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“Popular participation in every essential measure”: The Influence of Cuban Mass Political Participation on State Economic and Labour Policy

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Introduction

Naturally, we call our system a democracy because, first, it rests on all the people; second, it gives participation to the people as they have never had in any other human society; third, there is incessant debate and popular participation in every essential measure


From the Cuban Revolution’s successful conquest of political power in 1959 right through to the present day, the practice of democracy in Cuba has been an issue of enduring polarisation. While some look to Cuba as an example of proletarian, participatory democracy in action, the more mainstream view, at least in the Western world, has appraised Cuba as politically unfree and undemocratic: a citizenry held in a tight grip by an all-powerful Communist Party. For a host of different reasons that cannot be explored here in much depth, this article is broadly sympathetic to the former’s interpretation of Cuba’s political system. To summarise, it is my view that the charges that Cuba is “undemocratic” can be attributed to either an erroneous theoretical belief that Cuba’s avowed form of democracy cannot in fact deliver democracy, or a misunderstanding of how the Cuban political system functions. It is not for this article to reckon with the challenges to Cuba’s democratic character in a general sense – other works have in my judgement already dealt adequately with these¹ – but rather to

examine one component of Cuban democracy, mass political participation, with specific reference to its influence on state economic and labour policy.

To be clear, the mass political participation under discussion in this article is conceptually quite distinct from what may be commonly understood by the term. It does not for example include the act of voting, even though this could, particularly with Cuba’s extremely high voter turnout rates, be conceived as a form of mass political participation in line with widely accepted scholarly definitions (Verba and Nie 1972: 46) (Little 1976: 438).

It more narrowly concerns two institutions of Cuban political participation that facilitate large-scale citizen input on state policies at a national level. The first of these institutions will be referred to henceforth as “ad-hoc mass consultations”. These consultations emanate directly from the Cuban government or the Communist Party and allow for any and all Cuban citizens to provide input on a given set of state policies. Ever since the revival of ad-hoc consultations under Raul Castro’s leadership, they have assumed a place of great significance in Cuba’s model of mass political participation, granting Cubans several opportunities to propose changes to centrepieces of state policy. The other institution to be investigated comprises consultations arranged by the mass organisations of Cuba. Mass consultations of this type, while more exclusive in who can participate as compared to the ad-hoc consultations, nevertheless constitute mass political participation due to the sheer size of their memberships, the whole body of which is entitled to take part. They are most commonly convened in response to government legislative proposals that will affect a mass organisation’s membership, facilitating member input on policy in a fashion almost identical to that of the ad-hoc mass consultations.

In order to assess the influence of Cuban mass political participation on state economic and labour policy, this article will employ four case studies – two ad-hoc mass consultations and two mass  

also offers some valuable insights into the theoretical foundations of Cuban democracy.

2. Practically all Cubans are a member of at least one mass organisation. For example, 95 percent of workers belong to the Worker’s Central Union of Cuba (Thale and Boggs 2013: 7) and 90 percent of women are members of the Federation of Cuban Women (Telesur 2017).

3. General policy debates that fall within a particular mass organisation’s purview have also from time to time created occasion for them to convoke mass consultations, such was the case in 1994 when three million CTC members were asked to propose solutions to problems in their workplaces and the national economy (Roman 1995).
organisation-sponsored consultations. In each case study, the initial state policy will be contrasted with that which emerged after it had been acted upon by mass political participation. The substantive differences between the two – recognised as such to the extent that they change existing state economic and labour policy – will be noted and the influence of Cuban mass political participation judged by the demonstrated ability of the consultations to effect this change. It is hoped that this analysis will illuminate the efficacy of mass political participation in empowering Cuban citizens to directly impact economic and labour policy decisions of great import, ergo enhancing our comprehension of a practice that, in the words of Fidel Castro, much of the Cuban Revolution’s democratic legitimacy rests on.

Ad-hoc mass consultations

The custom of popular consultation has long enjoyed a noteworthy relevance in Cuban national politics, tracing its origins back to the grassroots meetings of 1975 that were organised to receive public suggestions on a new constitution proposed by the government, an initiative that came to encompass over six million citizens (Database and Search Engine for Direct Democracy 2019). The continued and consistent usage of this particular mechanism of popular power after its initial experiment unfortunately proved ill-fated, however, as Cuba moved into the “Special Period”, an era of severe economic hardship spanning most of the 1990s. During this time, power became more consolidated in the hands of Cuban state organs such as the Communist Party and the Council of State, which were afforded special powers to deal with the demanding economic and political challenges presented by the Special Period. Mass consultations of this kind were once again brought into the fore of Cuban political discourse by a Communist Party under the new leadership of Raul Castro, being convened to generate feedback on several Communist Party proposals of national importance (Backer and Sapio 2019: 110–111; Kapcia 2011). Since then there have been four instances of universal ad-hoc consultation, including the two case studies to be examined in the first section of this article; the 2011 consultation on the “Lineamientos” and the 2018 consultation

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4. Mass consultations continued to be utilised within the confines of the mass organisations throughout this period, allowing their memberships, of which most Cubans are a part, to retain some influence over state policy (Morris 2014; Roman 1995; Lindenber 1993).
on the new draft constitution. Both proposals prefigured significant implications for economic and labour policy in Cuba, and were accordingly subjected to a lengthy process of public scrutiny by means of the mass meetings that make up the popular consultations. The two questions that this section seeks to probe are: to what extent were these consultations participatory, and even more importantly, did they have a meaningful impact on government economic and labour policy, i.e. were they able to substantially change the proposals they were charged with reviewing?

