Recent Development

Ladies in White: The Peaceful March Against Repression in Cuba and Online

Alissa Del Riego* and Adrianna C. Rodriguez**

I. INTRODUCTION

The Ladies in White, also known as “Las Damas de Blanco,” are a dissident group of women in Cuba who engage in forms of civil disobedience in opposition to Fidel and Raul Castro’s regime. The Ladies organized in 2003, after their loved ones were unjustly incarcerated for political dissidence. On March 17, 2010, one of their peaceful marches ended abruptly when Cuban government officials violently removed them from the streets of Havana. Agents and supporters of the government verbally and physically accosted the women.1 Several women were pulled by their hair and limbs and forced onto buses.2 Others were beaten because they resisted non-violently.3 Many of the women were taken to hospitals afterwards, where they were treated for various injuries resulting from the attack.4

March 17, 2010, however, was not the first time the Ladies in White were forced off the streets of Cuba, nor was it the first time they faced violence from the Cuban government. It was also not the first time Cuban dissidents were physically harmed for criticizing the Cuban government. During marches in 2008, several of the Ladies in White were visibly bruised when the police physically removed them from the streets.5 Thanks in large part to the Internet, by March of 2010, a larger audience watched as the women were accosted. The audience witnessed firsthand the violence in photographs, on television, and online. On December 9, 2010, one day

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** Harvard Law School J.D. Candidate, 2012; University of Florida B.A., 2007, B.S., 2007, M.A.M.C., 2009. The authors would like to thank Jorge Grave de Peralta and Anolan Ponce for sharing their insight on these issues. The authors would also like to thank Professor Jaime Suchlicki, from the Research Institute for Cuban and Cuban-American Studies at the University of Miami and Professor Patricia Sánchez Abril from the University of Miami School of Business Administration for their comments on an earlier draft.
2. Id.
3. Id.
4. Id.
before the international Human Rights Day, videos posted on YouTube showed the Ladies being assaulted as they peacefully marched through the streets of Havana with pictures of their jailed loved ones and flowers in hand. While Internet access in Cuba remains quite restricted, users have managed to gain access to online content demonstrating the violence the Cuban government has employed against the Ladies in White.

On March 17, 2010, an onlooker on the streets of Havana filmed as the Ladies in White were assaulted. Within a few hours, the scene was posted online, and the video went viral. The international community was quick to respond. The Ladies’ message spread widely, and within four months, the Cuban government began releasing the prisoners. While this Recent Development focuses on the violence the Ladies in White faced last March and their continued efforts and successes, it also provides a larger testament to the growing voice of dissident groups, who until recently were little-known outside the Island, and whose message has finally escaped the grasp of the Government’s control of media through the Internet. The Cuban government has indeed attempted to restrain access to the Internet, and Cuba remains among the handful of countries known as the “Enemies of the Internet.”

According to U.S. authorities in a memo leaked in 2010, the Cuban Government continues its often unavailing attempts to further restrict Internet access, because its greatest fear of dissidence comes from now internationally popular Cuban dissident bloggers. The Government’s fears are well founded — those bloggers document for the world the repressive actions of the Government, including its treatment of the Ladies in White. Through the Internet, the Ladies in White and other dissident groups in all parts of the world have begun to resist repression by allowing the international community to witness first hand accounts of repression and injustice.

Part II of this Recent Development provides background information on the Ladies in White, their organization, the individual women, and their mission. Part II also discusses Black Spring, the event that led to the Ladies’ formation. It details the arrests of more than seventy-five political

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dissidents and independent journalists and their subsequent “trials” and imprisonment. Part III discusses the events of March 17, 2010, and their aftermath. Part IV discusses the importance of an international audience in exercising rights to speech and expression. Part IV also describes Internet access in Cuba and the Internet’s role in creating a worldwide audience for the Ladies’ message. Part V concludes the analysis.

II. THE LADIES IN WHITE

The Ladies in White formed spontaneously in 2003, after a period that has become known in Cuban history as Black Spring (la “Primavera Negra”).11 On March 18, 2003, the Cuban government cracked down on independent journalists and political dissidents on the Island and incarcerated nearly one hundred suspected dissidents.12 Marta Beatriz Roque, the only woman arrested during Black Spring, believes Black Spring was launched by Fidel Castro in an attempt to negotiate an exchange with the United States for five Cuban spies, who had been recently detained, tried, and convicted for espionage.13 Roque postulates that officials were ordered to imprison seventy-five dissidents, fifteen for every Cuban agent in U.S. custody.14 Many of the arrested were at home with their families when out-of-uniform agents of the Cuban government with guns took them into custody for “committing acts aimed at ‘subverting the internal order of the nation.’”15 One of the Ladies in White remembers the agents ransacking her apartment for over eight hours, looking for proof of her husband’s alleged crimes.16 The wave of arrests throughout the Island lasted approximately three days.17

