of the other players, continuously readjusting his or her behavior in response to the behavior of others. This behavior is called strategic interaction (Rigney, 2001).

In game theory, language is a truth bearer, which translates the individual's thoughts, whose meaning does not impact or is affected by the context in which language is used (Gergen, 2001). Since language is a truth bearer and does not create or impact reality, a conflict or game is self-contained and, therefore, all conflict resolution is content centered (Lederach, 2003). Reality is perceived as fixed, measurable, and objective (Rigney, 2001).

Game theory proposes that it can be universally applied in all cases and social settings (Rigney, 2001). Consequently, a game or a conflict is a problem that must be solved within the shortest possible period of time (Lederach, 2003) and necessarily have clearly defined beginning and endpoints (Mitchell, 2002).

In this problem-solving orientation, a conflict is resolved by achieving a settlement, which could be a win-win game (total payoff expands and all players enjoy prosperity) or a zero-sum game (gains on one party necessarily come at the expense of the other party) (Rigney, 2001).

Conflict Escalation Dynamics Model

Understanding Elian Gonzalez's case requires the analysis of the conflict dynamics involved. In this sense, Mitchell (2006) proposed a useful conflict escalation dynamics

model, which divides the conflict process into six different intensifying dynamics: escalation, mobilization, enlargement, polarization, dissociation, and entrapment (Mitchell, 2006). A brief definition of each of these dynamics is provided in the next paragraphs.

Escalation is when the party intensifies its conflict behavior directed to the adversaries with the intent to make them abandon their goals, allowing the first party to achieve its own objectives by typically applying coercive actions that impose costs or even violence on the adversaries (Mitchell, 2006).

Mobilization is when a group finds itself in a protracted conflict with another group, devoting time, efforts, and resources to the conflict, aiming at a solution that satisfies all of its goals and interests, without consideration of the adversaries' goals and interests (Mitchell, 2006).

Enlargement is when other parties are "pulled in" to the conflict, either as one of the party's allies or as a calculated intervention aiming at preserving its own interests (Mitchell, 2006).

Polarization is when the issues on which the adversaries come to confront in the first place are widened to include a variety of other issues, which leads each of the parties to "line up" against one another in an increasing number of issues, causing each party to counter any and all of the other parties' positions, regardless of the individual merit of each respective position (Mitchell, 2006).

Dissociation is when the physical contact between the parties in conflict decline in frequency with the consequent narrowing of the communications between them as the conflict continues to escalate without any attempt at a resolution (Mitchell, 2006).

Entrapment is when the parties become trapped in a course of action which involves continuing and intensifying a conflict on the grounds that "there is no alternative," although

the time, effort, and resources spent by the parties are well beyond any possible value of “winning” (Mitchell, 2006).

Conflict Dimensions Model and High Context-Low Context Cultures

A conflict may happen on three different dimensions (LeBaron & Pillay, 2006): the material dimension, which represents the concrete aspects of the conflict or the “what” of the conflict, normally related to structures, systems, laws, rules, and policies; the symbolic dimension, which represents the meaning of issues to the people involved, and, especially, the ones that resonate with people’s identity, values, worldviews, and perceptions; and the relational dimension, which involves the parties’ actions and roles in the conflict as well as their capacity to communicate to each other, manifested in each party’s communications and interactions (LeBaron & Pillay, 2006).

The relative importance of each conflict dimension, as described earlier, is affected by several cultural factors that influence the conflict. In this case study, the most relevant is the distinction between high context and low context cultures (LeBaron & Pillay, 2006).

In high context cultures, nonverbal communication is emphasized, context is important and bears meaning, communication is indirect and covert, messages are implicit, and reactions are reserved (LeBaron & Pillay, 2006).

In low context cultures, by contrast, verbal communication is emphasized, communication has specific and literal meaning and is transmitted in a direct and overt manner, messages are explicit, and reactions are out in the open (LeBaron & Pillay, 2006).

Conflicts that involve high context cultures or environments will increase the importance of the symbolic and relational levels. On the other hand, conflicts within a low context culture or environment will place more weight on the material level.

Previous Research on Elian Gonzalez's Case

In the last 10 years, Elian Gonzalez's ordeal has been analyzed in a number of different studies emphasizing different aspects of the story and using different theoretical lenses. The most relevant studies on this subject are organized across some common themes: political and economic environment, historical circumstances, the symbols used by Cuban Americans in order to justify their positions, and media coverage.

Political and Economic Environments

In order to understand Elian's case, one must first understand the political and economic environments in which the story developed. To this end, Leongrande and Thomas (2002) offer a compelling description of Cuba's economic history and, in particular, its economic situation in the 1990s. The authors examine Cuba's 1990s attempt to reinsert its economy in the global market in the aftermath of the Cold War and provide insight on the impact of this attempts on Cuba's social and political environments (Leongrande & Thomas, 2002).

Mckenna (2004) offers a comparative study on foreign policies toward Cuba by shedding light on U.S. foreign policy approaches toward Cuba. He outlines different countries' policy approaches towards Cuba; discusses similarities and differences of these approaches; and offers insights on the directions these countries might pursue (McKenna, 2004).

McNeil (2010) studies the U.S. foreign policy toward Cuba during the post-cold war period, focussing the discussion on the values, emotions and policy discourse that prevent the

possibility to consider that the Cuban state enjoys widespread public support in Cuba. He explores U.S. foreign policy towards Cuba based on isolation and concludes that engagement should replace isolation as the optimal choice for U.S. foreign policy towards Cuba (McNeil, 2010).

Wylie (2004) analyses U.S. reactions to Elian's affair in the light of its foreign policy. She demonstrates the assumptions, values and identities upon which the U.S. perceptions and reactions to this case were based (Wylie, 2004).

Ogelman, Money, and Martin (2002) explain Cuban American political power in the U.S. as a function of the Cuban American community's cohesiveness of both; and its access to power due to the grant of U.S. citizenship to Cuban immigrants. The authors analyse Elian's impact on both Cuban American political power, and Cuban American institutions in the U.S. (Ogelman, Money, & Martin, 2002).

Dillman (2002) analysed the discretionary decisions made by the Clinton Administration regarding Elian Gonzalez from the legal and institutional standpoint. He points out that the final decision on illegal aliens in the U.S. rests on the U.S. Attorney General. In Elian's case, the use of this discretionary power gave the Clinton Administration the legal ability to settle the dispute (Dillman, 2002).

Some of the previous studies give emphasis to the political and economic environment at the time of Elian's arrival in Florida. Perez (2005) focused on the political environment and circumstances in order to explain how a six-year-old boy from a remote Cuban town could be transformed into a media character. In his view, Elian's importance was almost exclusively a product of the circumstances and timing of his arrival in the United States.

Symbols Used by Cuban Americans

While it is true that circumstances and timing played an important role in this case, it was also the use of symbols and the way they were presented and understood by both Cuban Americans and the U.S. public that determined, to a great extent, the importance of this case for each of those groups.

On the symbolic level, Banet-Weiser (2003) pointed out that Elian's story, viewed from an American perspective, was presented as an epic tale complete with heroes and villains. According to her, the story told by the American media was organized within cultural rhetoric of childhood innocence, the family, and, of particular resonance for American media audiences, national identity (Banet-Weiser, 2003).

Martinez (2003), adopting a Cuban American perspective, drew similar conclusions as she analyzed the mythology built by Cuban Americans around Elian, involving the use of family and religious metaphors in order to build a cultural rhetoric that could justify their position in the custody battle. Depicting Elian as a Christ-child and his mother as a martyr made perfect sense in a community that sees itself as exiles who one day will go to the promised land (Martinez, 2003).

Allatson and Guzmán (2008) detail how Elian's case captured the myth of Cuban exile exceptionalism and demonstrate how the Cuban Americans, in the process, were equated to the other U.S. Latino groups (Allatson & Guzmán, 2008).

Media Coverage

Finally, some studies explain the importance of the case by attributing it to the way Elian's story was presented by the media. In that regard, the concept of media hyper-coverage fits perfectly. Demo (2007) defined hyper-coverage as not only a high level of story saturation among print, television, and online news outlets, but also a high level of representation of one medium in another (re-mediation). In February 2000, Elian had received more media coverage than both presidential candidates Al Gore and George W. Bush combined. This image-driven overstimulation, coupled with the dramatic narrative that accompanied it, would then determine the afterimage of this conflict (Demo, 2007).

Loyola (2000) compares the differences and similarities between the narratives adopted by the Cuban media, based in Havana, and the Cuban American media based in Miami. She demonstrates that, in Cuba, Elian's story was used to demonstrate the unfairness to the U.S. embargo and to unify the Cuban people around a common cause. At the same time, in Miami, Elian's ordeal served to oppose the virtues of the liberal democracy to Castro's authoritarian communist regime (Loyola, 2000).

Sahlins (2005) proposed that Elian's story was articulated with greater political and ideological differences and thus promotes a conflict of greater historical significance. The mechanics of it is the dialogical synthesis of Elian's microhistory with macrohistories, resulting in the amplification of this lesser conflict into a greater one (Sahlins, 2005).

Chapter 4 - Context and Interests

Upon his arrival in Miami, Elian was immediately trapped in the five decades of conflict between the United States (U.S. citizens and institutions), the Cuban Americans (Cubans and Cuban descendants living in the United States), and the Cuban government installed after the 1959 revolution (Perez, 2005). Given the political environment, Elian's case provided each of the parties involved in the conflict with opportunities to launch political and propagandistic attacks against their respective perceived enemies.

As in any case study, the understanding of the context is critical to the analysis. Elian's story is no exception. It is useful to briefly review and understand the environment in which Elian's story unfolded. In order to do so, the perspectives of each of the main groups of stakeholders in this conflict (Cuban government, Cuban Americans, U.S. federal government and U.S. public opinion) must be considered and understood.

In summary, in this chapter I will both understand, define, and analyze the media treatment of Elian's ordeal, and clearly identify each party's interests underlying their respective actions, by separating their needs, desires, concerns, fears, and hopes in this dispute.

The Media: From Custody Battle to a Large-Scale Dispute

Although an interesting tale, Elian's ordeal was not an uncommon story. Similar stories happened (and still happen) almost every day at U.S. borders. Elian's narrative, solely by its own merits, does not offer sufficient explanation as to how and why a small-scale, interpersonal dispute turned into the object of a major international struggle involving communities, countries, and the U.S. public opinion at large.

One important reason why Elian's case had such large impact was that it has been the object of unusual attention by the media. I will analyse below the media treatment of Elian's ordeal by exploring the reasons why and the media amplified the dispute and transformed this microstory into a macrostory that could incorporate collective identities and narratives.

The Amplification of Elian's Dispute

Without a doubt, Elian's case was subjected to an amplification process that vastly increased its reach and appeal. It crossed the threshold that separates the small-scale, interpersonal dispute from the disputes that incorporate collective identities and narratives, hence, amplifying lesser into greater conflicts. Elian gave collective identity to local relationships and local identities to collective relationships (Sahlins, 2005).

These abstract collective identities were materialized in acting persons, such as Elian, his mother, his father, Janet Reno (attorney general of the United States from 1993 to 2001), and others, who, assuming the collective identities, demonstrated the larger political and ideological differences, similarities and identities that they had been authorized to represent (Sahlins, 2005).

Elian's story appealed to both Cuban Americans and Americans:

The media image of the lone child, found in "safe" waters floating on an inner tube, clearly had a kind of cultural currency with the American media and public. A currency connected not only to a nostalgic rendering of Cuban refugees but also to an equally nostalgic discourse about "rescuing" the American family. (Banet-Weiser, 2003, p. 151)

Hyper-Coverage

Elian's ordeal was the subject of hyper-coverage (Demo, 2007), triggering a high level of story saturation in all forms of media and the interaction and representation of one medium over another. In fact, during the time Elian was on U.S. soil, different media such as newspapers and televisions freely exchanged not only content but also the format in which the news was presented.

Elian's affair "changed from a very small issue into a wide community-based problem. Initially, it was really older Cuban-American exiles that were fighting this war. Eventually, it was younger Cuban-Americans from all social classes" (PBS, 2000b, n.p.). Elian Gonzalez' case became an epic Cuban-American struggle.

The first element of this chemistry was Elian's story itself. It was interesting and included "sufficient structural and iconicity to evoke a widespread political response" (Sahlins, 2005, p. 8). Because it was his mother and not his father who died during the crossing, this an appealing story, as it is inexorably tied to the idea of motherhood, creating a common ground to which anyone could relate and share a common experience.

Visuals. However, hyper-coverage would not have been achieved on the basis of Elian's story alone. It needed good visuals. Elian's story guaranteed the visual spectacle and, from its beginning, the relationships between the main stakeholders in this dispute were, to a great extent, mediated by images (Demo, 2007). Additionally, Elian's controversy "featured all the melodramatic ingredients necessary for a big story that could not only bridge the hard news/entertainment divide but also draw diverse audiences captivated by the conflicts and personalities that defined the case" (Demo, 2007, p. 33). "The personalities featured throughout the controversy prompted commentators to frame the controversy as a telenovela" (Demo, 2007, p. 33).

It also helped that Elian was a child. At the time of Elian's arrival in Florida, the interest in the Cuban revolution or counterrevolution was at an all-time low. Elian recuperated the interest of the younger generations in Cuban-related issues and gave the older generations the opportunity to indoctrinate their descendants into the horrors of Communism and the virtues of fighting against Castro (Sahlins, 2005).

Values and Mythologies

For the United States, the final necessary characteristic for Elian's news story to achieve the status of a news spectacle was its potential to tap underlying cultural and political mythologies. "The Elian Gonzalez case provided newsmakers with a number of rhetorically powerful tropes to draw on as they framed the story" (Demo, 2007, p. 34). "This immigrant family drama mines foundational national values and mythologies such as freedom and the American dream" (Demo, 2007, p. 34).

For Cuban Americans, the custody dispute over Elian quickly came to be represented in terms of a struggle for freedom and democracy against Communism and despotism. The link between Elian's microstories and the Cuban Americans' macrohistories was established.

The Elian affair indicated that something also has to be said for the symbolic felicity of the case, something about the meaningful conditions that make a cause célèbre. But beyond that, we have to look to the larger correlation of forces. The lingering antipathies of the Cold War notwithstanding, the American and Cuban governments had mutual interests in controlling immigration to the United States and loosening the American embargo on trade. The greater structure of the conjuncture dampened the lesser oppositions in play. (Sahlins, 2005, p. 26)

Also, Elian's ordeal reminded of the operation, "Pedro Pan," where children were separated from their parents in order to escape from Communism. These "Pedro Panners," now in their 40s and 50s, were never reunited with their parents and, therefore, were amongst the first to be attracted to Elian's story (Sahlins, 2005).

Framing

Together, with the intertwined microstories and macrostories, the media successfully framed Elian's history by weaving together powerful narratives of childhood innocence, American and Cuban nationalism, rule of law, religion and family values through the 'immediate, lived experience' encapsulated by photographs of Elian and the transcendent, mediated imaginary that situates Elian as both a religiously blessed child and a national child, intersect to construct not only a particular kind of nostalgic framing for a U.S. media audience but also to establish a symbolic link between discourses of the nation, those of the family, and those of exile communities in the U.S. (Banet-Weiser, 2003, p. 152)

Impact

In the 7 months that followed the 1999 Thanksgiving holiday, Elian was featured in more than 2,000 headlines in major U.S. newspapers and received more coverage than both U.S. presidential candidates combined (Demo, 2007).

Between January and April, 1999, Gallup polls indicated that 78% of Americans were following Elian's case "very closely" or "somewhat closely." If we add the people who declared that they were following Elian's ordeal "not too closely," the percentage of the

American population actively following the case would jump to an astonishing 94%, a consistent figure in all three opinion polls conducted by Gallup in this period (Gallup Institute, 1999–2000).

For different and often contradictory reasons, Elian's story resonated with both Cuban Americans and Americans. Each of these groups saw in Elian's ordeal different elements of their own respective individual experiences, values, and identities, serving as a catalyzer for the conflict dynamics that played out in this apparently small-scale dispute over the custody of a small immigrant boy.

Cuban Government's Perspective

The 1990s represented a period of economic transition in Cuba. The end of the Cold War forced the Cuban Government to rapidly respond to the changes in order to assure the survival of the regime. In 1999, the consequences of the changes in the Cuban economy could be clearly felt into its political environment.

Cuban Government's perspectives and positions on Elian Gonzalez' case were, therefore, shaped by the Cuban economic, social and political environments in 1999, which I will analyse below.

Cuban Economic Environment

The end of the Cold War forced Cuba into a deep crisis, which, in its turn, prompted the Cuban Government to promote significant changes in the island's economy and compounded the importance of the US trade embargo on Cuba's economy. We will analyse below how these two factors impacted the Cuban economic environment in the end of 1999.

Impact of the end of the Cold War in Cuba. The collapse of the Soviet communism in 1989 radically changed the geopolitical context in every corner of the world. For Cuba, in particular, the end of Cold War represented an unmitigated disaster.

The benefits Cuba had enjoyed since the 1960s as a function of its strategic and economic relationships with the Soviet Union ended suddenly in the last years of the 1980s. With the collapse of Eastern European and Soviet regimes, Cuba lost markets and preferential prices, and consequently, reduced its capacity to import. In a very short period of time, the country started to experience shortages of energy and raw materials, which caused production losses (Leongrande & Thomas, 2002).

With the implosion of its economy, Cuba sought alternative sources of economic and support by altering its economy to respond to new realities (McNeil, 2010). Severe austerity measures were implemented, causing rises in employment rates; shortage of consumer goods of all kinds; and sharp fall in the standard of living (Leongrande & Thomas, 2002).

Cuban Government implemented a short term economic strategy aiming at surviving a transition period during which the country would reorient its economy to adapt to the loss of the Soviet subsidies. Starting with Castro's announcement, in 1990, of the beginning of the "Special Period in a Time of Peace", Cuba adopted a wartime economy strategy focused on limiting consumption, reducing expenditures, and straightening domestic food production. From 1989 to 1993, Cuban GDP fell 35%, according to official figures. In 1993, Cuban government adopted a series of domestic reforms with emphasis on attracting foreign investment and expanding tourism (Leongrande & Thomas, 2002).

