Office Memorandum

DATE: February 7, 1945

CCA - Mr. Scherer

TO: ARA - Mr. Lockwood

FROM: CCA - Mr. Scherer

SUBJECT: Nationalistic Education Bill in Cuba

According to despatch 8692 of January 30 from Habana Dr. Marinello, the Communist leader, has presented to the Cuban National Council of Education and Culture a bill which would require teachers in all private schools in Cuba to be Cubans by birth or naturalization.

The Embassy indicates that, while the proposed bill has little chance of congressional approval, it does represent a further indication of the trend toward nationalism in Cuba. The Embassy requests the Department's comments as to possible action by it. It has taken no steps with the Cuban Government as was done in 1941, largely because of the internal political situation surrounding the measure.

If it appears desirable to you and other divisions of the Department I will be glad to draft an instruction to Habana indicating that it should continue its present "hands off" policy. It may be wise also to mention that the Embassy should miss no opportunity to call attention in general to the need today for removal of nationalistic barriers.

CCA: GFScherer: DVH
Subject: Proposed Law Requiring Cuban Nationality for all Teachers in Private Schools

The Honorable
The Secretary of State,
Washington.

Sir,

With reference to the Embassy's despatch No. 2981 of November 22, 1941 and to other communications concerning the efforts of certain groups to ban foreigners from teaching positions in Cuban private schools, I have the honor to report that Dr. Juan Marinello, President of the Partido Socialista Popular (Communist), has recently presented to the National Council of Education and Culture (an agency of the Ministry of Education) a project of law which would, among other provisions, require teachers in all private schools in Cuba to be Cuban citizens by birth or naturalization.

The projected law, which is understood to be under consideration at present by the Council, would also specify strict government standards of physical equipment and buildings to be met by private schools, as well as close control by the Government of the qualifications of teaching personnel and textbooks. Ministry of Education inspectors would be responsible for enforcing the provisions of the decree.

This move has two aspects possessing general importance beyond the purely educational question involved. In the first place it is one more example of the increasingly evident extreme nationalism in Cuba, which has been so frequently reported in recent months by the Embassy. It is, furthermore, a phase of the long-standing struggle between the Leftist elements and the conservative, Catholic group, which has been accentuated in Cuba by the presence of such a large element of anti-liberal Spanish supporters of the Franco Government, including many members of the Spanish teaching clergy. The background facts of this struggle, outlined in despatch No. 2981, are still after three years entirely pertinent to the present situation. Dr. Marinello for many years has been an open foe of the
conservative influence of the Spanish clergy in Cuba — which he labels as Fascist in ideology — and it is obvious that the principal aim of the bill under discussion is to prevent Cuban students from receiving instruction from Spanish clergymen using reactionary and, according to the Communists, even pro-Fascist textbooks.

The presentation of the projected law has precipitated a battle of some proportions which is almost daily reflected in the conservative Diario de la Marina and the Communist-controlled Hoy. The tactics of the Bill's opponents, who have protested as the National Association of Parents, may be summarized as follows:

1) The measure is purely political, having no real justification in the educational situation.

2) It is a Leftist attempt to place obstacles in the way of the Grau Government.

3) Previous attempts to pass such a bill have rightly failed after full discussion, and it is stupid to reopen the matter.

4) It violates the constitutional guarantee of freedom of education and otherwise is at variance with constitutional provisions.

5) In practice, it would close many small and much-needed schools, which are at present doing excellent work.

In rebuttal the editors of Hoy make the following points:

1) Liberty of education does not mean freedom to indoctrinate the youth with textbooks which praise Fascist dictators.

2) The measure simply implements constitutional provisions (Articles 47 and 51) and carries out their spirit.

3) The provision for Cuban nationality is not oppressive or unreasonable, since it provides a period of grace of three years to enable foreigners to acquire Cuban citizenship.

4) It is significant that the leaders of the National Association of Parents — Dr. José Joaquín Espinó and Dr. Julio H. Smith — are also leaders of the "Catholic, Franquist-Nazi movement".

A further interesting phase of the situation is the fact that a "National Federation of Cuban Private Schools", headed by an educator, María Corominas, who is not usually regarded as a Leftist, has been campaigning for the "nationalization"
"nationalization" of Cuban schools and advocating that all teachers be native-born Cubans - a step more radical than Marinello's measure. It is believed that this Federation is largely organized and supported by the many graduates of Cuban Normal Schools who are perhaps looking with hungry eyes on the good positions now occupied by foreigners in private schools.

In the midst of this controversy, which is essentially political, there appears to be no recognition in the press of the important fact that the proposed decree, if put into effect, would strike a heavy blow at over twenty American private schools in Cuba, which employ an estimated 175 teachers of American nationality. Reference is made to the Embassy's despatch No. 7760 of August 24, 1944 for a list and discussion of these schools. Interviews with directors of several of the schools indicate that the proposed law would have a crippling effect particularly on the teaching of English and the programs of American-type high school studies. There is a plan afoot to crystallize opposition from American schools to the proposed bill through organized protests.