In early April of 2003, the prisoners were given summary pseudo trials.18 Closed to the public, the trials lasted only one day, and defendants were unable to present a defense or select a fair jury.19 The sentences ranged

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13. In 2003, the United States tried and convicted five alleged Cuban spies in the state of Florida who had assumed fake identities to infiltrate Cuban-American dissident groups in Miami, Florida. See Duncan Campbell, Convicted Cuban ‘spies’ to tell U.S. appeal court they were framed, GUARDIAN, Apr. 7, 2003, http://www.guardian.co.uk/world/2003/apr/07/cuba.duncancampbell.
16. Id.
17. Id.
18. Id.
from six to twenty-eight years in prison.\textsuperscript{20} While some appealed their sentences, the appeals were denied review by the Government.\textsuperscript{21} In 2004, Amnesty International categorized all those arrested during Black Spring as “prisoners of conscience” and demanded their immediate release.\textsuperscript{22} Those arrested were charged under either Article 91 of the Cuban Penal Code or Law 88.\textsuperscript{23} Article 91 provides for sentences up to twenty years, or death, for anyone “who in the interest of a foreign state, commits an act with the objective of damaging the independence or territorial integrity of the Cuban State.”\textsuperscript{24} Law 88 was passed in 1996, in response to the United States’ Helms-Burton Act, which tightened restrictions on Cuba.\textsuperscript{25} Law 88, titled Law for the Protection of National Independence and Economy of Cuba, makes it a crime punishable with long prison sentences to “support United States policy against Cuba,” which includes providing information to the United States, owning, distributing, or reproducing “subversive materials,” and collaborating with media deemed to be assisting U.S. policy.\textsuperscript{26} Despite Cuba’s overtly oppressive practices, Black Spring received relatively little media attention, “the rest of the world was focused on the invasion of Iraq.”\textsuperscript{27}

Prison conditions for dissidents in Cuba have been universally condemned as harsh and/or inhumane.\textsuperscript{28} Many of the Black Spring prisoners are kept several miles away from their families, making visits less frequent and in some cases impossible.\textsuperscript{29} A significant number have developed severe illnesses while in the prison due to poor sanitation, nutrition, and ventilation.\textsuperscript{30} One prisoner sentenced to twenty years was finally released after

\textsuperscript{20} Id.
\textsuperscript{22} Id.
\textsuperscript{23} Id.
\textsuperscript{24} Código Penal del Cuba [CÓD. PEN.] art. 91 (1999) (“El que, en interés de un Estado extranjero, ejecute un hecho con el objeto de que sufra detrimento la independencia del Estado cubano o la integridad de su territorio, incurre en sanción de privación de libertad de diez a veinte años o muerte.”), available at http://www.ruleoflawandcuba.fsu.edu/law-penal-code.cfm.
\textsuperscript{27} Gry Whitner, Las Damas de Blanco, Trailer, available at http://zoevaldes.net/2009/04/16/las-damas-de-blanco-documental-de-gry-whitner/.
\textsuperscript{29} HUMAN RIGHTS WATCH, supra note 28.
spending a year in the hospital suffering from hypertension and diabetes.\textsuperscript{31} Others have suffered from malnutrition, chronic pneumonia, emphysema, severe allergies, digestive problems, and circulatory diseases, among other ailments.\textsuperscript{32} According to statements made by released prisoners, “the drinking water is contaminated with fecal matter and the food with worms.”\textsuperscript{33} Those who complain are often placed in considerably smaller isolation cells.\textsuperscript{34} Many of the prisoners have gone on hunger strikes to protest unfair treatment and prison conditions.\textsuperscript{35} The hunger strikes have also brought international attention to Cuban dissidents’ cause.\textsuperscript{36} Early in 2010, Orlando Zapata Tamayo, one of the arrested dissidents, died in a Cuban prison from the effects of a hunger strike and lack of appropriate medical attention.\textsuperscript{37} There is, however, no official report on prison conditions, as the Cuban government refuses to allow members of the International Committee of the Red Cross to visit its prisons.\textsuperscript{38}