US trade embargo. Unable to rely on the stable prices and market access provided by the Soviet Union, Cuba was now exposed to the full effect of the US trade embargo (McNeil, 2010). The US trade embargo denied the country access to a large and close market. Consequently, the embargo negatively impacted Cuba's economic recovery both by

increasing the county's shipping costs; and by making it more difficult to Cuba to increase its tourism industry (Leongrande & Thomas, 2002).

At the end of the 1990s, Cuba was experiencing the first signs of the economic recovery that followed the crisis caused by the collapse of the Soviet Union and the downfall of the Communist regimes in Eastern Europe (Perez, 2005). Cuba seemed to have endured the initial catastrophic collapse of its economy a decade earlier and to be slowly adjusting to its new circumstances. Cuba's GDP grew an annual average rate of 3.5% from 1993 to 1999 and the country diversified its trade with western countries, in particular in Latin America and Western Europe (Leongrande & Thomas, 2002).

The US trade embargo, however, continued to hinder Cuban economic growth both by preventing US direct investment on the island; and by increasing Cuban transportation costs (Leongrande & Thomas, 2002). In 1999, lifting the US trade embargo was one of the Cuban foreign policy goals.

Remarkably, the end of the Cold war in the late 1980s had changed very little the US policy regarding Cuba, despite the Clinton Administration inclination towards the normalization of the US-Cuba relationship. The deep-seated American animosity toward the Cuban Government in general and Fidel Castro in particular was one of the main obstacles in the way of a wholesale change in US-Cuba relationship (McKenna, 2004). In 1999, a Gallup poll found that 69% of Americans had a very unfavorable or mostly unfavorable opinion of Cuba (Gallup Institute, 1999-2000); while a 2000 NBC/Wall Street Journal poll indicated that 80% of Americans had a very unfavorable or mostly favorable opinion of Fidel Castro (NBC News/Wall Street Journal, 2000).

With the new millennium approaching, one of the major priorities of the Cuban government was to gain sympathy for the end of the embargo. In order to do so, the government attempted to promote a positive, favorable, and optimistic image of Cuba in the

international media (Perez, 2005). Fidel Castro clearly demonstrated this concern when addressing Elian's case to US audience, during an interview to NBC in December 1999, by displaying a conciliatory, non-threatening and friendly tone

I have already explained that there are important sectors in the United States that are supportive of the child's return. Therefore, when we protest and denounce this to the rest of the world, and wage a battle, we are also doing it for those within the United States who believe that the fairest and most proper thing to do is to return the child to Cuba. It is not a battle against the United States, it is not even a battle against all political sectors in the United States; it is a battle against those who oppose the return of the child so, it is a battle in favor of the United States. Yes, I say this in all sincerity because I am absolutely certain that the sooner the problem is resolved, the better it will be for your country's prestige, and the longer the delay, the more costly it will be from a political and ethical point of view for the United States' prestige.

I beg the American people not to consider me an adversary of their country but I cannot avoid holding the United States accountable for this crime. Let us say that, at least, we are struggling together with many in the United States who would like to see justice done and the child freed. After this is over there will certainly be some wounds to heal. However, our people will have gained a greater conscience and a slightly higher political culture than when this process began (Granma International Digital, 1999, n.p.).

Cuban Social and Political Environment

The recovery from the 1990s economic crisis presented Cuba with new challenges. As I will demonstrate below, a latent social unrest was noticeable and Cuban Government

identified in as a threat the Communist ideology. Such perception required the Cuban Government to take decisive measures in order to reinforce the Cuban people`s commitment to the regime.

Social unrest. During the 1990s, the impact and costs of Cuba`s isolation from international markets and sources of capital were squarely placed on the shoulders of the Cuban people. While Cuba`s the modest economic reforms brought relief to Cuban`s people hardship, they came at a social and ideological price. In 1999, gambling, prostitution, crime and drugs had grown significantly. At the same time, the emphasis on tourism highlighted and exacerbated social inequalities. It made clear the distinction between goods and services available to tourists and those available to Cubans, who resented their restricted access (Leongrande & Thomas, 2002).

Since the reforms did not affect Cuban Government control over employment and salaries, a distorted relationship between the buying power of dollars and Cuban pesos was created. Such a disparity was not sustainable in the long-term, both economically and politically. Given this scenario, the Central Communist Party perceived an ideological threat as the exacerbation of the social inequalities and economic imbalances may encourage a “dangerous shift in popular values towards individualism and materialism” (Leongrande & Thomas, 2002).

Threats to communist ideology in Cuba. Despite the ongoing discourse about the unconditional and unbreakable unity and loyalty of the Cubans in favor of the revolution, there were concerns in the Cuban government that the modest 1993 economic opening had caused some degree of what was considered ideological deviation (Perez, 2005). The perception was that, in the aftermath of the reforms, both the state`s economic control, and the regime`s socialist ideological foundations were eroded (Leongrande & Thomas, 2002).

As a result, inside the Cuban Communist party, the “hardliners” (conservatives) were gaining strength as a reaction to such ideological deviations. In the Cuban government, reform-inclined politicians were being replaced by conservative-oriented ones (Perez, 2005).

In 1999, Cuban Government was committed to strengthen their ideological foundations within Cuban population. In order to do so, it would exploit two different ideas. On one hand, the US embargo magnified Cuban fear and mistrust of US initiatives toward the island, which, in its turn, facilitated the ability to frame the US in a negative fashion for Cuban public consumption. On the other hand, the notions of ideological themes of saving the nation and self-sacrifice were already entrenched in Cuban public opinion and could be used to legitimate Castro’s regime in the Cuban people’s eyes (McNeil, 2010).

Cuban Government’s use of media in domestic politics. Cuban Government was no stranger to the use of state owned media as an effective tool to reinforce communist ideology. Since the Cuban Revolution, the Castro regime has used it constant and effectively. The Granma, Cuba’s official newspaper, was traditionally the political voice of the Castro regime.

During the 1990s, however, the economic constraints that followed the end of the Cold War severely impacted Cuban Government’s ability to maintain their state owned apparatus in full operation.

In the spring of 1999, Cuban media was finally emerging from the 1990s economic crisis period, when the daily press was drastically reduced and the TV hours were cut to 6 or 7 a day in each of the only two national channels. Given the perceived ideological threat to the revolutionary ideas, top Cuban government officials were increasingly interested in the use of media and its potential political and ideological role in the revolution. The first test to the effectiveness of the intensive use of media for political propaganda in the island after the economic recovery by the Cuban government was a large ideological offensive to publicize a

lawsuit, in Cuban courts, against the United States for human damages in the spring of 1999 (Perez, 2005).

Later in 1999, Elian would offer another opportunity to reinforce Cuban population's commitment to the revolutionary ideas. The Granma adopted a narrative in third person where it analysed and interpreted the dispute parties' motives and intentions; and personalized the dispute by framing it, to Cuban people, as a struggle between Cuba and the "anti-Cuban mob" allied with the US right wing (Loyola, 2000). In one of the first articles on Elian Gonzalez, published in December 1999, the Granma framed the dispute for the Cuban people by stating that "there is no shame or ethics left in the North American congressmen of Cuban heritage. They are involved in a desperate war against our people" (Diario Granma, 1999).

During the dispute, the Granma would dedicate 127 articles to Elian's affair. These articles, with titles such as "Elian does not need lawyers"; "Elian is a symbol that the Cuban mob wants to destroy"; and "Our people's struggle for Elian's return cannot stop" would aim at promoting Cuban people's unit around Elian Gonzalez's cause (Diario Granma, 1999-2000).

In this context, I conclude that for the Cuban government, finding an external enemy was of great value in order to catalyze the Cuban population around issues that could reinforce its ideological commitment and the conservative's power within the Cuban government. Elian's story presented, in the Cuban government's view, a great opportunity to find this external enemy.

From the beginning, the dispute about Elian's custody was framed by the Cuban government as a Cuban epical struggle against to protect Cuban revolution against US imperialism and Cuban-American counter-revolutionaries in Miami. The Granma would give

ideological colors to the dispute when it published that “Elian does not need lawyers. Cuban people will defend him” (Diario Granma, 1999).

In that struggle, Elian was renarrativized into Cuba’s native and prodigal son, and remade into an icon of resilience and renewal for a regime and state grappling with the economic downturn following the collapse of the Soviet bloc, an era in Cuba known as the Special Period in a Time of Peace (Periodo Especial en Tiempo de Paz). The investment of such revolutionary and ideological capital in and on Elian is clear from one anthology of Cuban press writings, “Batalla por la liberacion de Elian Gonzalez” (Madan, 2000). The book’s title emphasized that Elian’s “liberation” required his “rescue” from the imperialist-capitalist US state. That rescue would affirm the validity of the “Battle of Ideas,” Castro’s term for the “return Elian” struggle and how its successful conclusion would provide a symbolic focus for Cuba’s new post-Soviet direction (Allatson & Guzmán, 2008, p. 256).

Cuban Government’s Interests

Given the set of circumstances described earlier, I conclude that, by November 1999, the Cuban government (a) needed to unify Cubans around a common cause, (b) desired to normalize the U.S. commercial relationship with Cuba, (c) was concerned that Elian was used as a propaganda tool by the Cuban Americans, (d) feared that the Clinton administration would favor Cuban Americans in the dispute, (e) and hoped to cooperate with the United States toward a politically advantageous solution for the Elian affair.

Cuban Americans' Perspective

Talk to a Cuban American in Miami and most likely Cuban politics will dominate the conversation. There were, in 1999, approximately 700,000 rabidly anti-Castro Cuban Americans, out of the 2.1 million people living in the Miami-Dade area (Stephen, 2000).

In the 1990s, Cuban Americans controlled (and still control) their own media, both print and broadcast, in Spanish. The editorial content of such media apparatus was, and still is, clearly anti-Castro. The Cuban Americans in Miami did not need to use American English-speaking media as their main form of information and home entertainment. As a consequence, I conclude that Cuban Americans' perceptions are heavily influenced by the Spanish-speaking media in Miami.

In 1999, there were at least 13 radio and TV stations that broadcast in excess of 300 hours of Cuban-oriented programming, most of them opposing the Cuban government and incentivizing people in the island to undertake acts of subversion, civil resistance, and even terrorism against the Castro regime (Perez, 2005).

As I will demonstrate below, Elian Gonzalez arrived in Miami at a time when the Cuban Americans faced a crisis involving at least three different aspects: diversity of the Cuban American population living in Miami; racial tensions among African Americans, Latinos, whites, and Cuban Americans; and a leadership crisis triggered by the dispute among different generations of Cuban Americans for control over U.S. politics toward the Cuban government (Martinez, 2003).

Cuban American Diversity

The Cuban American hold on Miami started in 1959. Despite their apparent homogeneity, Cuban Americans are a diverse group whose values and opinions vary according to the timing and circumstances of their immigration to Miami.

The first wave. The first Cubans to flee their home country were former supporters of Fulgencio Batista's dictatorship, which was, in turn, supported by the U.S. government at that time. This first wave of immigrants constructed a narrative of their own history where

the fact that many of the most recalcitrant leaders lost their properties long before Cuba became Communist because of their family's direct political ties to Cuba's corrupt and brutal dictator, Fulgencio Batista, is generally ignored; so is the fact that the vast majority of Cubans supported these blanket expropriations, especially the middle-class Cubans whom Batista and his cronies defrauded. (Guerra, 2007, p. 7)

The second wave. The next wave of immigrants had a different nature. They did not support Batista's return to power in the island. They in no way favored the Castro regime. They were against its nationalistic policies, wealth distribution programs, and its ties to the Soviet Union (Guerra, 2007).

These two groups with opposing views toward Batista's government were forced by circumstances to forge a strategic all-or-nothing alliance (Guerra, 2007) against the Cuban government and revolution. Their shared hatred of Fidel Castro was the bond that kept them united.

The third wave. To these two initial groups, the operation, "Pedro Pan," added yet another different segment to the Cuban Americans' mix. In the early 1960s, with the help of the Catholic Church and cooperation of the U.S. government, a large group of children were sent out of Cuba without their parents in order to "save" them from Communism. By 1999,

these children, nicknamed “Pedro Panners,” were in their 40s and 50s and were important leaders in the Cuban American community. They “took a leading role in the Elian case, because they could identify with the plight of Elian” (PBS, 2000b, n.p.).

Certainly, the rush to unite against Castro muffles discordant memories of who stood for what and why before Castro. On the one hand, members of the exile elite have never kept secret their plans to re-conquer Cuba’s political system and recover the expropriated wealth that many of them lost. Still, although Cuban exiles of different generations may share anger with the Castro regime over injustices inflicted on them at different times during the course of the Revolution, including property expropriations, the details of what exactly elite exiles want back and how they lost it are often conveniently left out of most discussions. (Guerra, 2007, p. 5)

The fourth wave. The fourth large group within the Cuban American community was formed after 1980, with the arrival of the “Marielitos,” a depreciative designation for the around 125,000 Cubans, many of them released convicts, who fled to the United States when the Cuban government temporarily lifted restrictions on leaving the country (BBC, 2011). They differ from the rest of the Cuban American population that came before in two very important and sensitive aspects: motivation to immigrate and race.

The Marielitos’ motivation to immigrate was fundamentally economic, rather than purely political. They were seizing the opportunity to leave Cuba and seeking a better economic life. They were not necessarily motivated by political disagreement with Castro’s regime nor necessarily carried with them an aversion to the Communist ideology.

The Marielitos were also different in another significant way. Rather than the former white, middle, and upper class former immigrants, they were more representative of the average Cuban population. In other words, they had darker skin and were poorer.

Indeed, even within the Cuban community, there are contradictions in the construction of the “right” kind of immigrant: the “old exiles” compared with the Mariel immigrants, who after all, were not seen necessarily as escapees from Communism but rather as criminals and “deviants” abandoning Cuba with Fidel Castro’s blessing. (Banet-Weiser, 2003, p. 166)

American-Born Cuban Americans. Finally, after 40 years in the United States as a self-defined exile community, a significant portion of the Cuban American population was born, raised, and/or educated in the United States. These individuals are necessarily younger (less than 40 years old, depending on the time of their parents’ immigration), went to American schools, are bilingual, do not have a clear memory of Cuba, and are American citizens with Cuban heritage. Therefore, I conclude that this segment of the Cuban American population, to some degree, has weaker links to Cuba, less commitment toward the fight against Communism in Cuba, and a different perspective regarding U.S.-Cuban relations.

By 1999, for the first time since the Cuban revolution, Cuban Americans were no longer a unified front fighting against Castro’s regime. The successive demographic changes made Cuban Americans a more diverse, heterogeneous, and less unified group. “Although most Miami Cubans might endorse exile leaders’ dreams of fomenting ‘regime change’ in Cuba itself, the former’s perceptions of what the end of Fidel Castro will mean for them do not necessarily go hand-in-hand with those of the exile leaders” (Guerra, 2007, p. 5). Cuban Americans born in the US and the newer arrivals are less ideologically opposed to the Castro regime and not as committed to the economic and political isolation of Cuba (Wylie, 2004).

Racial tensions

Cuban Americans occupy, in U.S. society, a special position. “Unlike many other US Latino groups, Cuban Americans have managed to assimilate structurally without assimilating culturally” (Martinez, 2003, p. 23).

In other words, Cuban Americans hold institutional power but, at the same time, retain their ethnicity, including the use of the Spanish language. Particularly in Miami, Cuban Americans live in relative isolation when it comes to information and culture. They enjoy their own media infrastructures with newspapers, TV stations, radio stations, and every other form of media, in Spanish and exclusively dedicated to servicing the Cuban American community and communicating Cuban values and culture.

Compared to other Latin American ethnicities, Cuban Americans enjoy considerable privileges in the United States, which were acquired during the Cold War period. The Reagan administration granted virtually automatic asylum to Cubans coming into the United States (Stephen, 2000) and Cuban Americans enjoy significant privileges in terms of access to jobs and political control in the Miami area, not only setting them apart from, but also discriminating against the non-Cuban Latino immigrants in the United States.

The uneasy relationships between “old” Cubans, Mariel Cubans, African Americans, Anglos, and Haitian “boat people” demonstrate the contradictions that characterize all communities in the United States, especially those labelled “ethnic” communities.

These contradictions are revealed in employment opportunities, school funding, and federal support in all areas, as well as in geographic zoning that functions to strictly regulate ethnic neighbourhoods. (Banet-Weiser, 2003, p. 164)

Perhaps overstating the reality, Victor Curry, president of the Miami-Dade chapter of the National Association for the Advancement of Colored People (NAACP), declared that

“the darker Cubans were treated less than the lighter Cubans. And many of them find that same truth here in Miami-Dade” (PBS, 2000a, n.p.). By 1999, there was a deep resentment toward the Cuban American community by the African Americans, non-Cuban Latinos, and whites.

Cuban American leadership crisis

Mas Canosa was the head of the most important, powerful, and influential organization of Cuban exiles, The Cuban American National Foundation (CANF), which promotes strengthening the economic, political, and military pressures on Cuba.

Mas Canosa's ties and closeness to the Reagan and Bush administrations were very instrumental in achieving these goals (Perez, 2005). In 1997, Mas Canosa, the leader of the Cuban American community, died without leaving behind a clear successor for the Cuban leadership in Miami. His death came at time when the right-wing exile community's hegemony was eroding slowly as

new generations of Cuban-Americans become politically aware. Unlike the initial exiles, these new generations include Cuban-Americans raised in the United States as well as in revolutionary Cuba. The death of CANF's leader, Jorge Mas Canosa, in 1997 also provided a blow to the apparent consensus among Cuban-Americans (Ogelman, Money, & Martin, 2002, p. 158).

The absence of a clear Cuban exile leadership in Miami triggered a dispute among several groups in the Miami Cuban community over the control of the CANF. Each of the groups saw Elian's case as an opportunity to unite Cuban Americans under their respective leadership and around the CANF. From the beginning, the Cuban exiles framed Elian's case

to reinforce the Cuban American identity as a people without a country fighting for freedom (Perez, 2005).