The Embassy has not to date presented any expression of views to the Cuban Government concerning the measure, as was done in November, 1941, largely because it is not thought wise to become involved in the internal political situation surrounding the measure. Furthermore, informed observers are of the opinion that the proposed bill will not be made law in the face of the powerful opposition. The Department's comments regarding the Embassy's attitude would be appreciated.

Respectfully yours,

John J. Muoccio,
Charge d'affaires ad interim.

842
JTR/dd

Original and hectograph to the Department.

Despatch No. 2981, November 22, 1941 - "With reference to recent efforts on the part of certain groups in Cuba to prevent the use of teachers in the public and private schools who are not Cuban citizens."

Despatch No. 7760 / August 24, 1944 - "Teaching of English in Cuba."
RESTRICTED

No.

The Honorable
Spruille Braden,
American Ambassador,
Habana.

Sir:

Reference is made to the Embassy's despatch no. 8692 of January 3rd 1945, reviewing the project of law presented by Juan Marinello which would require that teachers in all private schools in Cuba must be Cuban citizens by birth or naturalization.

Your constructive comment on the political factors surrounding the project are of much interest to the Department which agrees that it would be unwise to take any positive steps in connection with this proposed legislation at the present time. However, the Department trusts that you and the members of your staff will continue to emphasize, on every appropriate occasion, the need for closer association between nations and for avoidance of measures directed against foreigners that tend toward excessive nationalism.

If, as the Embassy states, the principal aim of the bill is to prevent Cuban students from receiving instruction from pro-Fascist teachers and pro-Fascist textbooks, it would seem that such a result could be brought about by methods other than the exclusion of all foreigners.

Very truly yours,

for the Secretary of State:

A.M. \[Signature\]
Subject: Further Developments Concerning Proposed Law to Control Private Schools.

The Honorable
The Secretary of State, Washington.

Sir:

I have the honor to refer to the Embassy's despatch no. 8692 of January 30, 1945 entitled "Proposed Law Requiring Cuban Nationality for all Teachers in Private Schools", and to report certain further developments concerning this situation.

In a report of an exclusive interview published in the Habana paper, "El Mundo", February 4, 1945, President Grau is quoted as giving high praise to private schools in Cuba and declaring himself in favor of freedom of instruction. According to the interviewer, the President said in part: "Our Constitution is clear on the point: teaching is free. The state regulates it through its laws, but it cannot violate the principle of fundamental liberty guaranteed by the Constitution. The existence of private schools has done great good to Cuba. Such initiative, which tends to encourage learning and culture, is restricted in no civilized country in the world. ... Our policy, which we have already announced, must be directed to increasing the number of schools, not to limiting it." Pointing out that Cuba does not have enough schools for its children, the President referred to the United States as an example of a country where private schools flourish to the great benefit of the nation's cultural level.

While President Grau did not refer specifically to the decree proposed by Senator Juan Marinello, his words may easily be interpreted as supporting the opponents of the proposed law.

Meanwhile the controversy concerning Marinello's plan continues unabated in the press. "El Mundo" has entered the tourney, and recently printed a lengthy opinion by Dr. Alberto Blanco, Professor of Constitutional Law at the University of Habana, which cast doubts on the constitutionality and general desirability of the
measure. His views were emphatically rebutted by Senator Marinello in a published letter, and the latter's point of view has been echoed in a manifesto issued by the National Federation of Cuban Private Schools. The latter can now be definitely identified as being constituted mainly by Cuban teachers, graduates of local education schools.

Respectfully yours,

John J. Muccio,
Chargé d'Affaires ad interim.

842
JTR/dd
Original and hectograph to Department.
Habana, May 29, 1945

No. 9428

Subject: With Further Reference to the Proposed Law Concerning the Control of Private Schools in Cuba.

Sir:

Supplementing the Embassy's despatch no. 8765 of February 9, 1945 ("Further Developments Concerning Proposed Law to Control Private Schools") and previous correspondence on the subject, I have the honor to report that Senator Marinello's bill has not yet been reported to the Senate by the Committee on Culture and Education, to which it was referred, and that in view of the anticipated adjournment of Congress at the end of the current month it is believed unlikely that any action will be taken by that body on the proposed law during its current session.

While the possibility that Congress may be called into special session this summer is being mentioned, there are no indications that Senator Marinello's project in question would be considered at that session, although it is probable that some action will be taken on the project when Congress reconvenses in September.

In the meantime, Republican Senator José R. Andreu of Las Villas, a member of the Committee on Culture and Education, has submitted a report to the Committee calling for rejection of the Marinello bill and approval of a substitute bill, which has been named the Andreu Bill. The latter seeks to implement the Constitutional provisions regarding Government inspection and supervision of private instruction, but contains none of the controversial features of the Marinello bill, such as the requirement that all teachers in private schools be Cuban citizens.