Before Black Spring, most of the mothers, sisters, wives, aunts, and grandmothers who make up the Ladies in White were not politically involved or engaged in opposition movements.\textsuperscript{39} The women, for the most part, did not know each other.\textsuperscript{40} The housewives, lawyers, nurses, teachers, and other professionals came together in the wake of Black Spring to peacefully denounce the unjust incarceration of their husbands, sons, fathers, brothers, and nephews.\textsuperscript{41} Every week since coming together, the Ladies in White, who range in age from late twenties to early eighties, attend mass at a local Catholic church and then march through the streets of Havana, dressed completely in white and carrying flowers and photographs of their imprisoned loved ones and the number of years to which they were sen-

\begin{itemize}
\item \textsuperscript{32} María Salazar, \textit{supra} note 30.
\item \textsuperscript{33} See Lauria et. al., \textit{supra} note 15.
\item \textsuperscript{34} Id.
\item \textsuperscript{36} Jeff Frank, \textit{Cuba Dissident Group Starts ‘Black Spring’ Protest}, Reuters, Mar. 15, 2010, http://www.reuters.com/article/2010/03/15/idUSN15244139 (“The two [hunger strike] cases have brought calls for Cuba to release its estimated 200 political prisoners and renewed condemnation from the United States and Europe.”).
\item \textsuperscript{37} Id. Ironically, while the Cuban government did not release any information about Zapata’s death to the Cuban newspapers, it released an article in the Granma (the government supported newspaper of Cuba) of deplorable prison conditions in the United States the week of Zapata’s death.
\item \textsuperscript{39} Laura García Freyre, \textit{De La Iglesia A La Plaza: Las Damas De Blanco Y La Lucha Por El Espacio Público en la Habana} 286 (2008), http://lanic.utexas.edu/project/asce/pdfs/volume18/pdfs/garciafreyre.pdf.
\item \textsuperscript{40} Id.
tenced to incarceration by the Cuban government. The purpose of the protest is to create a peaceful but powerful demand for the release of their loved ones and democratic change in Cuba. The Ladies in White have received a considerable amount of recognition from across the globe, including being awarded the 2005 Sakharov Prize for Freedom of Thought.

III. March 17, 2010

On March 17, 2010, the Ladies in White attended mass in Párrega, in the southern part of Havana, and began to march in memory of the fifty-three remaining incarcerated political prisoners from Black Spring and the recent death of Orlando Zapata. The women marched to the Cuban Journalist Union (la “Unión de Periodistas de Cuba”), in what the leader of the Ladies in White, Laura Pollán, stated was an attempt to draw attention to their cause. The thirty women were soon surrounded by an estimated crowd of over two hundred people, consisting of agents and supporters of the Cuban government. While the Ladies in White shouted phrases such as “freedom” and “Zapata lives,” they were met with insults and chants of Cuban government officials and supporters, such as “worms, get out of here” and “these streets belong to Fidel.” The march was violently interrupted, and the women were eventually all forced onto buses by Government officials and driven away from the scene. Photos taken during the incident show two women being dragged by their hands and another being immobilized by her neck as a member of the Ministry of the Interior forces her onto one of the buses. Several of the women, including the mother of the recently deceased Orlando Zapata, received medical attention at a hospital after the event. While none of the injuries appeared life-threatening, five women were x-rayed, several treated for minor injuries, and one referred to surgery for a possible contusion close to the brain.

43. Id.
47. Tamayo, supra note 45.
48. Nuevo Acto de Repudio Contra Las Damas, supra note 46.
49. Tamayo, supra note 45.
50. Id.
51. Id.
52. Id.
the Ladies, she and several other women were assaulted by Government Security Officers.53 She also recalls that obscenities were shouted at her and the other Ladies in White as she was dragged onto the bus by her hair.54 The buses chartered by Cuban police took the women back to Pollán’s house, where they were dropped off and forced to discontinue their march.55 Pollán called the forced bus ride equivalent to a kidnapping.56

The Cuban government claimed it was simply keeping the peace that “mercenaries working for the United States and other enemies” threatened to disrupt.57 After videos of the event made their way onto the Internet and reached the international community, the Cuban government released statements vowing to resist international pressure and refused to change its treatment of opponents.58 In the midst of all the violence they encountered, the Ladies in White did not retaliate. Armed solely with their words and pleas for the release of their loved ones and freedom for the Cuban nation, they responded that they did not fear the continued attacks of the totalitarian regime and they would continue their peaceful demonstrations until circumstances in Cuba changed.59

Many in the international community condemned the Cuban government’s treatment of the Ladies in White. United States President Barack Obama, in his harshest criticism of the Castro regime, stated that Cuban officials had used “a clenched fist” against “those who dared to give voice to the desires of their fellow Cubans” and stated that he “join[ed] his voice with the brave individuals across Cuba . . . calling for an end to the repression [and] for the immediate, unconditional release of all political prisoners.”60 Amnesty International demanded that the Cuban government “stop repressing legitimate dissidents and harassing those who are only asking for justice and the right to exercise their freedom of expression.”61 Twelve European rights organizations followed suit, demanding more freedom in Cuba and condemning the Government’s treatment of the Ladies in White.62 Support for the Ladies in White was also visible across several cities in the United States, as women, men, children, and students dressed in white and marched throughout the country a week after the Ladies

53. Id.
54. Id.
55. Id.
56. Id.
57. Israel, supra note 1.
58. Id.
62. Id.
were assaulted. Marches took place in Los Angeles, New York, Miami, Washington D.C., and Cambridge, Massachusetts, and were led by prominent citizens and artists, such as Andy Garcia, Gloria Estefan, and George Lopez. The marches received significant media coverage from both newspapers and local broadcast channels.