The cohesion of the Cuban-American community, reinforced by “right-wing” leaders, resulted in a single, anti-Castro voice being heard and adopted by U.S. policymakers. That cohesion is now breaking down. Mas Canosa’s death in 1997 signaled the beginning of the passage of leadership from the original exile generation to new generations of Cuban-Americans. These new generations not only have more heterogeneous preferences, but appear more comfortable with pluralism within the Cuban-American community. The hold over the community, enforced by terror and intimidation, is slowly abating and, with it, the ability to influence U.S. foreign policy (Ogelman, Money, & Martin, 2002, p. 162).

In 2000, the pressures over the Cuban American right-wing grew to the point at which its

political leaders in the Miami exile community and the US Cuban news press gambled that Elian’s whiteness would insulate and secure him within the realm of exilic Cuban exceptionalism” (Allatson & Guzmán, 2008, p. 255).

Within days of Elian’s arrival in Miami, a flier published by the CANF featuring a freeze-frame of Elian on a stretcher after his rescue from the sea started circulating in Miami. The banner headline read: “Another Child Victim of Fidel Castro” (Candiotti, 2000).

Cuban Americans’ Interests

Given the set of circumstances described earlier, I conclude that, by November 1999, the Cuban American community (a) needed to unify its people against the Castro government, (b) desired to use Elian’s custody battle as a political weapon against the Cuban

government, (c) was concerned with the vacuum in its leadership, (d) feared that its political power in the United States was being undermined, and (e) hoped to have the support of the other Latino immigrants to its cause.

U.S. Federal Government's (Clinton Administration) Perspective

When the Clinton administration's senior officers resumed their work in the morning after the 1999 thanksgiving holiday, they probably had heard about Elian Gonzalez, as many of the people in the United States did. For those in the Clinton administration, however, this piece of news was, at the most, an exotic footnote in their mind at that point.

Overall, the Clinton administration, in November 1999, had a clear focus on the 2000 presidential election. At that time, the interest of those in the administration, when related to the U.S.-Cuba relationship, was mainly focused on changes in the shape of this relationship in order to adapt it to the new historical circumstances.

In 1999, the discussions concerning Cuba, within the Clinton administration, were almost restricted to the U.S. trade embargo to Cuba. At that point in time, the administrations did not—and probably could not—anticipate Elian's impact on three important areas: relations between the United States and Cuba; relations between Americans and Cuban Americans; and the 2000 U.S. presidential election.

U.S.-Cuba Relations

The 40-year period that preceded Elian's arrival in the United States could be divided into three phases in terms of what was driving U.S. policy toward Cuba: (a) from 1961 to 1981, during the Kennedy (1961–1963), Johnson (1963–1969), Nixon (1969–1974), Ford

(1974–1977), and Carter (1977–1981) administrations, approximately; from 1981 to 1989, during the Reagan (1981–1989) and Bush (1989–1993) administrations; and from 1993 to 2001, during the Clinton administration.

From 1961 to 1980, the traditional Cold War ideology of U.S. foreign policy defined certain governments as being enemies or hostile to the interests of the US.

Since the early months of Fidel Castro's rise to power in 1959, the United States has viewed Cuba in a noticeably negative light, hermetically sealed within a seemingly frozen Cold War dynamic. Cuba was initially regarded by Washington as a serious security threat and a possible Soviet beachhead in the Americas, an unrepentant exporter of revolutionary upheaval, and an unacceptable regional "model," and thus the confrontational tone of the relationship was cast in stone very early. Neither side was prepared--for a host of international, domestic and individual reasons--to bend or to compromise to the other's overtures and pressures. Thus, for over forty years the US-Cuba relationship has remained frozen in time poisoned by mutual distrust and visceral animus.

Successive US administrations--all professing to one day set foot in a free and democratic Cuba—have maintained a consistent approach toward Havana: a policy based largely on confrontation and isolation. At one time or another, each administration has sought to facilitate the removal of Fidel Castro and to bring an abrupt halt to the Cuban revolution, to institute liberal democratic and market reforms on the island, and to establish a US-friendly government in Cuba. Lastly, Washington has been steadfast in its goal of securing financial compensation for US-owned properties that had been confiscated after the 1959 revolution (McKenna, 2004, p. 282).

By the 1980s, powerful interests within the Cuban American community were able to articulate the position of the Cuban exile community in Washington through the Cuban-American National Foundation (CANF), whose political influence in Washington became more evident. The Cuban-American influence only begins to be seen with

Reagan's campaign efforts to appeal to Florida's Cuban-American community.

Reagan's staunch anticommunism was consistent with the views of the right-wing exile community. Once Reagan took office, his administration worked well with exile groups. For example, the CANF played a major role in organizing and staffing Radio Marti, which the Reagan administration launched to provide Cubans with "unbiased" information. The Reagan administration also supported the Cuban Exodus Relief Fund, a CANF effort to facilitate the immigration of Cubans from third countries to the United States. Reagan's migration policy toward Cuba also reflected the priorities of the right-wing exile community. In 1982, the administration further restricted travel to Cuba. Emigration, however, was encouraged and regularized in a 1984 agreement with Cuba. However, Cuba suspended this agreement in 1985 as a response to the initial broadcasts of Radio Marti (Ogelman, Money, & Martin, 2002, p. 160).

Such interests were supported, in Washington, by the Reagan and Bush administrations, which were viewed as being close to the position of Cuban exiles (PBS, 2000c, n.p.) .Starting in the 1980s, this led Cuban exiles to take

a leading role in formulating US policy towards Cuba. Before 1980, there had been actors. They had been agents of the U.S. policy towards Cuba, as epitomized by the Bay of Pigs. But in the 1980s and 1990s, in the absence of anyone else caring about Cuban policy in the United States, Cuban exiles became the principle actors in US-Cuba policy. (PBS, 2000c, n.p.)

From this set of circumstances, I conclude that, as a consequence, despite the end of the Cold War, the dissolution of the Soviet Union, and Cuba's deep economic hardship, U.S. policies toward Cuba were hijacked by Cuban Americans who kept such policies as if the Cold War was still in full swing. U.S. policies toward Cuba were no longer serving U.S. interests but rather being used by Cuban Americans to satisfy their own agenda.

Cuba, without the backing of the Soviet Union, was experiencing a severe economic downturn and had long since reversed its policy of support for revolution around the globe. Clearly, under both the Bush and Clinton administrations, security concerns about Cuba disintegrated. The only clear explanation of a continued policy of isolation was the pressure of the right-wing exile community (Ogelman, Money, & Martin, 2002, p. 161).

Reflecting the end of Cold War, the Clinton administration, during its 8 years in power, distanced itself from the Washington "hardliners" in the Cuban American community and adopted a softer approach to Cuba-U.S. relations by extending toward Cuba a series of ambiguous policies that included a slight relaxation of the 41-year embargo and a less confrontational discourse. In November 1999, the Clinton administration was at its end (Perez, 2005).

U.S.–Cuban American Relations

From the Cuban Revolution to the end of the Cold War, Cuban Americans have been idealized by the American media in a discourse of

“model” citizenship informed by the privileges of whiteness and masculinity. That status was, and to a degree remains, in stark contrast to the “alienized” receptions of US Mexicans and Mexican immigrants, and the ambivalent “national” status of US-

resident Puerto Ricans, the largest Latina/o populations. The favored status of Cubans closely followed the Cuban Revolution of January 1959 with the flight of the island's elite and professional, and largely white, sectors to the USA and other destinations. The persistence of the discourse is a public relations success of the Cuban exile political movement (Allatson & Guzmán, 2008, p. 253).

The end of the Cold War significantly weakened the ideological framework upon which the U.S.-Cuban relationship was built. The sanctions against Cuba based purely upon the ideological confrontation between capitalism and Communism lost their meaning, at least in part, after 1989. As a result, American people were less supportive of the Cuban Americans. The cultural divide between Cuban Americans and the United States became increasingly evident.

Cuban Americans perceived themselves as exiles fighting against an oppressive Communist regime. They called themselves freedom fighters. While the Cuban Americans' self-image remained unchanged, the American people's perceptions of Cuban Americans shifted with the end of the Cold War (Martinez, 2003).

Cuban Americans were now perceived as part of the Spanish-speaking immigrant populations. In the hearts and minds of the American people, the Cubans in the United States were no longer exiles but rather immigrants. They were no longer representatives of the fight for a noble cause but rather an ethnic group refusing assimilation. Such discrepancy would influence how American public opinion perceived Cuban American positions in the dispute over Elian's fate.

In this context, I conclude that Elian was the accidental and involuntary catalyst to this shock between these two different perceptions, as Cuban Americans' arguments and positions, in this dispute, were heavily based on their self-designated identity as exiles. On the other hand, for Americans, the fight against Communism was yesterday's news.

2000 U.S. presidential election

In 1999, the Democrats could see, looming on the horizon, the possibility of a “new Republican Administration in Washington controlled by Christian fundamentalist right wing groups, and closest to the most radical groups of Cuban Exiles, with enormous power in the key electoral state of Florida” (Perez, 2005, p. 87). In 1999, the Democrat Clinton administration had no intention of endorsing Cuban Americans’ positions.

In the United States, electoral strength offers one important channel to political access. In particular, to affect national policy outcomes, the key criterion is the ability to swing electoral outcomes through a block vote in states that are critical to presidential elections. The Cuban-American community has taken advantage of large migration flows, high naturalization rates, and geographic concentration in Florida to cultivate its electoral strength and thereby attain access to political power. Indeed, despite comprising only 0.4 percent of the U.S. population, the Cuban-American community can flex its electoral muscle thanks to its concentration in Florida. In 1980, 60 percent of the Cuban-American population resided in Florida. By 2000, this number had risen to 67 percent (Ogelman, Money, & Martin, 2002).

Adding to the political scenario, with the economy under control and after 8 years under a Democratic administration, here Clinton was involved in a scandal by having sexual relations with Monica Lewinsky and then subsequently lying about it, it was already clear that “Christian and family values” would be a central theme in the next presidential campaign.

As the results of the 2000 election later showed, Florida was not only the swing state but the Cuban American vote for the Republicans was fundamental to George W. Bush's victory in Florida (Schneider, 2001).

U.S. government's (Clinton administration) interests

Determining the U.S. government's (Clinton administration) interests in Elian Gonzalez's case is a complex task.

Elian's legal status in the United States was that of an alien, and therefore, subject to the rules that govern U.S. immigration policies and decisions. In the United States, Congress chose deliberately and expressly, through the Immigration and Nationality Act of 1952, to delegate to the attorney general and the INS the power to discretionarily decide on any issue related to the administration and enforcement of immigration laws (Dillman, 2002).

The consequence, according to Dillman (2002), was that an undocumented immigrant in the United States has neither right to stay in the country nor any constitutional rights during the immigration process. Elian's fate, therefore, would rest upon discretionary decisions of the Clinton administration officials in general, and specifically, on Janet Reno, the U.S. attorney general during the Clinton administration (Dillman, 2002).

Since the attorney general is appointed by the incumbent president (in this case, Bill Clinton), I conclude that the U.S. federal government's interests, decisions, and actions in the Elian Gonzalez case will necessarily be contaminated by those of the Clinton administration. I therefore separate here the needs, desires, concerns, and fears that were taken into consideration between the U.S. government as an institution and the Clinton administration, in Elian's case.

Given the set of circumstances described earlier, I conclude that, by November 1999: (a) the Clinton administration/Democratic Party needed to secure an electoral victory in Florida, a critical state in the 2000 U.S. presidential election; (b) the U.S. federal government desired to take steps to normalize the U.S. relationship with Cuba; (c) the U.S. federal government was concerned that its laws and legal systems would not be respected by Cuban Americans; (d) the Clinton administration/Democratic Party feared that Elian would be used as a political tool by the conservatives in the 2000 election; and (e) the U.S. federal government hoped to cooperate with the Cuban government for a quick and discrete solution to the Elian affair.

Interests, Convergences, and Compatibilities

In Elian's affair, each of the stakeholders had different interests. Yet, such different interests had different convergence and compatibility levels, which would, in turn, inform each stakeholder's respective positions during the dispute. Based on the evidence analysed earlier, I can conclude that, from the beginning, it was clear that the U.S. and Cuban governments had more compatible interests, while Cuban Americans were isolated in the dispute over Elian Gonzalez's fate, as I demonstrate below.

Needs

Cuban Americans and the Cuban government had clearly incompatible and opposite needs. While Cuban Americans saw Elian's case as an opportunity to revitalize their 40-year opposition to Castro's government in Cuba, the Cuban government saw in Elian the

opportunity to reinforce its position by finding an external enemy—in this case, the Cuban American community—that would unify its people around the Communist regime.

For the U.S. government, however, Elian's case was not an opportunity but rather a threat to be discreetly disposed of as soon as possible. From its perspective, the U.S. government's needs involved preventing Elian from becoming the center of an international crisis while minimizing its impact on U.S. domestic politics.

Therefore, the Cuban and American governments had different but compatible needs. Cuban Americans' needs were directly opposed to the Cuban government's needs and incompatible to those of the U.S. government. It was, therefore, natural that the U.S. and Cuban governments cooperate in the solution of the dispute. From the beginning, Cuban Americans would find themselves isolated from the other two major stakeholders

Desires

U.S. and Cuban governments, in 1999, shared the desire to normalize their commercial relationship and relax or extinguish the 40-year-old embargo. If Elian's case became an international crisis between Cuba and the United States, it would negatively impact a potential normalization of Cuba-U.S. relations.

Once again, Cuban and U.S. government interests were radically contrary to those of the Cuban Americans. Cuban Americans desired to tighten the U.S. policy against Cuba by transforming Elian into a poster boy for the Castro government's political oppression. Once again, Cuban Americans would find themselves alone.

Concerns

Cuban Americans and the Cuban government had incompatible concerns. From the Cuban government's perspective, Elian's use as a propaganda tool against the Castro regime was unacceptable. From the Cuban Americans' perspective, however, Elian was just what they needed in order to unify their community once more against Castro.

Since the dispute was on U.S. soil, the U.S. government's main concern was that the parties followed U.S. laws. Breaking the law in the United States was a great source of anxiety for the U.S. government. Since Cuba was beyond U.S. jurisdiction, this concern meant that it would be the Cuban Americans who had to be closely monitored by the U.S. authorities.

Fears

Cuban Americans feared that their political power over Cuba-U.S. relations was gradually being undermined by the Clinton administration. In their mind, a political defeat in Elian's case would further weaken their political position in the United States.

In fact, the Clinton administration was taking some small steps toward the normalization of Cuba-U.S. relations, which, by definition, weakened the political positions of Cuban Americans in the United States. If Elian Gonzalez became an important political factor in the United States, the U.S. government feared that Elian's custody battle could become a decisive variable in the 2000 U.S. presidential election. Such a political situation triggered fears, in the Cuban government, that the Clinton administration might have been tempted to favor Cuban Americans.

Hopes

The U.S. and Cuban governments had similar hopes in the Elian case. Although motivated by different objectives, they both hoped that it would be possible to cooperate toward a solution.

Cuban Americans, on the other hand, being isolated from the U.S. government's interests, hoped to have the support of the other Latino communities in the United States as a way to straighten their political power in this dispute.

Chapter 5 - Conflict Dynamics and U.S. Public Opinion: The Elian Gonzalez Tale

From the dispute resolution study perspective, perhaps the best way to understand the dispute over Elian Gonzalez's fate is to chronologically juxtapose the parties' positions and narratives, in each of the several phases of the conflict dynamics model, with the U.S. public's reaction, measured by the many surveys conducted by several U.S. research institutes. In order to do so, I use the conflict dynamics model (LeBaron & Pillay, 2006) as the theoretical framework in the narrative.

The Gallup opinion polls taken between December 1999 and April 2000 showed clearly that, although U.S. public opinion initially supported Cuban Americans, such support eroded with time, as the case progressed, the Cuban American positions became increasingly more radical, and the dispute inexorably progressed toward the entrapment phase.

Cuban American versus U.S. Government: Two Different Approaches

Before we analyze the chronology of the chain of events, it is important to discuss and understand the assumptions that informed the actions of each of the parties involved in the dispute. In doing so, I intend to briefly establish the framework in which each of the parties was operating and analyze their compatibility.

In philosophical terms, the dispute over Elian Gonzalez constantly shifted between two ways of thinking, which Armstrong (2001) called mythos and logos. Myth is what is thought to be timeless and constant in our existence, looking back to the origins of life, to the foundations of culture, and to the deepest levels of human mind. Myth is not about the practical aspects. It is about meaning. The mythos of a society provides people with a context

that makes sense in their day-to-day lives. It only becomes a reality when it is embodied in cult, ritual, and ceremonies in which people evoke, within them, a sense of significance.

Myth and cult are inseparable (Armstrong, 2001).

Logos is the rational, pragmatic, and scientific thought that enables people to function in the concrete world. Logos is the basis of the Western society and its laws. It must relate directly to the facts and correspond to external realities in the mundane world. Logos does not look back to immutable realities. It elaborates on old insights in an ever evolving creative process aiming at the new. Logos is what makes people do things, but mythos is what gives meaning to their actions (Armstrong, 2001).

On one hand, the U.S. government, in its approach to the dispute over Elian's custody, favored logos by giving more weight to rational decisions based upon U.S. legal and political systems in a conflict that it deemed was being played in a low context culture and environment. On the other hand, Cuban Americans saw Elian through the lenses of mythos by emphasizing Elian's meaning to their identity.

The difference in approaches led the two parties to use different methods with different assumptions over how the dispute should be resolved. Since the U.S. government emphasized logos, it used, as demonstrated here, a game theory approach, which is an efficient way to resolve a conflict only if both parties act rationally and can accurately calculate their respective payoffs (Rigney, 2001). Cuban Americans' emphasis on mythos, however, as demonstrated here, framed Elian's case as a dispute over Cuban American values and identity, where compromise was not possible. Since values and identity cannot be compromised, Cuban Americans' approach resorted to positional bargaining, which reduced the dispute to a context of will (Fisher et al., 1991).