The controversy concerning the Marinello bill has continued with undiminished intensity and has evoked an unusually wide measure of public interest. Most Habana newspapers, led by the DIARIO DE LA MARINA, have joined in the opposition.
opposition to the proposed law. The Communist HOY has
maintained its vigorous defense and as part of its cam-
paign has reproduced on its front page extracts from his-
tory textbooks now being used in the Jesuit Colegio de
Belén in Habana, in which the accomplishments of Franco,
Mussolini and Hitler are extolled and mention is made of
Japan's need for additional living space. HOY cites this
"Fascist propaganda" as a compelling reason for the enact-
ment of the Marinello bill.

Principals and proprietors of American and British
private schools in Habana have addressed a memorandum to
President Grau, which has been published in the Habana
newspapers, in which they have set forth their position
with regard to Marinello's proposed law. The following
are the salient points of the memorandum:

1. Pan Americanism. The present tendency toward
mutual Pan American understanding is aided particularly
by the study and knowledge of the language and culture
of the countries of this hemisphere. In the United States
there has been an extraordinary increase in the study of
Spanish, and hundreds of Spanish and Latin American pro-
fessors are engaged in the teaching of the language there.

2. American reciprocity. While thousands of positions
are open for Spanish teachers in the United States, there
are hardly one hundred American and English teachers em-
ployed in private schools in Cuba.

3. Good Neighbor Policy. Nationalization of private
instruction is contrary to the Good Neighbor Policy advo-
cated by President Roosevelt since 1933.

4. Importance of the study of English in Cuba. Fu-
ture commercial relations with the United States and Great
Britain indicate the importance and necessity of studying
English by attending schools where this language is taught
several hours a day.

5. Free establishment of English-speaking schools in
Cuba. The Cuban Constitution requires that teachers of
Spanish, History, Geography and Civics be Cuban citizens,
but freely authorizes the creation of English-speaking
schools.

6. Cultivation of Cuban patriotism. Freedom of in-
struction encourages patriotism and respect for local in-
tstitutions. If no English-speaking schools existed in
Cuba, many students would be compelled to study in the
United States and after many years of study abroad would
return to this country as virtual strangers.

7. American technology in the service of Cuba. Eng-
lish-speaking schools are able to furnish direct access
to American technical publications and English and American
textbooks which are produced in large numbers at low cost.
8. Intolerance is contrary to democracy and cultural progress.

9. The Government's right of supervision and inspection. The State is under obligation to inspect and regulate private instruction and to establish capacity qualifications for teachers, but a period of six or eight years should be given to university and secondary school teachers to establish their qualifications. The teaching of foreign languages is a highly specialized field and preparation therefor requires many years of study in the country of origin. It is desirable that the teaching of English should be in the hands of American or English professors, just as instruction in Spanish should be conducted by native teachers.

10. Credit for foreign studies. The Ministry of Education might establish a commission to study the credits given by foreign educational institutions and to validate the degrees or diplomas granted by such institutions to persons who wish to occupy positions as teachers in Cuba.

Senator Marinello replied to this memorandum in an article entitled "Education and Good Neighborliness", published in the newspaper HOY. His reply was featured by a tone of moderation which is a far cry from the invectives which are usually hurled at the "Fascist" opponents of the bill. Marinello stated that he considered the objections set forth by the Anglo-American schools to have been made in good faith, although they revealed, in his opinion, a mistaken interpretation of the nature and purposes of his bill. He asserted that his project did not seek to exclude all foreign teachers, which would admittedly be prejudicial to Cuban culture and weaken the bonds of unity between the American countries. He said that his project was designed instead to afford the opportunity for duly qualified Cuban teachers to occupy positions in private schools and to assist in raising the level of national education. "But," he continued, "that does not mean that in special studies such as languages the services of non-Cuban teachers should not be utilized. An inflexible rule would be so ridiculous that it would nullify itself."

Marinello agreed on the importance of the study of English and expressed the desire that it should be stimulated and expanded, but he felt that this object could be attained by specialized language instruction by foreign teachers, rather than by a wholly-English curriculum in certain private schools. He remarked that many Cuban students had found, upon graduation from such schools, that while their knowledge of English was good, their knowledge of Spanish, their own language, was imperfect.

The Senator's argument that his proposed law would not exclude foreign teachers would seem to be negated, however, by the clear text of the bill, which would require that all teachers in private schools be Cuban citizens. Nevertheless,
his reply is of particular interest in that it lends weight to the opinion that the project is aimed principally at excluding the Spanish clergy as teachers in private schools.

The Board of Aldermen of the City of Habana, in a recent resolution, condemned the Marinello project and recommended the enactment by Congress of the Andreu bill. It is significant that in the voting on this resolution, the Auténticos joined the Communists in the opposition minority. Vice President Raul de Cárdenas, however, in a recent public statement vigorously condemned Senator Marinello's proposal.

The Embassy will inform the Department of important further developments in this matter.

Respectfully yours,

James H. Wright
Chargé d'Affaires ad interim

Original and hectograph to Department