On March 18, 2010, just one day after being violently forced off the streets of Havana, the Ladies in White resumed their march, commemorating the seven year anniversary of Black Spring and demanding again the release of their loved ones along with the end of the tyrannous Government regime. The women claimed they would not back down despite the Government’s threats of violence towards them and their imprisoned loved ones. While they again met with opposition from the Cuban government’s agents and followers, there was no violence. On Sunday, March 21, 2010, the Ladies in White culminated their weeklong protest. Pollán publicly stated that she wished this would be the last anniversary they protested the incarceration of their loved ones, as she hoped they would be free by next year.

While the level of violence used against the Ladies during the events of March 17th has not been repeated, in April 2010, the Ladies in White were prevented for two consecutive weeks from marching. The women were surrounded by Government officials and activists, and after a three-hour

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64. See Belgum et. al., supra note 63; see also Chavez, supra note 63.


66. Tamayo, No Backing Down, supra note 61.

67. Id.

68. Id.


70. Id.

impasse, the Ladies were again forced to mount a bus that escorted them away from the streets they planned to march.72 Despite their struggles, the Ladies in White continue their efforts to free their loved ones and gain political freedom in Cuba,73 and have recently met with significant success.74

Recent efforts through the Catholic Church and the Vatican, coupled with the recent growth in media attention to the Ladies and their cause by human rights organizations around the world, have led to positive results.75 After repeated conversations with Catholic Cardinal Jaime Ortega and pressures from the international community, the Cuban government agreed to release fifty-two political prisoners of the seventy-five originally incarcerated during Black Spring in 2010 and have continued to slowly release prisoners since.76 However, the Government conditioned the prisoners’ release on their exile to Spain.77 A handful of prisoners refused to accept exile and remain imprisoned or under house arrest.78

As one of the few, if not the only, non-governmental, independent, national organizations allowed by the regime to operate on the Island, the Catholic Church in Cuba has unique access to both dissident groups and governmental officials.79 While some have praised the Church for opening a new space for political discourse, others have taken a more skeptical approach, voicing concern that the Government is simply using the Church as a propaganda tool to legitimize meager changes in an otherwise continuously repressive regime.80 Indeed, even within the opposition there has

72. Id.
75. Id.
77. Cardenal Asegura a Las Damas Que Presos Serán Liberados, supra note 74.
80. Tamayo, supra note 79. See also Anolan Ponce, Lo Que El 2010 Le Concedió a los Castro: ¡Pina, Mamey y Zapote!, DIARIO LAS AMERICAS, Jan. 11, 2011, http://www.diariolasamericas.com/noticia/114694/lo-que-el-2010-le-concedi%c3%b3-a-los-castro-api%c3%b3-mamey-y-zapote (discussing the role of the Cardinal Jaime Ortega in lobbying the European Union to change its position on relations with
been disagreement as to the Catholic Church’s role. Laura Pollán, spokeswoman for the Ladies in White in Cuba and the wife of Hector Maseda Gutierrez, one of the prisoners who refused to accept exile to Spain, praised the Church’s role in releasing political prisoners, stating that “in Cuba, there is no better mediator.” But, in August of 2010, one hundred and sixty-five Cuban dissidents sent Pope Benedict XVI an open letter criticizing the “lamentable” and “embarrassing” role of the Catholic Church in working with the Cuban government to exile dissidents to Spain, calling for an immediate end to what they characterized as the Church’s collusion with the Government.

Notwithstanding the polarized opinions among the dissident community regarding the Catholic Church’s involvement, the Ladies in White continue to meet with officials in the Church and say they remain hopeful about the release of the remaining prisoners. Due to their continued relentless efforts, peaceful methods of petitioning the Cuban government for human rights, and recent media attention they gained in Spring of 2010, the Ladies’ movement has garnered international attention and support, most recently including a nomination in 2011 for the Nobel Peace Prize.