The differences in the approaches used in the dispute over Elian Gonzalez ultimately impacted, compounded, and propelled the conflict dynamics, at the same time both increasing

its intensity of the dispute and consequently decreasing the probability of the parties reaching an agreement.

U.S. Government and Game Theory

The U.S. government, worked under the assumption that the dispute over Elian Gonzalez was being played in a low context environment. This assumption and perception informed both its approach and positions during the conflict. In every step of the conflict, the U.S. government used a game theory approach to the negotiation and always focused on its material dimension. For the U.S. government, the more important aspect of the case was the custody dispute over a minor, which, in their eyes, should be resolved by following U.S. laws.

Through the use of game theory lenses, the U.S. government assumed that Cuban Americans' positions would always be informed by rational arguments and, consequently, they would respond positively to rational stimuli. The U.S. government always acted to punish Cuban American positions that it considered outside rationality and to reward those that fell under the U.S. legal and political systems. Moreover, from this point of view, Elian's case was an isolated incident that had defined beginning and ending points, and it was not part of a large dispute involved in a context that included values, relationships, and identities.

As far as the U.S. government was concerned, the dispute over Elian Gonzalez's custody was self-contained and, therefore, content centered. From this perspective, the parties' thoughts and the use of language and symbols were irrelevant and did not create or affect reality. Therefore, the symbolic and relational dimensions of Elian's affair were clearly unimportant for the U.S. government.

Cuban Americans and Positional Bargaining

For Cuban Americans, however, the dispute over Elian Gonzalez's custody was a high context conflict. Elian's case was about the values that informed their identity and their relationship with their host country. The material dimension, therefore, was the least important factor. The symbolic and relational dimensions were, on the other hand, vital for them.

Mythos gave meaning to Cuban Americans and their positions. From the Cuban American perspective, the Elian Gonzalez custody battle went beyond the material dimension. It was a conflict in a high context culture and environment. In this scenario, the conflict represented and impacted the symbols and metaphors over which Cuban Americans' identity was constructed and their community founded.

Cuban Americans were, in Elian's case, defending their identities, values and, at the same time, negotiating their relationship with the United States in a high context environment and culture. Positioning bargaining, therefore, was their approach of choice to Elian's affair in their interactions with either of the major stakeholders: the Cuban government and the U.S. government and U.S. public opinion.

On one hand, Cuban American's positional bargaining entangled relationships and problems, which made an interest based agreement impossible. On the other hand, U.S. government's game theory approach, combined with its poor perception that this was a high context culture and environment, created conditions where a stalemate would be the only possible outcome.

Applying the Conflict Analysis Escalation Dynamics Model to Elian Gonzalez's Case

The application of the conflict analysis escalation dynamics model requires that we reconstruct a chronological narrative of Elian Gonzalez's ordeal since he left his home in Cuba; isolate and situate in the timeline, each of the six intensifying dynamics described by Mitchell (2006): escalation, mobilization, enlargement, polarization, dissociation, and entrapment; and determine both the positions taken by each party and the impact of such positions on U.S. public opinion. Analysis and narrative are, therefore, intimately related and equally important in this session.

Relevant Events Before Escalation

Although highly followed and publicized at the time it was happening, the reconstitution of the timeline in Elian's ordeal is a difficult task, as it is scattered through several sources with different and sometimes contradictory information. This is particularly true when it comes to the events that unfolded during the crossing from Miami to Cuba. In Elian Gonzalez's tale, even the past sometimes seems uncertain.

The boy probably received his mother, Elisabeth Brotons Rodriguez, with a smile when she picked him up at her estranged husband's house in Varadero, Cuba. They were going, she told her son, for a picnic with her boyfriend, Lazaro Munero. For Elian Gonzalez, November 21, 1999, was probably just a wonderful day for a picnic. Life, however, has its way of turning the unimaginable into reality.

Things took a different turn when later that day, Elian, his mother, and her boyfriend, together with 11 other Cubans, boarded a 17 x 20 foot leaky, aluminum boat in an illegal attempt to cross the 90-mile strait that separates Cuba from the United (Sun Sentinel, 2000).

The trip had been organized by Lazaro Munero, who apparently charged \$1,000 per passenger (Dillman, 2002).

Elisabeth's motivations for taking the trip and risking her son's life were never clear. What is certain is that, 3 days later, on November 24, 1999, at 2:30 a.m., the boat capsized, drowning immediately 11 of its occupants (Sun Sentinel, 2000). Elisabeth Brotons and Lazaro Munero were amongst the dead (Telemundo Chicago, 2000). Elian Gonzalez and two other refugees (whose stories went unnoticed by both the media and the public) survived (Telemundo Chicago, 2000).

November 25, 1999, was Thanksgiving Day in the United States. Elian Gonzalez, a 5-year-old boy, was found alive, clinging to an inner tube, by two fishermen off the coast of Fort Lauderdale, Florida (Telemundo Chicago, 2000). At this point, any would-be illegal immigrant would be routinely sent back home if intercepted at sea, as INS has the discretionary right to turn such individuals back without letting them set foot on U.S. soil (Stephen, 2000). It would have been a routine and simple application of the U.S. "wet foot/dry foot," policy which states that Cuban immigrants intercepted at sea are returned to Cuba, while those who make it onto dry land are inspected by the INS and generally allowed to stay and seek a permanent resident status after 1 year in U.S. territory (Dillman, 2002).

However, in Elian's case, the Coast Guard decided to bring the boy to Miami rather than send him to Cuba, given the boy's age and physical conditions, warranting an exception to the general rule (Dillman, 2002). Elian, therefore, was taken to Joe DiMaggio Hollywood Regional Memorial Hospital (Sun Sentinel, 2000).

Upon Elian's arrival at the hospital, the INS followed its standard procedure when dealing with unaccompanied minor aliens: It attempted to place Elian with relatives. Lazaro Gonzalez, Elian's uncle, arrived at the hospital at this point. Both Lazaro and the physician in charge of Elian's medical care spoke to Juan Miguel Gonzalez over the telephone and

reported on his son's conditions. Juan Miguel Gonzalez was relieved and believed then that his son would be sent to Cuba as soon as his health conditions improved (Guerra, 2007).

Lazaro Gonzalez, in these first moments, indicated that he intended to send the boy home to his father and few, at that point, both in the Gonzalez's family and in the Cuban American community in Miami, disputed this notion (Guerra, 2007). It remains unclear, however, why the INS official in charge of the case stated in a sworn declaration that the identity and the location of the parents were unknown (Dillman, 2002).

On November 26, after 1 day of treatment for sunburn and dehydration at the hospital, the INS temporarily released Elian, who had no documents or identification on him (Dillman, 2002), into the custody of his father's great-uncle, Lazaro Gonzalez, until his immigration status could be determined (Sun Sentinel, 2000). From the INS's perspective, it was a lawful and reasonable discretionary decision, as Lazaro Gonzalez presented (some say minimal) evidence of his relationship with Elian (Dillman, 2002).

On that date, the media picked up the story for the first time and Cuban Americans were immediately touched by it. Perhaps for this reason and certainly with the influence of the Miami leaders with connections to the CANF, always a vocal opponent to Castro's regime, Lazaro Gonzalez decided that the boy should remain in the United States. With his decision, Lazaro Gonzalez had triggered a dispute that was destined to symbolize Cuban Americans' opposition to Castro's regime.

The following day, Elian's father, Juan Miguel Gonzalez, demanded Elian's return to Cuba (Sun Sentinel, 2000). Juan Miguel Gonzalez was a

self-described revolutionary and Communist Party Member. He and Elisabeth had been divorced shortly after Elian's birth, but they shared custody of their son.

According to Juan, Elian was a victim of kidnap by family members trying to make

money off his son; he made it clear that he wanted his son returned to Cuba immediately and contacted the Cuban government for help. (Dillman, 2002, p. 167)

Juan Miguel's request was supported by the INS's assessment of both his political status in Cuba and his fitness as a father. He was twice interviewed by the INS officer in charge in Havana, who concluded not only that Juan was a fit parent but also that his responses were given of his own free will, without any coercion by the Cuban government (Dillman, 2002).

Elian's case was not unusual. Often unaccompanied minors from Cuba and Haiti arrived in South Florida and were placed with relatives. Elian's case, however, was unique in that, for the first time in 41 years of the Cuban Communist Regime, the INS was dealing with a single parent who wanted his son returned to Cuba (Dillman, 2002). From this point, the dispute over Elian Gonzalez's custody would go through all the intensifying dynamics in the conflict escalation dynamics model (LeBaron & Pillay, 2006): escalation, mobilization, enlargement, polarization, dissociation, and entrapment.

Escalation

Escalation Dynamics

At this point in time, the parties intensified their respective conflict behavior. Lazaro and Juan Miguel Gonzalez would use every means possible, both politically and legally, to obtain custody of Elian, at the expense of the other party. The weapon of choice for both sides was to impose costs to the other party as a coercion strategy.

At this stage in the dispute over Elian Gonzalez's custody, any convergence of interests between the three major stakeholders (Cuban Americans, U.S. federal government,

and Cuban government) was not sufficiently clear for them. Therefore, these stakeholders saw each other as parties with competing interests and no potential for cooperation.

Positions During Escalation

On November 28, Mr. Gonzalez filed a complaint with the United Nations (UN) to gain custody of the boy (Telemundo Chicago, 2000). At this point, the U.S. State Department refused to take any part in deciding Elian's future and left the decision entirely to the Florida state courts (Telemundo Chicago, 2000).

The decision clearly followed the U.S. law and legal protocols. In the United States, the attorney general (Janet Reno, at that time) has the sole discretionary authority to interpret, administer, and enforce all U.S. immigration laws (Dillman, 2002). In other words, during the 12 months preceding the 2000 presidential election, the Clinton administration would be the involuntary mediator responsible for determining Elian's fate. For the U.S. government, Elian's case was, at least at that point in time, a conflict where the material dimension would prevail within a relatively low context environment. Reality quickly proved this assessment wrong.

Juan Miguel Gonzalez looked for remedy within the UN, however, and this symbolically transformed the case, at least in its first weeks, from a simple custody battle to an international dispute between nations and ideologies. The effects did not take long to be felt. Within two days of his release from the hospital, Elian became the focus of a child custody and immigration dispute between Cuban Americans and the U.S. federal government.

CANF quickly and literally made Elian a poster child for the anti-Castro Cuban community when it displayed his picture on posters used in manifestations at the World

Trade Organization meeting in Seattle, Washington, on November 30 (Dillman, 2002). This fragile and traumatized child has become an involuntary and uncomprehending symbol of an east-west struggle that the rest of the world thought was over a decade ago (Stephen, 2000).

On December 8, 1999, Elian turned 6 years old. Fidel Castro, taking political advantage of the impasse between Lazaro and Juan Gonzalez over Elian's custody, issued an ultimatum threatening mass protests and a boycott if the boy was not returned in 72 hours (Telemundo Chicago, 2000).

The Cuban government accused the United States of "violating international agreements and exacerbating already difficult immigration issues between the two countries" (Dillman, 2002, p. 167). The Cuban government, at this point in time, could not recognize that it shared some converging interests with U.S. government and, therefore, initially treated the U.S. government as a hostile party.

U.S. Public Opinion During Escalation

Viewed from the standpoint of U.S. public opinion, the Cuban Americans' arguments seemed strong and confirmed by the facts. Both Juan Miguel's filing of a complaint with the UN to establish custody of the boy and Fidel Castro's 72-hour ultimatum for return of the boy to Cuba apparently confirmed the notion that Juan Miguel was not a fit father and that returning to Cuba was not in the boy's best interest, as it would result in the child being used as a living propaganda tool for the Castro government.

Gallup polls immediately captured this trend and showed that, in the period between December 9 and December 12, 1999, U.S. public opinion was split in the middle: 45% of Americans thought that Elian should remain in the United States and 45% believed that he should live with his father in Cuba (Gallup Institute, 1999-2000). At that point in time, a

significant portion of Americans clearly sided with Cuban Americans and, against the Cuban government.

Mobilization

Mobilization Dynamics

Mobilization was swift. Cuban Americans devoted time, efforts, and resources to an all-or-nothing dispute over Elian's custody. Compromise was no longer an acceptable outcome. The support for Elian's right to stay in the United States "closed ranks of the Miami community more tightly than ever before in recent memory, possibly pushing younger Cubans or those with dissenting views or hard-line policies into greater degrees of self-censorship" (Guerra, 2007, p. 12).

After the ultimatum, the Cuban government and the U.S. government, for the first time, saw that their interests were not incompatible and started a slow process of approximation. Cuban Americans, however, became increasingly hostile toward the U.S. government.

Positions During Mobilization

It remains unclear what the Cuban government's objectives were in issuing the ultimatum demanding Elian's immediate return to Cuba. Perhaps the Castro regime aimed at using Elian's image as propaganda, or perhaps it simply miscalculated the effects, reach, and impact of this position.

The fact was, however, that the ultimatum catalyzed Cuban Americans' emotions and energy and focused them on the boy's fate. Suddenly, Cuban Americans were loudly demanding that Elian stay in the United States (Guerra, 2007). It was the first sign that Cuban Americans would adopt a positional bargaining approach to the dispute. For Cuban Americans, it was "all or nothing."

"First, obviously, is the struggle against Castro. And the very fact that Castro wanted the child back was enough for the Cuban exile community or the leaders here to say, 'Well, you can't have him back,' " (PBS, 2000c, n.p.). In addition, for the Cuban-Americans, life in the United States, "in exile, was preferable to living in Cuba. The Castro government has turned Cuba into a hell, according to the way the exiles view it" (PBS, 2000c, n.p.). Consequently, "if you have that perception, then you want to try to prevent people from going back against their will" (PBS, 2000c, n.p.).

Two days after Castro's ultimatum, Elian's Miami family attorney filed a request for political asylum (Telemundo Chicago, 2000), adding another element to the case by transforming a custody dispute over a child into an immigration policy issue. At this point, the Cuban Americans intended to legally shift the discussion from who legally has the right to speak for the child to the exercise of a child's political rights.

It was Cuban Americans' view that "Elian was afraid to return to Cuba and that he has good reason to fear since other members of the family already faced persecution in Cuba" (Dillman, 2002). They contended that Juan Miguel Gonzalez's request to return his son to Cuba was motivated by pressure from Castro's government (Dillman, 2002, p. 166).

At the same time, Cuban Americans disqualified Juan Miguel Gonzalez as a fit father. The "Peter Panners" were in the frontline of the struggle, "arguing that if their parents made that sacrifice, now Elian's mother and his father could also pay the price of distance for Elian's freedom and Elian's future" (PBS, 2000b, n.p.).

Lazaro Gonzalez's family presented itself as Elian's true family. Marisleysis Gonzalez, Elian's second cousin, was presented as Elian's surrogate mother in a failed attempt to operate comfortably within the moral parameters and right-wing rhetoric of the CANF on "family values" (Martinez, 2003).

The Cuban Americans, on their turn, as if to prove that Elian's place was within the Cuban American community, sent him to study at Lincoln-Martí School in Little Havana in Miami (Sun Sentinel, 2000), where he attended his first class on January 4, 2000.

U.S. Public Opinion During Mobilization

Cuban Americans, originally having the support of a significant portion of the U.S. public, put forth their first steps toward alienation when they filed, under Elian's name, a request for asylum. Such a request, when viewed from the perspective of Americans, reframed the dispute into an immigration policy issue, thereby equating Elian's case to any other immigrant case in the United States.

It appeared that the U.S. public, at this point, saw this dispute as a low context family dispute for the custody of a minor, which should be resolved in the U.S. legal system. Because Elian was an illegal immigrant, this notion was apparently reinforced. At the same time, Cuban Americans' attempt to disqualify Elian's father went against U.S. "family values." Immigration and family values were central to the people who supported Elian just a few weeks before.

The result was clearly felt in the next opinion poll conducted by Gallup, between January 25 and 26, 2000. In this poll, U.S. public opinion was dramatically changed. This time, only 33% of Americans believed that Elian should stay in the United States, down from

45% five weeks earlier. On the other hand, 60% of Americans now believed that Elian's place was with his father in Cuba (Gallup Institute, 1999–2000).

Enlargement

Enlargement Dynamics

At this point, the U.S. government, through the Clinton administration and the INS, was definitely “pulled in” to the dispute. At the same time, the Cuban Americans increased their commitment to help keep the boy in the United States. The Elian Gonzalez affair was no longer a private family dispute. What started as a routine refugee rescue just a few weeks before was now a full-fledged dispute involving several parties and stakeholders.

At the same time, Cuban and American governments started to cooperate by tacitly agreeing that the case would follow its course within the U.S. legal system. Castro's ultimatum, made during the escalation phase, was the Cuban government's last clearly hostile act toward the U.S. government. The hostilities would, from now on, be directed toward the Cuban American community.

From a case that involved a boy, his father, and distant Miami relatives, it had now transformed into a dispute that pulled in the Cuban government, the Cuban American community, and the U.S. federal government and institutions (INS, the legal system, and the Clinton administration). The enlargement phase of the dispute was now complete.

Positions During Enlargement

On January 5, 2000, the U.S. government, for the first time, intervened in the dispute. The INS, which has jurisdiction over any and all issues related to immigration, announced its decision on Elian's custody: He belonged with his father, in Cuba. Adding to the blow to the Cuban Americans, the INS issued an order stating that Elian should be returned to his father in Cuba by January 14, 2000 (Telemundo Chicago, 2000).

On January 6, 2000, the INS, 24 hours after having decided on Elian's return to Cuba, informed Lazaro Gonzalez's attorney that Elian's asylum application was being returned at the wishes of the boy's father. In other words, the INS ruled not only that the boy should be immediately returned to Cuba but also that it was his father, and not Elian's family in Miami, who had the legal right to speak for the boy.

What followed was even more emotionally charged. Cuban Americans reacted on both the political and legal fronts. On the political front, in a clear display of disagreement with the INS decision to support Elian's return to Cuba and to his father, the battle was taken to the Miami streets. The decision caused "hundreds of protesters to block intersections and cut off access to the Port of Miami," resulting in the arrest of scores of people (Sun Sentinel, 2000, n.p.).