IV. OVERCOMING STATE CENSORSHIP THROUGH THE INTERNET

In the decade since the Internet’s arrival in Cuba, it has become a haven for autonomous citizen action and robust public debate in a country where the government welcomes public forums only insofar as the speech supports the goals and aims of the Cuban Revolution. The Internet allows citizens...
to escape the grip of the regime and create a new public sphere for uncensored debate. Through the Internet, the Ladies in White’s message is spread throughout the world by third-party users.

A) International Protection for Freedom of Speech and Expression on the Internet

The right to express, speak and spread a message is a right long recognized internationally. Freedom of speech has often been interpreted as the right to be heard. The Universal Declaration of Human Rights states, “everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

In recent years, international organizations have also recognized the need to extend the protections for freedom of opinion and expression to the Internet. United Nations Educational, Scientific and Cultural Organization ("UNESCO") addressed the importance of extending guarantees of freedom of expression to the Internet in its 2003 “Recommendation Concerning the Promotion and Use of Multilingualism and Universal Access to Cyberspace.” UNESCO called on member states to "recognize and support universal access to the Internet as an instrument for promoting the realization of the human rights.”

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role in “empowering citizenship and civil society,” UNESCO called on its 193 member states to adopt policies that promote access to the Internet,\textsuperscript{93} facilitate universal affordable access to the Internet,\textsuperscript{94} and encourage the establishment of inter- and intranet networks.\textsuperscript{95} Cuba, a member state of UNESCO since 1947,\textsuperscript{96} is among the 182 UNESCO member states that maintain a permanent delegation in Paris, where the organization’s headquarters are located. It has also designated several state ministries within the Island to collaborate with UNESCO on the organization’s work.\textsuperscript{97} However, in 2007, when UNESCO published the first report on member states’ implementation of the UNESCO recommendations, Cuba was not among the thirty-two states that submitted reports on improvements to universal Internet access.\textsuperscript{98}

The UN Human Rights Council has also been working to ensure freedom of speech on the Internet in recent years. In October 2009, Cuba was a member of the UN Human Rights Council, which adopted by consensus the “Resolution on the Right to Freedom of Opinion and Expression.”\textsuperscript{99} The resolution reaffirmed the member countries’ commitment to ensuring for their citizens the rights contained in Article 19 of the International Covenant on Civil and Political Rights (“ICCPR”), which guarantees freedom of opinion\textsuperscript{100} and expression.\textsuperscript{101} The 2009 Resolution deemed such freedoms an “important indicator of the level of protection of other human rights and freedoms.”\textsuperscript{102} More importantly, the resolution recognized the importance of the Internet, among other forms of media, “in the exercise, promotion and protection of the right to freedom of opinion and expres-

\textsuperscript{93} Id.
\textsuperscript{94} Id.
\textsuperscript{95} Id.
\textsuperscript{97} Education Ministries, UNESCO, http://erc.unesco.org/portal/Ministries.asp?region=2&language=en (last visited Feb. 22, 2011) (Cuba has designated the Ministry of Exterior Relations, Ministry of Superior Education, Ministry of Education and Ministry of Culture as the designated ministries within Cuba to work with UNESCO in carrying out organization’s missions on the island.).
\textsuperscript{99} Resolution on the Right to Freedom of Opinion and Expression, supra note 86; AMNESTY INT’L, supra note 87.
\textsuperscript{100} Id.; International Covenant on Civil and Political Rights, G.A. Res. 2200A (XXI), ¶ 19(1) (“Everyone shall have the right to hold opinions without interference.”).
\textsuperscript{101} Resolution on the Right to Freedom of Opinion and Expression, supra note 86, at ¶ 1; International Covenant on Civil and Political Rights, opened for signature Dec. 16, 1966, 999 U.N.T.S. 171 (entered into force Mar. 23, 1976) art. 19(2) (“Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”). The ICCPR was adopted by the UN General Assembly on December 16, 1966. In 2008, Cuba signed the ICCPR. See AMNESTY INT’L, supra note 87, at 23.
\textsuperscript{102} Resolution on the Right to Freedom of Opinion and Expression, supra note 87, at ¶ 1.
While Cuba never ratified the ICCPR, in 2008, it became a signatory, which requires it “not to defeat the object and purpose” of the ICCPR. In the United States, the Obama administration identified Internet freedom as a foreign policy objective. In a January 2010 speech, Secretary of State Hillary Clinton discussed the importance of freedom on the Internet and the Internet’s role in spreading information around the globe in real time. Secretary Clinton affirmed, amidst growing censorship on the Internet, that the United States “stand[s] for a single internet where all of humanity has equal access to knowledge and ideas.” More recently in 2011, Secretary Clinton confirmed the United States’ commitment to “help people in oppressive Internet environments get around filters, stay one step ahead of the censors, the hackers and the thugs who beat them up or imprison them for what they say online.” In February 2011, the Obama administration announced a new policy on Internet freedom that would focus on helping dissidents circumvent government imposed barriers in cyberspace and make it harder for totalitarian governments to use those barriers to suppress dissent. The United States also has a long tradition of reaffirming the First Amendment right to expression and speech. Public forum cases assert that citizens not only have the right to speak freely, but also the right to do so in forums traditionally dedicated to the public where public debate generally occurs, such that they may be heard. These forums have included public parks, public streets, mailboxes, and doorsteps. The U.S. Supreme Court has wisely recognized that speech without access to an audience is worthless.

103. Id. at ¶ 2.
107. Clinton, supra note 106.
109. Id.
111. Id.
Recent events across the world have demonstrated the power of the Internet and online social media sites at promoting speech and providing a platform for citizens and dissidents reporting events or getting their message across. For instance, in Egypt and Tunisia, citizens used Twitter to organize protests throughout the country. Facebook groups have recently mobilized protesters in countries like Algeria, Bahrain, Morocco, and Syria. Other reports indicate that similar events have occurred in Haiti, Chile, and Iran. The government in Egypt, realizing the power of the mediums, responded by blocking Twitter, then Facebook, and eventually the Internet. While the Internet was restored a few days later, it is evident the Egyptian government, like the Cuban government, came to witness first hand the power of the Internet in providing an audience to those the government wishes to silence.

B) Internet Access in Cuba

Cuba was the last country in Latin America to join the Internet community, and it was not until March 2008 that Raul Castro eased some restrictions on technology in Cuba and finally authorized the sale of computers and cellular service to civilians. Despite being allowed to purchase these technologies, computers and cell phones remain out of reach for most Cuban citizens, who make an average monthly salary of eighteen U.S. dollars a month. Furthermore, the Government, in response to the postings of some dissident bloggers, has severely restricted access to the Internet such that only government employees, researchers, and academics are allowed their own Internet accounts, with limited access to sites outside of the Island. Cuban citizens are allowed to have an email account, which is accessible from various post office locations, but are denied access

119. Parks, supra note 116.
121. See Hopkins, supra note 9.
122. Hoffman, supra note 79, at 6. When the Internet did arrive in Cuba, it was only for use by official institutions and state companies.
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to the Internet overall.\textsuperscript{126} Tourists may access the Internet at hotels, but are still subject to restrictions.\textsuperscript{127} In an attempt to capture dissident bloggers who used hotel Internet services, the Government enacted a new resolution barring Cuban civilians from using hotel Internet services in 2009.\textsuperscript{128} Bloggers, therefore, do not have direct access to their blogs, and no blogs are hosted inside the country.\textsuperscript{129} Furthermore, Internet access is prohibitively expensive, at five U.S. dollars for half an hour.\textsuperscript{130} For a short period of time, in February 2011, the Cuban government unblocked many of these blogs and allowed access throughout the Island.\textsuperscript{131} The Government’s easement coincides with an international computer science conference hosted in Cuba, and many expect access to end with the conference or shortly thereafter.\textsuperscript{132}

While only fourteen percent of the Cuban population has access to the Internet, the number has increased significantly since 2006, when less than two percent of the population had access.\textsuperscript{133} In January 2010, Reporters sans Frontières (“RSF”) reported that Cuba had increased its Internet connection capacity by ten percent through an improved satellite link, but that the Government had affirmed it would not continue to expand capacity.\textsuperscript{134} RSF reported that “in reality, access is still reserved for a privileged few” and “the government’s priority is still total control of information.”\textsuperscript{135} RSF further reported that posting content deemed by government officials to be “counterrevolutionary” is punishable by up to twenty years in prison, and connecting to the Internet illegally is punishable by up to five years in prison.\textsuperscript{136} Recently, the Cuban government has responded to the loss of control over information outside the country by cracking down on some of the most popular Cuban independent journalists and bloggers.\textsuperscript{137}
Yoani Sánchez, writer of the “Generación Y” blog,138 and winner of several human rights awards and Time magazine 2008’s 100 most influential people award, has been harassed, defamed, and her husband threatened as a result of her blogging activities.139 RSF also reported the assault of blogger Orlando Luis Pardo and the house arrest of another blogger, Luis Felipe Rojas.140