On the legal front, in an attempt to legally reframe the case from an immigration issue to a custody dispute, Elian's Miami family filed a petition in the Florida state family court urging it to declare Lazaro Gonzalez the lawful guardian of the boy (Sun Sentinel, 2000). The court responded quickly and positively to Lazaro Gonzalez's petition and, only 3 days later, on January 10, 2000, Circuit Judge Rosa Rodriguez granted emergency custody of Elian Gonzalez to Lazaro Gonzalez (Telemundo Chicago, 2000).

Lazaro Gonzalez's victory in the Florida courts, however, turned out to be ineffective and short-lived. On January 12, 2000, the U.S. attorney general, Janet Reno, upheld the INS commissioner's decision to both return the boy to Cuba and give custody to his father (Sun Sentinel, 2000). On the following day, the INS formally rejected Elian's asylum petition for the second time (Telemundo Chicago, 2000).

The U.S. government once more demonstrated that, in its view, the Elian Gonzalez case was a low context dispute over the custody of an unaccompanied immigrant, which should be resolved according to U.S. laws.

U.S. Public Opinion During Enlargement

By February 2000, 8 out of every 10 Americans were following Elian's story. The dispute had enlarged to include not only the U.S. government and institutions but also the eyes of the U.S. public. During Elian's tenure in the United States, Cuban Americans would use all available weapons at their disposal in order to win over the sympathy and support of the American people. However, despite their efforts, the polls systematically showed consistent and increasing support by the American public for Elian's return to Cuba and his father (Perez, 2005).

Polarization

Polarization Dynamics

Polarization did not take long to establish itself. Originally started as a simple family dispute, Elian's case now had widened to include a variety of other issues. U.S. immigration

policy, U.S.-Cuba relations, paternal rights, family values, racial tensions, and the U.S. legal system were now entangled in the conflict dynamics.

Cuban Americans' "all or nothing" strategic alliance against the Castro government created a situation where any and all positions by other stakeholders were immediately countered, regardless of their merits. Cuban Americans were completely invested in positional bargaining in its purest form. Relationships and substance were definitely entangled.

Positions During Polarization

January 14, 2000, came and went with no actions by Cuban Americans to meet the INS deadline toward returning Elian to his father in Cuba. The Cuban American community now was openly and deliberately disobeying the U.S. authorities and symbolically showing that it did not believe the U.S. jurisdiction applied to Cuban Americans. In their minds, their status as refugees fighting for freedom warranted them this right. This position started to put the Cuban American community in direct contradiction with yet another important U.S. value and principle: the rule of law.

On January 19, 2000, four days after the INS's January 14 deadline to return Elian to Cuba had slipped away, Elian's Miami family counterattacked. Once again challenging the INS's decisions on Elian Gonzalez, Lazaro Gonzalez turned to the federal courts by petitioning that it compel the INS to hold an asylum hearing (Sun Sentinel, 2000).

Adding another political twist to the case, the Cuban government sent Elian's grandmothers to the United States in an attempt to reinforce its case for the boy's return to Cuba (Telemundo Chicago, 2000). They arrived in Miami on January 21. In the next four days, they would meet with Janet Reno and with Elian in Miami (Sun Sentinel, 2000). At the

end of the month, on January 29, the grandmothers returned to Cuba empty-handed as the Cuban American community did not display any sympathy or empathy to their pleas (Sun Sentinel, 2000).

U.S. Public Opinion During Polarization

Having failed at winning U.S. public opinion based on the idea that Juan Miguel Gonzalez could not be a good father and Communist at the same time, Cuban Americans rallied against U.S. institutions, in particularly the INS and the attorney general's office, regarding the decision to reunite Elian with his father in Cuba. This was a position that touched another tenet of the U.S. culture: the rule of law.

The law places all decisions regarding aliens in the United States on the shoulders of the U.S. attorney general's office. The attempt to make Lazaro Gonzalez Elian's legal guardian and consequently the person who would speak for the boy once more increased Cuban American alienation from the U.S. public. However, Juan Miguel's refusal to go to Miami in order to retrieve his son played in favor of Cuban Americans' arguments that he was a puppet being used by Castro's regime.

These conflicting signals were reflected in the Gallup poll, taken between February 14 and 15, 2000. During this period, 55% of Americans believed that Elian should live with his father in Cuba, down from 60% in the previous poll. On the other hand, U.S. public opinion in support of keeping Elian in the United States increased to 36%, up only 3% from the previous poll (Gallup Institute, 1999–2000).

This recovery, however, was short-lived. Cuban Americans, having disregarded INS's instructions to return Elian to his father, now started to paint themselves into a corner where

they looked increasingly like any other Latino ethnic group in the United States. From the outside, Elian's affair looked like an immigrant struggle to illegally stay on American soil.

This perception was enhanced by the cooperation of the Cuban and American governments, who recognized their mutual and converging interests. To an outsider's eyes, the Cuban government was patiently following all the U.S. legal protocols and processes, while in the United States, a group of immigrants refused not only to assimilate but also to abide by the law of the land. Cuban Americans started to be perceived as immigrants and no longer as exiles.

However, Juan Miguel Gonzalez's refusal to come to the United States still remained a mystery to the U.S. public and provided an argument for those who favored the Cuban Americans' positions. Instead of Elian's father, the Cuban government sent Elian's grandmothers, who met with Janet Reno and with Elian in Miami. It was not sufficient to completely convince Americans that Elian belonged with his father, in Cuba.

The next Gallup poll would reflect these results. Meanwhile, Cuban Americans' behavior reinforced the notion that they were using Elian as a weapon in a political battle. On the other hand, Juan Miguel's absence did not sit well with the U.S. public.

A Gallup poll measured the U.S. public opinion, between March 30 and April 2, 2000, and indicated that Cuban Americans were once again, after a small and brief recovery in the last poll, losing support. By the end of March, the percentage of Americans who favored Cuban Americans' positions had fallen to its lowest level: 31%, down 2 points from the results in the last poll. Meanwhile, the percentage of Americans who favored Elian's return to his father in Cuba remained practically at the same level: 56%, up only 1% from the results of the last poll (Gallup Institute, 1999–2000). It was as though Americans increasingly distrusted the sincerity of the Cuban Americans, without being able to trust Juan Miguel Gonzalez.

Dissociation

Dissociation Dynamics

Dissociation came clearly and quickly. Contact between Cuban Americans and the U.S. government declined, and the communications between them became increasingly coarse. The U.S. courts and the U.S. media became almost the only way the parties and stakeholders would use to communicate with one another.

Cuban Americans and the U.S. government fought an open war, on both political and public relations fronts, over the hearts and minds of the American people. While the U.S. government invested in its game theory approach by following U.S. laws and regulations, Cuban Americans would entrench even more in their positional bargaining strategy.

Positions During Dissociation

The new chapter of this war was triggered on February 4, when Juan Miguel Gonzalez requested that Elian be moved to the home of another relative in Miami (Sun Sentinel, 2000). Elian's Miami family reacted by filing a police complaint over the meeting between Elian and his grandmothers, citing an interview on Cuban TV a few days earlier, where one of the grandmothers said that she had playfully bit Elian's tongue and unzipped his pants during their reunion (Sun Sentinel, 2000). By morally attacking Elian's grandmothers, Cuban Americans intended to establish their moral superiority to those Cubans in the island by suggesting that returning Elian to Cuba would result in child abuse.

On the legal front, Elian's Miami family asked Judge William Hoeverler to delay the government's motion to dismiss their lawsuit, arguing that the boy could not be sent back to Cuba without first having an asylum hearing. It was an unusually expeditious, political, and emotionally charged process. The petition was filed on February 14 and U.S. District Judge K. Michael Moore was assigned to hear the case a week later (Sun Sentinel, 2000).

At the same time, demonstrators waived the Cuban flag outside the court; Judge Moore conducted his court sessions and heard the arguments on whether he should interfere with the INS's decision to send Elian back to Cuba. On March 21, one day shy from a month of his assignment to the case, Judge Moore dismissed the political asylum lawsuit filed on behalf of Elian Gonzalez (Sun Sentinel, 2000).

Once more, Cuban Americans, in the eyes of the U.S. public, showed themselves as ethnic people who refused to assimilate into American society. It was clear that they do not consider themselves Americans. "Most Cubans, no matter what their thought about Fidel Castro and his government, rejected the transformation of Elian into an American boy" (Perez, 2005, p. 95), hence placing themselves outside of the American society.

Cuban Americans' defeat in the U.S. courts triggered different reactions in each of the parties in the legal dispute. Six days after Judge Moore's decision, the INS informed Elian's Miami family that the boy's legal status in the United States had been revoked and that they would be stripped of the right to care for him if they did not promise to hand him over once federal appeals were exhausted (Sun Sentinel, 2000). Ironically, on the same day, Diane Sawyer started a three-day series of news pieces on her television news show featuring interviews with Elian Gonzalez and showing his life with his Miami relatives (Telemundo Chicago, 2000).

In the last two days of March, Elian's affair had become an even more important political issue in the United States. In a historically unprecedented event, while Cuban

Americans were fighting the U.S. federal government's every action, the cooperation, negotiations, and relations between the U.S. and Cuban governments were peaceful and successful (Dillman, 2002).

On the other hand, while in Cuba, Fidel Castro announced that Elian's father would go to the United States in order to retrieve his son (Sun Sentinel, 2000), while U.S. Vice President and Democrat presidential candidate Al Gore broke ranks with the Clinton administration and announced that he supported legislation to allow Elian to remain in the United States while custody was being resolved in family court (Telemundo Chicago, 2000).

It was a bizarre turn of events. Fidel Castro was advocating the upholding of the U.S. laws and INS's decisions, while the U.S. vice president was publicly defending their change in order to influence the outcome of a dispute and against the policy and positions of the administration of which he was a part.

Perhaps assuming that they would have some political backing from Al Gore, the members of Elian's Miami family announced, on April 1, that they no longer would hand over the boy to his father, even if he came to Miami from Cuba (Sun Sentinel, 2000).

With this move, Cuban Americans took one more step away from mainstream America. They were clearly defining their cause as Cuban Americans as a matter of protecting an ethnic minority that, at the same time, refused to assimilate and to follow U.S. laws. Cuban Americans were making the transition from exiles to ethnics.

The news that Juan Miguel Gonzalez's visas were approved caused the next few days to become even more emotional in Little Havana. Crowds gathered in front of Lazaro Gonzalez's house, and Marisleydis, Elian's cousin, was hospitalized for the second time in two months for mental exhaustion. Violence outbreaks were a real possibility at the time (Sun Sentinel, 2000).

On April 6, three days after the issuance of his U.S. visa, Juan Miguel Gonzalez arrived in Washington, DC, accompanied by five people: Juan Miguel's infant son and wife, together with Elian's cousin, teacher, and pediatrician (Telemundo Chicago, 2000). His arrival in the United States appeared to ease doubts about his sincerity and fitness as a father (Perez, 2005).

Janet Reno, in an unusual move for a U.S. attorney general, went to Miami on April 12 and met with Lazaro Gonzalez and Elian's Miami family, demanding that they surrender the boy for flight to Washington, DC, and a reunion with his father (Telemundo Chicago, 2000). Reno's efforts, however, were to no avail, as Elian's Miami family not only defied the attorney general's order but also obtained a court order to keep the boy in the United States, and the family later managed to extend such order until the court hearing in May (Sun Sentinel, 2000).

It was clear, at this point, that the dissociation phase was complete. Janet Reno's unsuccessful visit marked the end of the physical contact between Cuban Americans and the U.S. federal government. Communications between these parties were completely interrupted.

U.S. Public Opinion During Dissociation

Cuban Americans, failing to justify to the US public the reasons why Elian was different from any other immigrant and demonstrating contempt for American laws, closed ranks and stood together against U.S. institutions and laws.

Religion started to be utilized as a way to allegedly justify Elian's special treatment and as a way to unify the community in the fight for this cause. It was a difficult sell in a

country in which the separation among state and religion and the rule of law are fundamental tenets.

The alleged sightings of the Virgin of Charity, first by Marisleysis Gonzalez, Elian's surrogate mother, in Elian's bedroom, and then on the window of the TotalBank, in downtown Miami, did not help Cuban Americans' cause. In the United States, these events were perceived as hysteria, and Cuban Americans' refusal to abide by U.S. laws completely alienated this community from mainstream America.

Furthermore, the arrival of Juan Miguel Gonzalez, at the beginning of April, may have contributed to ease any doubts about his fitness as a father. His image and that of his family, contrary to what his detractors expected, projected and promoted the very family values that were so important for the right-wing Cuban Americans' political supporters.

Finally, on one side, the Cuban government patiently waited and abided by the decisions produced by U.S. institutions. On the other side, Cuban Americans openly defied them. Often, Cuban Americans used the Cuban flag as a symbol of this defiance, as if to show that Little Havana was not bound by U.S. laws.

Even with the U.S. government's efforts to show some flexibility by sending Janet Reno to talk in person with Lazaro Gonzalez's family members and ask for their cooperation, Cuban Americans made it clear that the only acceptable outcome for them was that Elian stay in the United States.

A Gallup poll showed that, between April 7 and 9, 60% of the American people favored Elian's return to Cuba, while only 31% thought that he should stay in the United States (Gallup Institute, 1999–2000). Cuban Americans, at this point, were distancing themselves from mainstream America.

In fact, an opinion poll produced by NBC News/Wall Street Journal indicated that 70% of the U.S. population thought that the Cuban Americans were acting irresponsibly in Elian's case (NBC News/Wall Street Journal, 2000).

Entrapment

Entrapment Dynamics

Having interrupted communications with the U.S. federal government and insisting on an all-or-nothing position, Cuban Americans now resisted an imminent defeat using as their sole argument that resistance was the only way forward. In their hearts and minds, persevering in the conflict was the only alternative: Elian Gonzalez had to stay in Miami, no matter the cost.

Positions During Entrapment

Miami mayor, "Crazy" Joe Penellas, stated that the Miami police would not cooperate with the U.S. federal government in any attempt to reunite Elian with his father.

Organized exile groups, every elected official of Cuban descent in the municipal and city government of Miami-Dade County, and the exile-controlled media of South Florida launched attacks not just on Cuba, but on the U.S. federal government and the U.S. public itself for supporting Elian's return. The U.S. Secret Service investigated death threats to both President Bill Clinton and Attorney General Janet Reno for their policy of trying to return Elian home. Meanwhile, crowds of 200 to 300 exiles staged twenty-four-hour vigils in Little Havana and demonized Reno publicly, despite her

bafflingly obsequious efforts at appeasement. Dissenters who took the view that Elian should not stay in the United States suffered rebuke and reprisals for harbouring Communist sympathies. (Guerra, 2007, p. 3)

Andrew Stephen (2000) summarized the overall U.S. sentiment at that point in time when he wrote the following:

ABC television showed no scruples days ago in invading the life of a six year old without parental permission, eliciting Elian the ineffably sad quote (in Spanish): ‘My mother is not in Miami, not lost . . . she must have lost her memory and just doesn’t know I’m here.’ That’s what happens to the mind of a horribly confused little boy in the care of people determined to use him as a political football. And that is why, sooner rather than later, Elian will be reunited with his father—over the dead body of protesting Cuban Americans, if necessary. That’s family values, stupid. (p. 20)

Having exhausted all legal, political, and negotiation resources, the U.S. federal government resorted to action. In the early hours of April 22, 2000, which was Easter, U.S. marshals stormed Lazaro Gonzalez’s house and forcibly removed Elian Gonzalez. He was taken to the Washington, DC, suburbs and reunited with his father (Telemundo Chicago, 2000).

Juan Miguel Gonzalez and his son stayed in the United States until June 28. They left for Cuba just a few hours after the last appeal had been exhausted and the U.S. Supreme Court refused to consider Elian’s case.

U.S. Public Opinion During Entrapment

In the opinion poll taken on April 22, 2000, shortly after Elian’s removal from Lazaro Gonzalez’s house, Gallup showed that U.S. public support for Elian’s reunion with his father

in Cuba remained at the same level, while support for keeping him in Miami dropped to 27% (Gallup Institute, 1999–2000). At the end, Americans were validating INS's final actions and positions in Elian's case.

In the aftermath of the raid that seized Elian Gonzalez, it was clear that the U.S. public approved of the federal government's actions, including the use of force to retrieve the boy. Gallup opinion polls showed, on April 22, that 57% of the American people approved of the forceful removal of Elian from his Miami relative's house. The same poll showed that 59% of the U.S. population disapproved of the way Elian Gonzalez's Miami relatives handled the situation (Gallup Institute, 1999–2000).

Similar results were obtained in opinion polls conducted by other institutes. An opinion poll conducted by CBS News/New York Times indicated that 74% of the American people felt that the U.S. federal government did the "right thing" in Elian Gonzalez's case (CBS News/ New York Times, 2000) Another poll, conducted by Portrait of America on July 10, 2000, showed that 67% of Americans were pleased that Elian Gonzalez was back in Cuba (Rasmussen Research, 2000),

Elian Gonzalez and U.S. Public Opinion: From Escalation to Entrapment

In many ways, the relationship between Elian Gonzalez and the U.S. public reminds us of Heisenberg's uncertainty principle, where the mere act of observing a subject influences the very behavior of the subject that is being observed (Cassidy, 1999).

In the Elian Gonzalez case, its observation by the U.S. public fundamentally changed the behavior of the actors in this drama and the meaning of Elian's history. The stakeholders were touched and changed by being closely observed by the U.S. public. . Cuban Americans,

the U.S. federal government, the Cuban government, and the U.S. public opinion changed and were changed by each other, establishing the dynamics that drove Elian's ordeal.

Elian Gonzalez strongly impacted the hearts and minds of the American people. In May 2000, Elian ranked second in the most important news events that Americans felt personally impacted them. Coming after the rise of gas prices (41%), 18% of Americans considered Elian's impact on their lives more important, at a personal level, than the stock market decline (14%) and the rise of interest rates (8%).

It was no small feat for a boy who, nine months before, on November 21, 1999, left his father's home in Cuba for a picnic with his mother.