Despite holding a monopoly over media,141 the Cuban government has not been able to completely deny Internet access, as resourceful Cubans work their way around the restrictions.142 Passwords granting Internet access are readily available for purchase on the black market in Cuba for ten U.S. dollars a month, foreign friends buy Cuban citizens pre-paid Internet cards, and students at the Information Science University tasked with policing Internet traffic are just as likely to be surfing forbidden sites.143 Blogger Yoani Sánchez runs her Germany-based blog “Generación Y”144 from Cuba using inventive and illegal means to update.145 Sánchez, whose blog was blocked on the Island, is at the helm of organizing and training new Cuban bloggers.146 Independent citizen journalists147 have established a website.148 Artists, like Escuadrón Patriota, a free-style rapper whose lyrics decry the decadence, waste, and hopelessness of a generation of Cubans, work clandestinely with low-budget production companies to spread their message of defiance.149 Escuadrón Patriota, whose music first reached listeners worldwide on YouTube,150 now has full length CDs available on...
iTunes. Though officially blocked by the Government, many Cubans continue to figure out ways to access the Internet. For Cubans, the Internet remains the one place government censors cannot completely control.

C) The Ladies in White's Message Finds a Global Audience on the Internet

While the Ladies in White face highly restricted access to the Internet, one digital camera was all it took for their cause to reach worldwide audience. While two websites, one based in Miami and the other in Spain, are dedicated to the Ladies’ work, it is the thousands of anonymous posters, bloggers, and supporters online that are key to spreading the Ladies’ message to the world. On YouTube, a search for “Damas de Blanco” returns 1,440 results, and a search for “Ladies in White” returns 5,410 results, almost all of which are related to the Cuban Ladies in White. The videos on YouTube do not come from a single source, but from a myriad of official sources, such as the Miami Herald newspaper and the AFP international press agency, and independent sources posting under screen names like “cubanexilequarter” and “elmayordeseo.”

Several videos showing people with a digital cameras and cell phones filming the Ladies’ assault are the best evidence of exactly how the message seeps out of Cuba. The Ladies’ two websites pale in comparison to the 869,000 hits a Google search for “Damas de Blanco” returns. The sources recount the odyssey of the Ladies in various languages and from various angles. Supporters have also created websites like “Solidaridad Española con Cuba,” or Spanish Solidarity with Cuba, and CubaEncuentro, or Cuba Reunion, expressing their solidarity with the Ladies and the larger Cuban opposition.

152. Id.
movement. Despite the Ladies in White’s highly restricted access to the Internet on the Island, there are at least two Twitter feeds\(^{164}\) dedicated to the Ladies in White, a Wikipedia page,\(^{165}\) and a Facebook group\(^{166}\) boasting 3,678 members as of February 2011, all dedicated to promoting the Ladies’ work. The Ladies’ presence online is evidence that one single message or posting on the Internet can spread to all corners of the globe, spreading awareness and eluding Government censors that aim to silence the Ladies’ work in their homeland.

### V. Conclusion

Yo acuso al silencio tejido en nombre de una revolución alrededor de una isla: mi país.

Yo acuso al cómplice e ignorante silencio de aquellos que teniendo libre acceso a la información contribuyeron a impedir que el mundo sepa de la humillación y del dolor del pueblo cubano.

Yo acuso a la insensibilidad y a la desidia de los medios de comunicación internacionales.\(^{167}\)

-Zoé Valdés

In her blog posts and journalistic articles, Cuban novelist and blogger Zoé Valdés attempts to dispel the fiction emitted by the Cuban government and state-owned media. According to Valdés, that fiction persists because dissidence is silenced.\(^{168}\) The Government’s monopoly on traditional media perpetuates that silence. Once the silencing of dissident groups on the Island is overcome, Valdés argues, the world will come to know the truth.

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\(^{164}\) Damas de Blanco (Damas_deblanco) on Twitter; Twitter, http://twitter.com/damas_deblanco (last visited Feb. 6, 2011); Damas de Blanco (Damasblanco) on Twitter; Twitter, http://twitter.com/damasblanco (last visited Feb. 6, 2011).


\(^{166}\) Ladies in White/ Damas en Blanco, Facebook, http://www.facebook.com/pages/Ladies-in-White-Damas-en-Blanco/110213442324935 (last visited Feb. 6, 2011). While platforms like Facebook and YouTube may remain ambivalent about their use by dissidents in oppressive regimes, it is undeniable that they have played an instrumental role in getting the silenced message out. See Jennifer Preston, supra note 116.

\(^{167}\) Zoé Valdés, La ficción Fidel 3 (2008) (“I accuse the silence sown in the name of a revolution around an island: my country. I accuse the complicit and ignorant silence of those whom having free access to information contributed to impeding the world from learning of the debasement and pain of the Cuban people. I accuse the insensitivity and lethargy of the international media outlets.”). In the quote above, Valdés refers to traditional media outlets and not the Internet. The quote comes from a book written in 2008, before the Ladies in White gained widespread international popularity through the Internet. Valdés has since expressed hope that change from the current silence can emerge via the Internet and has observed that on occasion it already has. While she still maintains that the Cuban government has tried to preserve that silence online, she also sees the Internet as a new outlet that political dissidents and their supporters can use to overcome government censorship. See Zoé Valdés, De totalitarismos y tecnologías, ZoeValdés.NET (Mar. 10, 2010), http://zoevaldes.net/2010/03/22/de-totalitarismo-y-tecnologia/.