Chapter 6 - Conflict Dimensions in Elian Gonzalez's Dispute

Some people say an image is worth 1,000 words. In the Elian Gonzalez case, that is particularly true. The picture destined to win the 2001 Pulitzer Prize was taken on April 22, 2000, during the raid that seized Elian from his uncle's house in order to reunite him with his father, Juan Miguel Gonzalez. It showed a scared child being seized by U.S. marshals from the hands of one of the fishermen who had, a few months before, rescued Elian from the sea.

Elian's case touched the hearts and minds of Americans in many ways. The picture represented and summarized "both the simplicity of the case—a boy in need of protection—and the interaction between ideologies of family, nation, immigration and race, and it gave to this larger-than-life tale an equally larger-than-life ending" (Banet-Weiser, 2003, p. 150). In any and all conflict dimensions in the dispute over Elian Gonzalez, Cuban Americans' positions, at a steady pace, distanced from and became increasingly disconnected from U.S. public opinion.

In the battle for the hearts and minds of the American people, Cuban Americans managed only to demonstrate how different their values and culture were from those of the United States and how little convergence there was between Cuban American and American interests. "Elian's story was organized within cultural rhetoric of childhood innocence, family values and, in particular resonance for American media audiences, national identity" (Banet-Weiser, 2003, p. 150).

The conflict dynamics model, while providing a useful framework for a chronological understanding of the facts, positions, and U.S. public reactions, does not explain what was at stake for each in the Elian Gonzalez case. In order to better understand the reasons behind the conflict dynamics, we must dive into analysis of the conflict dimensions and attempt to identify which expectations, goals, or objectives were diverging.

Using the analytical framework proposed by LeBaron and Pillay (2006), the dispute over Elian happened across three different dimensions: (a) the material dimension represents the concrete aspects of the conflict or the “what” of the conflict; (b) the symbolic dimension represents the meaning of issues to the people involved, and especially, those meanings that resonate with people’s identity, values, and worldviews; and (c) the relational dimension involves the parties’ actions and roles in the conflict as well as their capacity to communicate to each other (LeBaron & Pillay, 2006).

In the Elian Gonzalez case, each party perceived the conflict differently at each of the conflict dimensions, leading each of them to perform different actions and play different roles.

Material Dimension

At the material dimension, it was a relatively simple dispute. It happens every day in the United States. “When Elian came, there were 400 Haitians who were stopped and sent back without even a hearing” (PBS, 2000a, n.p.). In Elian Gonzalez’s case, at the material level, what was in question was whether Juan Miguel Gonzalez was a fit father. It was just a custody case, very relevant to the families that were directly involved but of little or no consequence to society in general.

In any other immigration case, Rafael Munero’s release from prison shortly before he organized the ill-fated boat trip to Miami would have been taken into consideration. Lazaro Gonzalez’s four convictions for drunken driving and Elian’s cousin’s conviction for arms offenses and robbery with violence would have been important in the determination of Elian’s custody (Stephen, 2000). In normal circumstances, given that Juan Gonzalez was

considered a fit father by the INS, Elian would have been immediately sent to Cuba to reunite with his father.

Symbolic Dimension

“Yes, I have tricks in my pocket; I have things up my sleeve. But I am the opposite of a stage magician. He gives you illusion that has the appearance of truth. I give you truth in the pleasant disguise of illusion” (Williams, 1999, p. 9). These few words, which are the first lines in *The Glass Menagerie*, by Tennessee Williams, could well artistically illustrate the paradoxes between the material and the symbolic dimensions.

Elian Gonzalez’s affair was no simple case. At the symbolic dimension, Elian’s story, timing, physical appearance, circumstances, and the environment in which his story was included added to it several layers of symbolic importance for both the Cuban American community and the U.S. public.

Cuban Americans “dramatized through Elian their vision of an alternative, authentic nation, rooted in Miami, whose moral and ideological purity surpassed the now corrupt and politically unreliable ideals of both ‘Castroite’ Cuba and the United States” (Guerra, 2007, p. 4). In this process, as Tennessee Williams would say, Cuban Americans sometimes delivered illusions that had the appearance of truth, and other times they gave us truth in the pleasant disguise of illusion.

At the symbolic dimension, the dispute between Cuban Americans and the U.S. government was about values and identity. Each of the parties saw in Elian’s story different and contradictory meanings. Cultural and historical differences became a catalyst for this conflict involving both diverging notions and/or opposing values related to family, race, the U.S. immigration policy, Cuban American identity, Cuban nationalism, and religion.

Family Values

The position of denying the reunion between Elian and his father touched another important value in both the U.S. and Cuban American communities: the notion of family values.

Family values versus Cuban nationalism. From the Cuban American perspective, it brought to the picture the need to create a narrative that could justify such an extreme position beyond purely political motivations. Elian's family had to be redefined.

As Benet-Weiser (2003) described it, Elian's story and plight revolves around a negotiation of the traditional definition of the family—a negotiation that connects family with democracy in an explicit way: the “Democratic American family” is one in which the little boy will be raised properly, with the right kinds of values and aspirations. However, the rhetoric of the “Democratic American family” that structured so much of the media discourse on Elian's plight had a particular emphasis: this family is found in the unique organization of the city of Miami, where a Cuban exile family rhetoric has worked to cohere the community since the 1960s. This family, then, was juxtaposed against the equally caricatured “Communist Cuban family,” represented in the American media as unequivocally oppressive and dangerous to the child. These narratives of the family intersect in the issues revolving around political asylum for Elian, and the child's “innocence” became a crucial bargaining tool in the media debate over his rightful home. (p. 156)

Those who wanted the boy to stay in the United States echoed the 1950s cold warriors who believed that Communism destroyed family life and that a “true” family life would be

possible only in a capitalist democracy. Juan Manuel Gonzalez, therefore, being an active member of the Communist Party, would not qualify as a “real” father (Martinez, 2003). In this light, it would be impossible to be, at the same time, a Communist and a good father.

Although the replacement of Elian’s family by the Cuban American community did not make much sense outside of Little Havana, this notion appealed to a significant part of that community: the “Pedro Panners.” These are the children who, in the 1960s, had been sent to the United States from Cuba, without their parents, and were “adopted” by the Cuban American community; they were now in their 40s and 50s and immediately identified with Elian’s story and the notion that his real family must be in Miami. In this context, Castro was cast as a kind of “state parent” who would provide Elian with an oppressive home (Banet-Weiser, 2003).

Cuban nationalism was an important element in defining the Cuban American community as Elian’s new family. Cuban nationalism values are strongly shared values amongst Cubans. Regardless of the political ideology, Cuban nationalism is common to all Cubans, inside the island and abroad. “Most Cubans, no matter what they thought about Fidel Castro and his government, rejected the transformation of Elian into an American boy” (Perez, 2005, p. 95). Since Cuban Americans were not Americans, Elian had to be part of the Cuban American family, where his “cubanidad” could be preserved.

Elian’s Miami relatives publicly insisted, time and again, that Elian’s future would be restored by not only the warm embrace of his “national family” but necessarily by the legal placement of him in the Cuban exile community. Specifically, the loss of his mother could somehow be, if not replaced, at least rectified by the “good life” that American capitalism offers, as well as the seduction of a new “home” within the exile community. (Banet-Weiser, 2003, p. 160)

The notion of family is central as a cultural institution and a private, moral obligation. Within our context, the ideal family format is the mononuclear family, complete with a heterosexual, married couple, involved in a committed relationship, with each other and their children (Banet-Weiser, 2003), despite the fact that there are increasingly fewer families that resemble this format.

Denying Elian to his father implied, in principle, a contradiction with these fundamental values. Moreover, since Cuban American support was strongest amongst the right-wing Christian fundamentalists, it was important to demonstrate that Cuban American positions regarding Elian's fate were not in contradiction with family values.

Since Cuban Americans needed U.S. public support in order to prevail in this dispute, the way they symbolically articulated their position on family values was critical. If Cuban Americans were to prevail, they needed to convince the American public to accept as a premise at least two fundamental narratives: Juan Miguel Gonzalez was not a fit father but was acting simply as Fidel Castro's personal puppet, and Elian's well-being would be in jeopardy should he return to Cuba.

At the beginning, Cuban Americans' appeals for keeping Elian apart from his father held some currency with the U.S. public. The narrative, according to which Elian would be used as a propaganda tool by the Castro regime and his father was just Castro's puppet, appeared to be initially confirmed by both Juan Miguel Gonzalez's UN complaint, and, above all, by Fidel Castro's ultimatum on December 8, 1999, the day of Elian's birthday, demanding that the boy be returned within 72 hours.

However, family values run deep in U.S. culture. According to U.S. beliefs, the modern state is founded on the separation between private and public. Family matters clearly belong to the private sphere and should be treated as such. The U.S. attorney general in 1999, Janet Reno, echoed this belief when she made clear that a father should not be punished in

terms of his political beliefs as it would result in the redefinition of the family concept (Martinez, 2003).

Also, the doubts about Juan Miguel Gonzalez's fitness as a father dissipated quickly after his first contacts with the American media. While he was not perfect, Juan Miguel was good on camera. "He spoke, moved and dressed with a kind of macho candour that enchanted both Americans and Cubans" (Perez, 2005, p. 97). His good presence on camera was reinforced by "the tough, masculine, rough-voiced Juan Miguel was, however, capable of shedding tears" (Perez, 2005, p. 97). In addition, his personal circumstances contributed to his positive image, as "luckily for him, he had just fathered his second child, from his second wife. Television often showed Juan Miguel with Elian's cute little brother, rhetorically emphasizing the tender fatherhood Juan Miguel could give to" Elian too (Perez, 2005, p. 97).

Opinion polls showed that 63% of the American public approved of the way that Juan Miguel Gonzalez handled the Elian Gonzalez situation. The majority of Democrats, Republicans, and Independents all shared this belief, with approval rates of 69%, 56%, and 62%, respectively (Quinnipiac College, 2000).

While Juan Miguel Gonzalez's decision to go back to Cuba can be seen as a great political defeat by Cuban Americans, from the American perspective, it was a reassertion of paternal rights, placing the father at the head of the family and fulfilling the full description of the mononuclear family that is so central in American culture (Martinez, 2003).

On May 2, 2000, Gallup conducted an opinion poll and the result indicated that, for 64% of Americans, the most important criteria to determine whether Elian Gonzalez should stay in the United States were custody concerns. Only 26% of the American people believed that political asylum concerns should be taken into consideration when deciding Elian's fate (Gallup Institute, 1999–2000).

Family values and motherhood. Cuban Americans also contradicted the U.S. notion of family in another different and important way when they attempted to place Elian's second cousin as a "surrogate mother."

Under this light, Elian's family was redefined as being Lazaro Gonzalez's family, and indirectly, the Cuban American community. Elian's loss of his mother could be replaced by a better life offered in the United States. Furthermore, Elian's mother could be replaced by a "surrogate mother," in this case, his second cousin, Marisleysis Gonzalez (Banet-Weiser, 2003). In fact, one of the arguments to keep the boy in the United States was that Elian and Marisleysis shared a special bond, making her "like a mother to him" (Martinez, 2003). It was a difficult concept for the U.S. public to accept.

Elisabeth Brotons's importance as Elian's mother and caregiver was downplayed. In the narrative that was being constructed, "her role is that of a martyr, who was said to have 'ransomed' Elian's freedom in blood" (Martinez, 2003, p. 26). Her death in the crossing of the Gulf Stream was portrayed as a heroic act of martyrdom, and the Cuban Americans petitioned the Pope to canonize her (Perez, 2005), adding a new component to Elian's affair.

While in the Miami, the Spanish-speaking media accepted Marisleysis as Elian's mother and reported them as having a "special bond," while the American media portrayed her as delusional or hysterical and trashy.

In the end, she was ill-prepared to negotiate what was surely a Byzantine series of scuffles involving hard-line lobbyists, justice officials, militia groups, politicians, pop stars, and assorted hangers-on. Her eleven hospitalizations seem to have alarmed no one, except those who, like one Time correspondent, found her "loopy." (Martinez, 2003, pp. 29–30).

In one of the first signs of the alienation of the Cuban Americans from American society in Elian's affair, the National Council of Churches met with Juan Miguel Gonzalez on

January 3, 2000, and promised to fight on his behalf for Elian's return (Sun Sentinel, 2000). At Lazaro Gonzalez's house, a giant Cuban flag fluttered defiantly, as if to demonstrate that Little Havana was not bound by anyone else's opinions.

Family values versus right to freedom. In the eyes of Americans, this simple custody battle over a 5-year-old boy put in contradiction two fundamental values in American society: the individual "right to freedom" and "family values." Marhal Sahlins (2005) described the following:

What is different about the Elian case, as well as some others considered here, is the retention and integration of the original incident in the larger cause, so that precisely communist morality and capitalist freedom can take on the ethical and emotional charge of kinship relations—a father bereft, a mother who sacrificed her own life for her child's freedom. (p. 9)

Cuban Americans' positions brought undesirable side effects. The positions and symbols used to justify these extreme views touched and exposed many other burning issues in U.S. society. As Marshal Sahlins (2005) put it, "even beyond the question of fathers' rights, there was a broad and uncomfortable doubt that Elian's future as an American kid would be as beneficial as the champions of his 'right to freedom' were claiming" (Structural work: How microhistories become macrohistories and vice versa, p. 10).

On one side, Cuban Americans stated that protecting Elian's right to freedom was a morally superior position and that it should prevail over Juan Miguel Gonzalez's paternal rights in regard to Elian. On the other side, the U.S. federal government asserted the paternal rights and consequently believed that family values should prevail.

Immigration

Exiles versus ethnics. At the beginning, the fact that Elian was white helped the Cuban Americans' cause, assuring wide American coverage and sympathy (Perez, 2005). In the eyes of America, Elian's beautiful smile and golden good looks reduced the memories of the Cold War period to a consumable, poster child for paternal privilege and U.S. superiority. However, over time, the image projected by the Cuban American community created a silent change in U.S. public opinion, as Cuban Americans went from "exiles" to "ethnics" (Martinez, 2003).

Having politicized Elian's ordeal and put themselves in contradiction with the concept of the mononuclear family that was such a dear value to the U.S. public, Cuban Americans painted themselves into a corner by defining Elian's case as an immigration issue. They were trying to reach out to the other immigrant populations. Such efforts, however, were to no avail for at least two different reasons. The first and more obvious one was that Cuban Americans have long described themselves as both exiles and not immigrants and openly discriminated immigrants from other nationalities, particularly those from Haiti. Therefore, the other Latino immigrants had no sympathy or empathy to the Cuban Americans' positions in this case. Elian "balkanized" Miami and made clear the tensions of race and class that have long existed in the city, calling attention to the divide among Hispanics, which, as was a simple label that erases historical differences between widely disparate groups (Martinez, 2003).

Opinion polls revealed evidence of this balkanization. In 2000 in Miami, after Elian's return to Cuba, local Cubans and non-Cubans had very different perspectives on the events that had unfolded. Seventy-nine percent of Cuban Americans believed that Elian should have stayed in the United States, while only 66% of the non-Cubans agreed with the boy's return

to Cuba. Nationally, the percentage of Americans who agreed with Elian's return to Cuba increased to 72% (Institute for Public Opinion Research, 2000).

The second factor or isolation of the Cuban Americans when they framed Elian as an immigration issue was that, in the eyes of the U.S. public, Cuban Americans were erasing the very difference between themselves and the other Latino groups in the United States and stimulating Americans' fear of "Latin explosion," as the Hispanic group was (and still is) the largest immigrant group in the United States. Elian arrived at a time when politicians were passing virulent anti-immigration laws. The anti-Hispanic sentiment was at its peak, revealing the conservative fear that Elian would become a poster-child for un-restricted immigration; while Cuban-Americans were described as a menace (Martinez, 2003).

It is no surprise that, according to opinion polls, only 40% of the local Miami Cubans believed that the media treatment dedicated to Elian's case was fair. By the same token, 65% of the non-local Cubans in Miami believed that the media fairly handled the case (Institute for Public Opinion Research, 2000).

As Martinez (2003), expressed, in

US, debates about the boy's rightful place in some ways represented anxieties not only about paternal rights privilege but also about race and Hispanicization of America. Once described as "golden exiles", Miami Cuban-Americans have become, in the eyes of the press, an irrational, sweaty and vocal mob of "banana republic." (p. 23)

An opinion poll conducted on May 2, 2000, showed that 72% of the American public disapproved of the way Elian's relatives in Miami were handling the Elian Gonzalez situation. Interesting enough, this was shared by the majority of each of the political groups—Independents, Democrats, and Republicans—whose disapproval rates were 75%, 78%, and 58%, respectively (Quinnipiac College, 2000).

Religion

Cuban Americans also framed Elian's affair by the religious symbols that closely related to their identity. As is the norm in the Caribbean nations, Cuban identity is deeply rooted in the religious syncretism of two different religions: Roman Catholicism and the African religion, Santeria.

Since Cuban culture and identity are deeply influenced by Roman Catholicism, it is no surprise that this narrative that is so important to Cuban American identity resembles and parallels that of Jewish people in the Bible: people without country, who have been driven from their homeland by an unfair evil character, Fidel Castro. Elian would be portrayed as Moses, Jesus, or another prophet. Elian was sent by God to be the savior.

The Christ-Child. It did not take long for Cuban Americans to start framing Elian's story in religious terms. Once Elian's family had been re defined as the Cuban American community, Elian became associated with a Christ-child, or a prophet, and, as with any holy child, his life had to be marked by exceptional circumstances, signs, and suffering (Martinez, 2003).

Benet-Weiser (2003) described the following:

Elian's arrival in the U.S. was repeatedly coded as a "divine mission," and the vehement embrace of Elian by his Miami relatives was justified by the claim that the child needed "special care" because the death of his mother and his miraculous rescue signified him as a "blessed" child. The religious ionization of Elian Gonzalez was often constructed within the practices of Catholicism and was frequently remarked upon by the media through coverage depicting him as a Christ child—the media frequently focused on the religious symbols and icons placed about his Miami

relatives' house—and the pleas by his relatives to the nation to “pray for Elian.” (p. 169)

Such a portrait of Elian as a religious icon gave the Cuban American community tangible signs of his religious mission, and therefore, they supported both the anti-Castro and anti-Reno behavior and sentiment. Cuban Americans gathered in front of Elian's house carrying religious symbols and often portrait Elian as Christ, Reno as Lucifer or Judas, and Castro as Satan (Banet-Weiser, 2003).

The Virgin of Charity. Soon enough, Cuban Americans began claiming the appearance of the Virgin of Charity, Cuban's patron saint; this occurred on several occasions. Marisleysis claimed that the figure appeared in a mirror located in Elian's room. Other people also claimed the Virgin's sight on a window at the TotalBank in downtown Miami (Martinez, 2003).

The cult of the Virgin of Charity was intimately connected to the notion of Cuban nationalism; it is not only Cuban's patron saint but its cult was born alongside Cuban independence and became particularly important to the Cuban American community as a reminder, connection, and symbol for the anti-Castro nationalism (Martinez, 2003).

The divine mission. The messianic interpretations of Elian's saga included a series of events that made sense only within Cuban American myths. It was said that (a) his mother had several miscarriages before Elian was born and later sacrificed her life for him; (b) he was found on Thanksgiving day and returned to his father on Easter; (c) he was found by fishermen, which fits the description of the Virgin of Charity, who appeared with three fishermen at her feet (Martinez, 2003). The conclusion, by the Cuban Americans emotionally invested in this story, was that Elian was a prophet, the Christ-child who came to rescue his people wandering in exile.

Elian is Elegua. In Latin America and the Caribbean, the practice of African religions is not only common but also an important part of the local cultures in any country where African descendants are a significant part of the population. In each and every one of these countries, African deities are worshipped in rituals where Catholic imagery and saints are used as representations of African gods, or orishas. Cuba is no exception to this rule. Despite being the object of centuries of precession, the practice of Santeria, which is a hybrid between Roman Catholicism and African Caribbean religions, is very strong. Santeria is particularly important in Miami, where Cuban American see in it another way to fight Castro's regime. It is also said that Fidel Castro himself is a "Santero."

For the Cuban American "Santeros," Elian Gonzalez was the embodiment of Elegua, the mischievous orisha who resides at the crossroads of reality and who sometimes manifests itself as a playful child. Elegua, thus, represents change, pure potentially creative chaos. Some even said that the boy fulfilled the prophecy of oddu, the official yearly "reading" of the cowry shells which predicted that a small boy would bring a tyrant to his knees. (Martinez, 2003, p. 35)

Elian would be the physical representation of Elegua, the great translator and interpreter between the worlds. In Santeria rituals, the first offering is always to Elegua, so that he will open the path to communicate with the other orishas and everything will go smoothly.

Seeing through anti-Castro Cuban Americans lenses, the arrival of Elian on Florida shores was also interpreted according to Santeria's beliefs and symbols. In Santeria, the Virgin of Charity also has religious significance. The arrival of Elian through the sea, protected by dolphins, situated him as associated with the Virgin of Charity and, according to this narrative; this child was destined to overthrow Castro (Banet-Weiser, 2003). Elian was, therefore, the emissary from God and the Virgin of Charity. Elian was the bearer of the good

news to those who, like the Cuban Americans, waited for the end of Castro's long-lasting hold on the island. In this way, Elian was the savior.

Two religions, one message. Having constructed a narrative where both the Catholic and Santeria faiths converged in their predictions of Elian's destiny, religion served as another symbolical justification for the dispute over Elian's fate. As Banet-Weiser (2003) pointed out, all "of this 'evidence' of Elian's status as religious icon provided tangible signs to the exile community of Miami of the child's religious mission and helped situate both anti-Castro and anti-Reno sentiment in a realm other than politics and legal discourse" (p. 170).

Marshal Sahlins (2005) summarized the use of religious symbols by Cuban Americans in the Elian Gonzalez dispute:

The Cuban community was developing irrefutable cosmological reasons for keeping him. Elian had become a religious icon. Part Jesus, part Moses and part Orisha, he was a manifestation of divine salvation, destined to restore the exiled Cubans to their homeland. Talk about raising the symbolic stakes of a family argument! Hailing Elian as "the child King" and "the miracle child", representing him as crucified by the Clinton administration, the Miami Cubans also added a lot of Marian symbolism to this Christological topos—natural enough, given the fate of Elian's mother. The Virgin Mary appeared twice: once inside the Gonzalez house and once on the window of a bank some blocks away. This Virgin of Totalbank, 468 NW 27th Avenue, was unmistakable according to one of the tellers, even though "you could not see the body or the face" (Washington Post, 2000). Mothers brought their babies to press against the windowpane. One sceptic, however, was heard to opine that the so called Virgin was a residue of Windex. As for Moses, his mother too had set him adrift in hopes of sparing his life, as a deft Cuban-American exegete observed. Then, he continued, "The daughter of the pharaoh took in Moses and changed the history of the Hebrews .

. . . Moses lived to lead his people out of Egypt to the promised land of Israel after a captivity of 40 years—about the same as our exile from Cuba” (Chicago Tribune, 2000). An eclectic folk moral, often paraded in the crowd that gathered daily at the Gonzalez house, shows Elian on the sea in an inner tube together with the patron saint of Cuba and two Santeria deities, while dolphins circle and protect him; overhead the hand of God holds a small virgin and child; a large scale of justice frames the scene with the head of Pope John Paul II on one side and President Clinton on the other; in the background are two shadowy images of Fidel, a frowning Statue of Liberty, an archangel holding another scale and Jesus himself. (pp. 10–11)

Elian was no longer a boy. He was a religious symbol. “If Elian had become the incarnation of Jesus or Christ’s own messenger, then Fidel was the Cuban anti-Christ and U.S. officials his willing conduits of evil” (Guerra, 2007, p. 17).

Diverging perspectives on Elian’s religious meaning. For Cuban Americans, Elian’s mission was divine. He was God-sent, and Cuban Americans, as followers of this child prophet, must protect him. Therefore, there would be no other alternative but to fight for the boy to stay in Miami and embrace his true family: the Cuban American community.

While effective within the Cuban American community, the use of religious symbols to justify Cuban Americans’ devotion to Elian’s cause did not ring true in a U.S. context. On one hand, the notion of separation between religion and state is paramount in U.S. culture. On the other hand, the United States is primarily a protestant country, where idolatry and particularly the practice of African religions do not make sense or are simply dismissed as religious fanaticism. In an American context, the Virgin of Charity and Elegua carried no currency.

Finally, in the American context, the Elian Gonzalez case was a low-context conflict, which should be resolved through the rule of law. Cuban American's religious approach put their religious values in contradiction with the U.S. belief that the rule of law should prevail.

News coverage located US Cuban exiles, and therefore Elian, in relation to anti-immigration discourses that operated through two strategies: the construction of US Cuban actions as outside the law, and the construction of US Cubans as (brown) ethnic and racial outsiders. (Allatson & Guzmán, 2008)

Relational Dimension

The relational dimension involves the parties' actions and roles in the conflict as well as their capacity to communicate to each other, manifested in each party's communications and interactions (LeBaron & Pillay, 2006). In this session, we analyze how Elian Gonzalez's case impacted the relationship between the parties involved in the dispute.

The first position Cuban Americans took in the Elian Gonzalez dispute was the decision that the boy should not be sent back to Cuba in order to reunite with his parents. Although clearly arbitrary, such decision was informed by Cuban Americans' belief system about themselves and their relationship with both the United States and Cuba. In other words, the very belief system that gave the Cuban American community the cohesiveness that helped it survive as an exile community in the United States was behind the position of denying Elian to his father.

In 1999, those who were not part of the Cuban American community could not clearly understand the reasons behind the political importance of the custody battle over Elian. Moreover, the Cuban American community did not expect anyone outside it to understand (Guerra, 2007).

At the relational dimension, Cuban Americans were fighting to define, or redefine, their relationship with both the United States, their host country, and with Cuba, their place of origin. It was about their future and that of their country. In their every move, Cuban Americans tried to justify their positions by appealing to symbols and myths over which they had built their identity as a people and as a community, which were deeply intertwined with Cuban Americans' perception of their role and relationship with the United States.

That is, through Elian, these U.S.-based Cubans asserted and explained the terms of their claims to an authentic place in the historical process that had defined the political values of the United States. They also claimed a central role in determining the United States' ideological direction—both during the Cold War and beyond. Thus, the campaign to keep Elian in Miami expressed less about the future of Cuba and more about the tensions and contradictions that Miami Cubans faced in articulating their position in U.S. society in relation to their perceptions of Cuba. For these exiles and U.S.-born Cubans, what was at stake during the Elian saga was not simply the future of Cuba but, more importantly, that of the United States. (Guerra, 2007, p. 4)

The Cuban Exceptionality

Elian Gonzalez's affair was the catalyst for the redefinition of the relationship between Cuban Americans and the United States. In order to understand this conflict at the relational level, it is critical to understand first Cuban Americans' perception of their role in the United States, which was based on what Guerra (2007) named, "The twin myths of the Cuban exceptionality" (Guerra, 2007, p. 4).

Cuban Americans considered themselves a special group of people who, therefore, deserved special treatment. At that time and place, this belief system collided with U.S.

values and institutions. Cuban Americans believed that they were more qualified than anyone else (including U.S. citizens) to defend the interests of democracy. “These twin myths posit U.S. Cubans as uniquely entitled to special treatment from the U.S. government and uniquely qualified to defend the interests of democracy and anticommunism better than any non-Cuban U.S. citizen or even the U.S. government itself” (Guerra, 2007, p. 4).

Such myths had two principal sources: the special treatment that Cuban Americans have historically received in the United States and the construction of a narrative that justified their presence in the United States as exiles on the premise that Cuban Americans were not economic immigrants but rather driven from their country by the Cuban Revolution’s betrayal of political democracy and moral values (Guerra, 2007).

The Elian case invited Miami Cubans to openly tout their credentials as “truer” defenders of such ideals in a unified way; in doing so, exile leaders and supporters asserted that they were simultaneously more Cuban and more American than people on the island or the rest of the U.S. public could be. (Guerra, 2007, p. 4)

Special Treatment. Cubans enjoy a history in the United States of “being apart from every other immigrant group, and, when politically convenient, above the law” (Guerra, 2007, p. 13). Overall, the U.S. federal government has granted almost everything the Cuban Americans asked for in regard to the policy toward the Castro regime.

Amongst these manifestations of special treatment were the following: (a) a special immigration status that allows Cuban immigrants to stay in the United States; (b) Radio and TV Marti, which is paid for by American taxpayers but serves as ideological media for the anti-Castro Cuban American community; (c) the creation and later (1980s) straightening of the embargo; and (d) the control over U.S.-Cuba policy (PBS, 2000c, n.p.). By 1999, U.S. law had equated Cubans’ decision to leave the island as a political protest against state oppression.

Freedom Fighters. Cuban Americans saw themselves as U.S. allies in the fight against Communism. Cuban Americans' self-image was that of freedom fighters and soldiers in a war against a Communist dictator. In order to support this self-image, the notion that Cuban Americans are exiles rather than immigrants is paramount.

Calling themselves exiles is a powerful statement that contains not only a symbolic defiance to the Cuban government but also distinguishes and isolates Cuban Americans from other immigrants.

The Cuban exile community has both constructed themselves and have been constructed by a broader public discourse as precisely the kind of immigrant community the U.S. "needs:" overtly supportive of conservative U.S. politics, hostile to other immigrant communities such as Haitian refugees, and as "evidence," through financial and business success, of the fact that liberal meritocracy functions as it should. (Banet-Weiser, 2003, p. 165).

Cuban Americans enjoy considerable "white privileges" while not being white and speaking another language (Martinez, 2003, p. 24).

This self-image is supported by a narrative that justified their presence on U.S. soil without the need to culturally assimilate into U.S. society and positions them as exiles, not as immigrants (Guerra, 2007). They describe themselves as heroes fighting for the right moral cause. Since every hero needs a villain, according to this narrative, "all that divided them in the past, both on the island and between the island and Miami, derives from the malevolence of one single man and the complicity of others less powerful and possibly less courageous than they in tolerating him: Fidel Castro" (Guerra, 2007, p. 9).

Cuban Americans' Relationships With the United States and Cuba

Two consequences follow this worldview. On the one hand, Castro is evil and Cuba is hell, so Cuban Americans are heroes if only for the reason that they left the island to live in a free land: the United States (Guerra, 2007). Therefore, Cuban Americans' relationship with the United States was defined, in Cuban Americans' minds, by the alignment of interests between themselves and the United States.

Since Castro is evil, the struggle against them must always be an "all-or-nothing" dispute between good and evil. The opposition to Castro must also be "all-or-nothing" and in all aspects, meaning that Cuban Americans must oppose any and all of Castro's interests, initiatives, and actions, and, by the same token, favor any idea, action, or interest that contradicts Castro (Guerra, 2007). Therefore, by definition, Cuban Americans' relationship with Cuba was defined by the opposition to the Castro government.

On the other hand, those Cubans who stay in the island are traitors. Political differences become, therefore, betrayal, and the failure of a political project is never credited to its lack of viability but rather with the people in charge of implementing it. For Cuban Americans, "the mere act of staying in Cuba and tolerating the Revolution in a passive way confirms the legitimacy of Castro's false vision of freedom and betrays the 'real Cuba' that can only exist outside of Castro's control, among Cubans in Miami" (Guerra, 2007, p. 8).

Under this view, "people who stay in Cuba can't decide anything for themselves" (PBS, 2000d), since, in this narrative, Castro is constructed as an all-seeing devil. Returning Elian to Castro was equated to delivering the boy to evil and sending him to hell. Cuban Americans' relationship with Cuba was defined by the Cuban Americans' belief that they were destined to deliver Cuba from evil.

Elian served as a catalyst to the Cuban American community, which, after 40 years in the United States, was increasingly distancing itself from the greater cause of fighting the Cuban government. The right position, from the Cuban American perspective, was to keep the boy in Miami.

This narrative and worldview allowed Cuban Americans to justify the denial of Elian Gonzalez's return to his father, and, at the same time, created the three first symbols used in the dispute: Fidel Castro, as the representation of evil in its purest form; Elian's mother, as a martyr who gave her life for her child's freedom; and Elian Gonzalez himself, who embodied Cuban Americans' moral and ideological purity against corrupt and unreliable Castro's Cuba. Elian Gonzalez became a symbolic "foot soldier" for the Cuban exile community (Banet-Weiser, 2003).

If Castro is evil, Cuba is hell, and the "real Cuba" is represented in Miami, Cuban Americans were an enclave of morally superior foreigners living on U.S. soil, defending U.S. interests against an evil dictator who hijacked their country and the Cuban people. Therefore, people's opinions outside of the Cuban American community were deemed irrelevant or, at most, uninformed.

This perception, however, was not shared by the American people. Cuba was not perceived as a security threat. American people saw in Elian a family drama that should be resolved through the rule of law. They could not see, share or value the Cuban American's role in defending U.S. interests and much less relate this interest with keeping Elian in U.S. soil.

Elian's case altered U.S. people's perceptions of Cuba as Americans identified themselves with Elian's father and his family in Cuba. At the same time, Cuban American transitioned from exiles to immigrants leading to the re-definition of their relationship with the U.S.

Like the national general-market media, such stories characterized US Cuban exiles as hyperemotional and ultra-religious, if not fanatical and irrational. These characterizations reified stereotypes about Latina/os as religious, hotheaded, and passionate, and socially, politically, and economically disruptive (Molina Guzman, 2005; Molina Guzman & Valdivia, 2004; Vargas, 2000). As the new symbolic representative of the Cuban exile community, Elian became caught in the anti-immigration backlash whose contours complied with dominant definitions of a racially binarized white/black national identity. Miami Cubans were no longer represented as racially white political exiles, or as an exceptional community. Reconstructed as racialized ethnic and national outsiders who refused to assimilate into dominant definitions of US citizenship and belonging, US Cubans were blamed in the media for exacerbating Miami's racial tensions (Hernandez-Truyol, 2001). Consequently, US Cubans became incorporated into some of the same "alienizing" discourses that have targeted Mexicans and Chicana/os in California and the Southwest (Ono & Sloop, 2002; Santa Ana, 2002), and Puerto Ricans and Dominicans in New York and other northeastern cities. The Elian case fuelled a redefinition of Cuban Americans that enabled their integration by the media into the amorphous category of "Hispanic" as a problem national constituency. (Allatson & Guzmán, 2008)

Chapter 7 - Conclusions and Final Considerations

In conclusion of this thesis, I will analyse the most relevant research findings; explain the case's relationship with the study of dispute resolution; explore how this thesis fits into and expands the dispute resolution literature; and provide recommendation for future dispute resolution research on the Elian Gonzalez's case.

Research Findings

In the Elian Gonzalez case, culture was not only a source of conflict, but it also served as a catalyst for its escalation (LeBaron & Pillay, 2006). Ultimately, the cultural differences between the Cuban American and U.S. cultures played a decisive role in Elian's fate.

The image of a lonely child found and saved in the sea after terrible events that led to the death of most of his travel companions, including his mother, carried great currency with the U.S. media and the public.

The beginning of Elian's tenure in the United States showed a convergence that connected Cuban Americans to the U.S. public opinion, but, at the same time, appealed to the Cuban refugees' experiences, and, in the United States, to the nostalgic discourse of rescuing: the American Family (Banet-Weiser, 2003). This convergence opened the door to an initial discourse focussed on the advantages of democracy and the disadvantages of Communism. It was as if it all started as a flashback to the Cold War era.

Representative of a nationalist trope, the child occupied a symbolic position within the exile community, and the mythic imaginary that constructed Elian and his journey "home" as a spectacular media event not only positioned the child within a particular history of exile communities but also redirected and re-scripted the American national focus on Cuba. Castro immediately was cast as a particular kind of state parent in this

nationalist family saga, a new variation of a “dead-beat dad” who provided such a dismal and oppressive homeland that Elian and his mothers were forced to run away. (Banet-Weiser, 2003, p. 163)

Such conversion would, in the course of Elian’s nine month dispute over his custody, disappear as Cuban Americans and U.S. Government perceptions, interests and positions would quickly drift apart.