\(^{168}\) Valdés, supra note 167.
about the oppression suffered at the hands of a regime that does not allow dissent or the promotion of change in the country.\textsuperscript{169} Those with access to what transpires in Cuba prevent the information from leaving the Island, keeping the world ignorant of the struggles of the average Cuban citizen. Traditional media has, to date, failed the people of Cuba, Valdés states, and the fiction persists.

With the rise of the Internet, however, dissident groups, like the Ladies in White, have found an international podium that does not depend on traditional media. Cubans have surpassed the challenge of getting their message to the Internet, but the question remains as to whether their message is reaching the nearly ten million Cubans on the Island who do not have regular, uncensored Internet access.\textsuperscript{170} While state-owned traditional media made total control of dissident messages relatively easy, the Internet now limits the state to partial control and only within the territorial boundaries of the country.\textsuperscript{171} New technology has created an outlet completely outside official channels for Cubans.\textsuperscript{172} As in other authoritarian regimes, the Internet promotes discourse, but it alone is not likely to produce widespread political change.\textsuperscript{173}

In addition to serving as a forum for speech to dispel the fictitious description of events in Cuba, the Internet has also protected the Ladies in White and other dissident groups against retaliation from the Government. These women now have not only names and personal stories, but also faces known to millions around the globe. People form deeper connections and are more likely to be sympathetic when they view visual depictions of events, as YouTube videos and other online outlets permit, than when they read text.\textsuperscript{174} If the Ladies in White are imprisoned or harmed, the international community will not be indifferent. People will likely respond, and this plays a crucial role in keeping the Cuban government’s treatment of the Ladies in check, as the Government typically seeks to avoid international pressure and maintain its façade of justice. As one of the Ladies recognized in an upcoming documentary, "[w]ithout international support, the Government could have done anything with us, even taken us to prison too."\textsuperscript{175}

In 2010, the Ladies witnessed the power of both their borderless international reach and the international community’s support. The Cuban government agreed to release the remaining fifty-two prisoners from Black

\textsuperscript{169} Id.
\textsuperscript{170} See Hoffman, supra note 79.
\textsuperscript{171} Id. at 6.
\textsuperscript{172} Id. at 16.
\textsuperscript{174} See Caroline Costley et. al., Presentation Medium and Spontaneous Imaging Effects on Consumer Memory, 6 J. CONSUMER PSY. 211 (1997); see also Dona Schwartz, If a Picture Is Worth a Thousand Words, Why Are You Reading This Essay?, 70 SOC. PSY. Q. 319 (2007).
\textsuperscript{175} Gry Whitner, supra note 27.
Spring by the year’s end. The releases, according to a Cuban dissident, have been attributed to “the result of pressure from the international community and all the recent developments on the Island.” Those recent developments largely refer to the increased media attention the dissidents received as a result of the Ladies’ efforts and the international response to March 17, 2010.

While the release of their husbands, sons, fathers, and nephews is undoubtedly a success for the Ladies in White, their mission has long since broadened to include protesting for deeper change on the Island. In a recent interview conducted after the Government announced its plans to release the prisoners from Black Spring, Ladies in White leader Laura Pollán stressed that there have been no real improvements, and the repression continues. Pollán wished to send the following message to the international community that supported the Ladies and their mission:

The Government simply wants to give the world the impression that things are changing. But in reality, as long as the laws that put the dissidents in prison remain unchanged, we cannot talk about real changes. Yes, today the Government may release or exile, fifty or eighty prisoners, but tomorrow or next month they can refill their jails using the same set of laws. That’s what we have to achieve; that they reform the laws so that citizens can express themselves freely without fear that they will be imprisoned, that the repression ceases, that human rights are respected.

Are Cuba’s prisons emptying only to be filled again? The same question was posed in an open letter to the Pope criticizing the Catholic Church’s involvement in the release of the prisoners conditioned upon their exile. It does seem likely, given that another dissident in January 2011 was recently in police custody and threatened with imprisonment for his opposition to the regime. Facing the specter of persistent repression, the Ladies in White continue their peaceful protests and the international community will hopefully remain attentive.

178. Cuba: Laura Pollán, the Ladies in White — Freedom, not Exile — English/Español, supra note 79.
179. Id.
180. De la Cruz, supra note 82.