As the results of the research show, Cuban Americans distanced themselves from the other stakeholders to the point at which they became almost completely alienated. Such distancing could be clearly perceived in the changes in the U.S. public opinion’s perceptions; in the unusual alignment of interests between Cuban and American Governments; and in the disconnection between Cuban American’s identity and their perception by the U.S. public opinion.

Elian Gonzalez and U.S. Public Opinion

At the beginning of the dispute, between December 9 and December 12, 1999, U.S. public opinion was split in the middle: 45% of Americans thought that Elian should remain in the United States and 45% believed that he should live with his father in Cuba (Gallup Institute, 1999-2000). At that point in time, a significant portion of Americans clearly sided with Cuban Americans and, against the Cuban government.

At the end of the dispute, U.S. public opinion clearly sided against Cuban Americans. While support for keeping him in Miami dropped to 27% (Gallup Institute, 1999–2000), Americans were validating INS’s final actions and positions in Elian’s case. Gallup opinion polls showed, on April 22, that 57% of the American people approved of the forceful removal of Elian from his Miami relative’s house. The same poll showed that 59% of the U.S.

population disapproved of the way Elian Gonzalez's Miami relatives handled the situation (Gallup Institute, 1999–2000). An opinion poll conducted by CBS News/New York Times indicated that 74% of the American people felt that the U.S. federal government did the “right thing” in Elian Gonzalez's case (CBS News/ New York Times, 2000).

The greatest disconnect between Cuban Americans and the U.S. public was that they were fighting for a different, and in this case, conflicting, set of values. For Cuban Americans, the struggle was about politics and their identity as Cubans. For Americans, Elian Gonzalez's case represented a discussion and ultimately the assertion of parental rights and family values. While one side perceived Elian as a symbol for their identity and struggle, the other saw in it an attack on the family values represented by the traditional mononuclear family.

Elian's Cuban family, his grandmothers, father, and stepmother, troubled the location of the child as a Cuban exile and, as a consequence, undermined the racialized exceptional ideologies of conservative US Cuban exile politics (Allatson & Guzmán, 2008, p. 256).

Elian Gonzalez and the U.S.-Cuba Relationship

The case outcome also showed that, in Elian's case, the Cuban and U.S. governments had converging interests that informed their respective positions in the case. Both of them were interested in normalizing the U.S.-Cuba relationship and (for different reasons) not allowing Elian to be used as a propaganda tool by the Cuban Americans. At the end of the day, the Cuban and American governments operated with assumptions that were more consistent to the changes brought about by the end of the Cold War.

Elian Gonzalez's case helped bipartisan groups in the U.S. Congress gain a renewed impulse to relax the embargo against Cuba, which resulted in the opened and sustained trade in food and medicines between Cuba and the United States (Perez, 2005). Lizandro Perez stated the following, in an interview to PBS (2000c):

More and more people are challenging the tradition of the Cuban exile community, in part because it's become a bit outdated. What's happened, to some extent, with U.S. policy towards Cuba and of the view supported by many in the Cuban exile community of hostility and isolation is that it's become an exhausted model. That model presumably was going to bring some fruit in the early 1990s with the fall of the Berlin Wall, but again, it hasn't happened. The Elian case focused a lot of attention on the Cuban situation and a lot of Americans started asking, "Why don't we change this policy?" (n.p.)

Elian Gonzalez and Cuban Americans

The myths that kept the Cuban American community united for over 40 years have been exposed and put to test at a national level in the United States. The result was a clear incompatibility of interests and values.

For Cuban Americans, Elian was a battle for freedom and represented their struggle to preserve their identity as Cubans using an outdated ideological framework that did not make any sense to anyone but Cuban Americans.

Part of the reason that the exile ideology has remained frozen and unchanged is because it's not just unchanged in Miami, but essentially the entire context of Cuba is unchanged. The relationship between the United States and Cuba hasn't changed in

40 years. So the Cuban exile community also has remained frozen in time. (PBS, 2000c, n.p.)

Perceptions were revised in American society. Both the U.S. public and part of the Cuban American community came to realize that the reasons why Cuban Americans never succeeded in being important change agents in Cuba is that they have not recognized that a good portion of the Cuban population has a commitment to the 1959 revolution, even if they feel that there needs to be some adjustments in their government (PBS, 2000c, n.p.), which created conditions for CANF to be now controlled by moderate groups (Perez, 2005).

In 1999 and 2000,

US news coverage of the Elián case ruptured the romanticized and nostalgic narratives of Cuban exile by making evident more recent and racialized constructions of Caribbean immigrants, such as those surrounding Dominicans and Haitians (Allatson & Guzmán, 2008, p. 254).

Elián Gonzalez's case is now a distant memory for the U.S. public, to whom the dispute about his return to Cuba has been settled.

On April 22, Elián was reunited with his father and virtually dropped out of sight. His father, through Attorney Gregory Craig did not permit the kind of access to which the media had become accustomed. Instead, Craig distributed still photos to the press. A long lens has caught an occasional glimpse of the boy playing with Cuban classmates. After five months of unlimited photo opportunities, I suspect the American public may have been relieved. Perhaps, in a way, so were the media (Candiotti, 2000, p. 122).

However, Elián Gonzalez remains a symbol for both Cubans and Cuban Americans. Yet, each of these groups sees in Elián's story different and contradictory meanings as a part of a larger, more complex, unresolved conflict.

Cuban Americans and the Cuban government still fight a war of symbols, clearly demonstrated with two museums which were opened by each of those groups: In Cuba, the Cuban government opened the Museum of the Battle of Ideas in Cardenas, Elian's hometown, and featured different objects related to Elian's ordeal (Perez, 2005); and in Miami, Cuban Americans transformed the Gonzalez home into the Elian Museum (Martinez, 2003). Elian Gonzalez became a pawn in a different, larger, chessboard.

Elian Gonzalez and the Study of Dispute Resolution

This case study analyzed the dispute over Elian Gonzalez from the dispute resolution standpoint by juxtaposing and analyzing the sequence of events through three different conflict resolution models: the interest-based model (Fisher et al., 1991), the conflict dynamics model (Mitchell, 2006), and the conflict dimensions model (LeBaron & Pillay, 2006).

The combination and integration of these three different approaches offer valuable insights on how different approaches to conflict may impact its process and outcome.

Low and High Context Cultures in Conflict

Elian Gonzalez's case offers an opportunity to reflect on what happens when high and low context culture are on two different and opposite sides of the conflict.

In this case, the U.S. government saw and treated the dispute over Elian Gonzalez as a low context conflict. Consequently, recognizing common interests with the Cuban government, and cooperating with it, as long as the conflict was handled according to U.S. laws, was, from the U.S. perspective, a simple and easy decision.

Cuban Americans, however, were inserted into a high context environment, particularly in the Elian Gonzalez case. For them, the dispute over Elian's custody was about their identity and their relationship with both the U.S. and Cuban governments.

The consequence was that Cuban Americans and the U.S. government, respectively, gave more emphasis in different dimensions of the conflict. The U.S. government focused mostly on the material dimension, as it was, from its perspective, a conflict where the most important aspect was the custody dispute to be resolved according to the U.S. legal system. Meanwhile, the Cuban Americans focused their actions on the symbolic and relational dimensions, since Elian's struggle represented their identity and symbolically redefined their relationship with the other parties.

When high context and low context cultures meet in a conflict, the chances of reaching a peaceful outcome are diminished as they share different assumptions on how the conflict should be approached and which dimension is more important.

Different Approaches Impacting the Conflict Outcome

A natural consequence of the conflict between high context and low context cultures is that the parties will resort to different approaches in dealing with such conflicts.

In Elian's case, the U.S. government used a game theory approach, assuming that Cuban Americans would cooperate toward a "rational" decision, which would be to follow U.S. laws and legal procedures.

Such an approach was incompatible with Cuban Americans' view of the conflict. Since they believed that their identity and position within the United States was being threatened, simply allowing the conflict to be resolved on the basis of U.S. laws would not

suffice. For Cuban Americans, positional bargaining was the only way to protect their values, which they deemed in jeopardy.

This case shows that when parties use approaches to conflict resolution whose assumptions are not only different but also contradictory, the potential for a positive outcome is significantly reduced.

Contribution to Dispute Resolution Literature

Conventional dispute resolution processes case studies, tend to adopt only one theoretical framework in the analysis, and in doing so, incorporate a set of worldviews that leave many important aspects unaddressed. Such unaddressed aspects may have a negative impact in the understanding of the dispute, and, therefore, offer a more limited perspective on the issues, interests and positions involved.

To date, each study on Elian Gonzalez's case tends to be focused on one specific aspects of the dispute, including, but not limited to the use of symbols; the political or economic environment; the case's legal and institutional implication; the impact on Cuba-U.S. relationship; and other.

While the existing research offers useful insight in specific areas, all of them adopt a limited world view and choose one theoretical framework in detriment to other alternative views of the dispute. This choice, in its turn, influences both the analysis and the conclusions of each of the studies. As a result, there is no literature that integrates several theoretical frameworks into the same analysis, attempting to analyse the case through different theoretical lenses and vantage points.

Since the dispute over Elian Gonzalez is a complex case that involves a number of equally important, always different and often subtle components, understanding this case

requires the adoption of different vantage points so that we may cover as many aspects as possible in order to have a comprehensive understanding of the case.

This thesis helps to understand how this how a small-scale dispute over Elian Gonzalez's custody escalated to the point at which it became an important element in a much larger conflict involving the U.S. and Cuban governments and the Cuban American exile community.

Such understanding is only possible if we apply different theoretical frameworks that shed light on the parties' interests and positions; explains the socio, political and economic environments; explores the sequence of events that served to escalate the conflict; and analyzes the material, symbolic and relational dimensions involved.

With this thesis, I have both built on previous analysis on Elian Gonzalez's case and expanded the dispute resolution literature by offering a broader view of the Elian Gonzalez's dispute. By simultaneously utilizing different theoretical frameworks in the analysis of the same case, I demonstrated that a single theoretical framework would not suffice to an in-depth understanding of this dispute. Thus, this thesis expands the dispute resolution literature available.

Recommendations for Future Research

I feel that the Elian Gonzalez case could be further explained through the analysis of the raw quantitative data collected by the institutes at the time of the conflict. I suggest, as future research on this case, that the raw quantitative data are analyzed so that the qualitative analysis provided here with the use of the conflict dynamics model and the conflict dimensions model can be quantitatively tested with more scientific rigor.

References

- Allatson, P., & Guzmán, I. M. (2008). The Elian Gonzalez discursive template. *Journal of Children and Media*, 251-266.
- Armstrong, K. (2001). *The battle for God: A history of fundamentalism*. New York, NY: Random House.
- Banet-Weiser, S. (2003, June). Elian Gonzalez and "the purpose of America": Nation, family, and the child-citizen. *American Quarterly*, 55 (2), 149-178.
- BBC. (2011, December 12). *BBC News Latin America & Caribbean: Timeline US-Cuba relations*. Retrieved August 09, 2011, from BBC News: <http://www.bbc.co.uk/news/world-latin-america-12159943>
- Candiotti, S. (2000). The Elian photo op: Where TV news met street-corner politics. *The Harvard International Journal of Press/Politics*, 5 (4), 118-122.
- Cassidy, D. (1999). *American Institute of Physics: Quantum mechanics*. Retrieved August 13, 2011, from <http://www.aip.org/history/heisenberg/p08.htm>
- CBS News/ New York Times. (2000). *Elian Gonzalez opinion poll*. New York, NY: Author.
- Chicanot, J., & Sloan, G. (2003). *The practice of mediation: Exploring attitude, process and skills*. Victoria, British Columbia, Canada: ADR Education.
- Creswell, J. (2009). *Research design: Qualitative, quantitative, and mixed methods approaches (3rd ed.)*. Thousand Oaks, CA: Sage.

Demo, A. T. (2007). The afterimage: Immigration policy after Elian. *Rethoric and Public Affair*, 10 (1), 27-50.

Diario Granma. (1999). *Elián no necesita abogados ni cortes federales, a Elián lo defenderá el pueblo de Cuba*. Retrieved 06 10, 2012, from Diario Granma:
<http://www.granma.cubaweb.cu/temas4/articulo4.html>

Diario Granma. (1999-2000). *Sumario Nacionales*. Retrieved 06 10, 2012, from Diario Granma: <http://www.granma.cubaweb.cu/temas4/index.html>

Dillman, D. L. (2002). The paradox of discretion and the case of Elian Gonzalez. *Public Organization Review: A Global Journal*, 2, 165-185.

Fisher, R., Ury, W., & Patton, B. (1991). *Getting to yes: Negotiating agreement without giving in*. New York, NY: Penguin Books.

Gallup Institute. (1999-2000). *Elian Gonzalez topline results*. Washington, DC: Author.

Gergen, K. J. (2001). Psychological science in a postmodern context. *American Psychologist*, 56, (10), 803-813.

Granma International Digital. (1999, n.p.). *Entrevista concedida por el Presidente Fidel Castro a la cadena de televisión NBC-News*. Retrieved 06 09, 2012, from Periodico Granma International: <http://www.granma.cu/documento/espanol/085-e.html>

Guerra, L. (2007). Ellian Gonzalez and the "real Cuba" of Miami: Visions of identity, exceptionality, and divinity. *Cuban Studies*, 38, 1-25.

Institute for Public Opinion Research. (2000). *Elian Gonzalez opinion poll*. Miami, FL: Author.

- LeBaron, M., & Pillay, V. (2006). *Conflict across cultures: A unique experience of bridging differences*. Boston, MA: Intercultural Press.
- Lederach, J. P. (2003, October). *Conflict transformation*. Retrieved December 10, 2011, from <http://www.beyondintractability.org/essay/transformation/>
- Leongrande, W., & Thomas, J. (2002). Cuba's quest for economic independence. *Journal of Latin American Studies*, 34 (2), 325-363.
- Loyola, M. I. (2000). *Relato literario, relato periodístico: el caso Elián González*. Retrieved 06 15, 2012, from *Revista Latina de Comunicación Social* 35: <http://www.ull.es/publicaciones/latina/argentina2000/01cmata.htm>
- Martinez, M. d. (2003). Mothers mild and monstrous: Familial metaphors and the Elian Gonzalez case. *Southern Quarterly*, 42, 22-38.
- McKenna, P. (2004). Comparative foreign policies toward Cuba: Plus ça change... *International Journal*, 89 (2), 281-302.
- McNeil, C. (2010). To engage or not to engage: An (a)ffective argument in favour of a policy of engagement with Cuba. *Canadian Foreign Policy*, 19 (1), 155-173.
- Mitchell, C. (2002, May). Beyond resolution: What does conflict resolution actually transform? *The Network of Peace and Conflict Studies*, 9, 1-23.
- Mitchell, C. (2006). Conflict, social change and conflict resolution. An Enquiry. *Berghof Research Center for Constructive Conflict Management*, 5, 1-25.
- NBC News/Wall Street Journal. (2000). *Elian Gonzalez opinion poll*. New York: Author.

- Ogelman, N., Money, J., & Martin, P. L. (2002). Immigrant cohesion and political access in influencing foreign policy. *SAIS Review*, 22 (2), 145-165.
- PBS. (2000a, n.p.). *Interview: Victor Curry*. Retrieved August 9, 2011, from Frontline:
<http://www.pbs.org/wgbh/pages/frontline/shows/elian/interviews/curry.html>
- PBS. (2000b, n.p.). *Interview: Damian Fernandez*. Retrieved August 08, 2011, from Frontline:
<http://www.pbs.org/wgbh/pages/frontline/shows/elian/interviews/fernandez.html>
- PBS. (2000c, n.p.). *Interview Lisandro Perez*. Retrieved August 2011, 07, from Frontline:
<http://www.pbs.org/wgbh/pages/frontline/shows/elian/interviews/perez.html>
- PBS. (2000d). *Interview: Elena Freyre*. Retrieved August 9, 2011, from Frontline:
<http://www.pbs.org/wgbh/pages/frontline/shows/elian/interviews/freyre.html>
- Perez, J. O. (2005). The Cuban propaganda war: The story of Elian Gonzalez. *The Public*, 12, 85-102.
- Quinnipiac College. (2000). *Quinnipiac College poll Elian Gonzalez*. New York, NY: Author.
- Rasmussen Research. (2000). *Portrait of America*. Asbury Park, NJ: Author.
- Rigney, D. (2001). *The metaphorical society: An invitation to social theory*. Lanham, MD: Rowman & Littlefield.
- Sahlins, M. (2005). Structural work: How microhistories become macrohistories and vice versa. *Anthropological Theory*, 5, 5-30.

- Schneider, W. (2001, April 28). Elian Gonzalez defeated Al Gore. *National Journal*, 33, 1274.
- Stake, R. E. (2005). Qualitative case studies. In N. K. Denzin, & Y. S. Lincoln, *The Sage handbook of qualitative research* (443-466). Thousand Oaks, CA: Sage.
- Stephen, A. (2000, April 3). The tug of war over a little Boy Lost. *New Statesman*, 599, 20.
- Sun Sentinel. (2000, June 29). *Timeline: Elian Gonzalez*. Retrieved August 3, 2011, from http://articles.sun-sentinel.com/2000-06-29/news/0007010378_1_elian-s-return-elian-s-grandmothers-lazaro-gonzalez
- Telemundo Chicago. (2000, June 28). *Telemundo Chicago: Elian Gonzalez timeline*. Retrieved August 03, 2011, from <http://www.telemundochicago.com/sh/news/stories/nat-news-20000407-023502.html>
- University of Victoria. (2011). *Human research ethics*. Retrieved October 05, 2011, from <http://www.uvic.ca/research/conduct/regapproval/humanethics/index.php>
- Williams, T. (1999). *The glass menagerie*. New York, NY: New Directions Publishing .
- Wylie, L. (2004). Perceptions and foreign policy: a comparative study of Canadian and American policy toward Cuba. *Canadian Foreign Policy*, 11 (3), 39-63.