The Lineamientos

The first ad-hoc mass consultation to be looked at is that which was initiated in connection with the Guidelines for Economic and Social Policy, often referred to simply as the Lineamientos. The Lineamientos was a document released by the 6th Congress of the Communist Party which sought to lay out Cuba’s plans and strategy for economic development in the years 2016–2021, bundling together a plethora of wide-ranging reforms related to economic and labour policy such as state decentralisation, the expansion of non-state ownership, and welfare rationalisation among many other things (Bobes 2013: 174). The document, as binding on state policy as any other due to the intertwined and inseparable nature of the relationship between the Communist Party and the Cuban government, provided suggestions for action that would have a considerable effect on almost all aspects of Cuban economic life (Backer 2011: 105). The fact that such a monumental plan with the potential to reshape the Cuban economic orthodoxy was put up for public deliberation is itself telling of the potential influence of Cuban citizens to steer economic and labour policy, but to arrive at a full picture of this influence necessitates a more comprehensive investigation into the popular consultation surrounding the Lineamientos. In conducting this investigation, we must take into account several factors: how many people participated, the quality of the participation, and whether this participation yielded any tangible results in the form of changing substantially the contents of the document from its pre-consultation state.

5. The other two consultations were held for the “Conceptualization of the Cuban Economic and Social Model of Socialist Development” and the “National Economic Development Plan until 2030: Proposed Vision of the Nation, Axes and Strategic Sectors” in 2016. Both were Communist Party initiatives.

6. The Communist Party of Cuba is described as the “superior driving force of society and the State” in the Cuban constitution (Constitute Project 2019)
The mass consultation process for the *Lineamientos* began in December 2010 and lasted until February 2011 (Egozcue 2012: 113). Assemblies were organised by a host of mass organisations and government-affiliated bodies across the country, bringing together the vast majority of Cuba’s population in public meetings with the purpose of discussing the document and opening a forum whereby people could propose modifications to it – a term that encompasses virtually any sort of change including additions, deletions, rewording, and even brand new policy proposals. In total, 163,000 assemblies were convened with 8.9 million people attending them (Salazar and Breña 2014: 17; Backer, Sapió and Korman 2019: 227), accounting for a sizable majority of the country’s 9.3 million eligible voters (Election Guide 2019). This is undoubtedly a very impressive number, one which represents one of the largest per capita mobilisations of people in a politically participatory capacity, yet it still does not tender us complete clarity as to how participatory the consultative process was. A figure that certainly does shed some more light on this, however, is the number of individual contributions offered by participants in the assemblies, amounting to just over three million, aggregated into 579,911 distinct “opinions” (Ludlam 2012: 250; Centeno Miranda 2016: 140). It seems reasonable to suggest on the basis of these statistics then that somewhere in the region of 30–35 percent of people who attended the assemblies were able to participate in a substantial way and tangibly contribute to the consultative process.

It must be conceded that this method of establishing the amount of active participation that took place is by no means flawless, admittedly there are actions that it cannot account for but which nonetheless may justifiably be thought of as constituting active participation; unrecorded discussion among participants that doesn’t result in a formal comment being submitted to the meeting’s presiding officer is one such example. Moreover, it doesn’t factor in the likelihood that many people attended more than one of these meetings, which would somewhat skew the active participation statistics. For instance, a female worker could have plausibly attended two separate meetings organised by her local union and Federation of Cuban Women branch. Even so, working with all of the information available on the consultation leaves us with no other methodological option than this if we want to fashion any metric to gauge its level of active participation.

The next question to be addressed is in what ways did this mass political participation influence change in the *Lineamientos* document and thus change in economic and labour policy. From the outset, there can be no uncertainty whatsoever about the enormous scope of
changes that were made as a direct consequence of the consultative process. Hundreds of thousands of the citizen opinions were accepted and worked into the final version of the Lineamientos, leading to 68 percent of the original provisions being redrafted and the inclusion of twenty additional guidelines, increasing the number of guidelines from 291 to 311 (Backer et al. 2019, 227). The significance or lack thereof of these changes is nonetheless a reasonable concern one may have, and certainly warrants closer inspection of the amendments made to the Lineamientos after the period of mass consultation.

A comparative examination of the pre-consultation and post-consultation documents does much to assuage this concern, revealing quite a number of substantive differences between the two in terms of economic policy guidelines. Many of these changes are centred around the issue of decentralising the economy, something that features prominently in the Lineamientos. For example, both documents make provisions for increased power and responsibilities for enterprises, including those not directly run by the state, however a proviso was added to the post-consultation document that required managers of such enterprises to be held accountable for decisions, actions or omissions that damage the economy (August 2013: 125), ensuring that the state would still retain some measure of control over parts of the economy that it otherwise doesn’t manage. In the same vein, one of the guidelines that was added demanded price stability in essential goods offered by non-state actors, a wholly original idea not found in the pre-consultation document and which was backed by 32,171 opinions (Ludlam 2012: 250; Centeno Miranda 2016: 141). Moreover, inserted into the post-consultation Lineamientos was another new guideline requiring that the state take action to equilibrate fluctuating retail prices of the same or similar commodities (Ludlam 2012: 250). The message communicated by consultation participants through these types of changes was clear; if the Cuban state was going to embark on a new course characterised by opening the economy to more elements of capitalism, then these elements had to kept in tight check.

Perhaps an even starker indication of a shift in state economic policy in reaction to the consultative process can be observed via an amendment included in the post-consultation document which made changes to the decentralisation of state economic plans. It was originally proposed that only provincial administrative councils would be tasked with greater economic responsibilities in this area, but the post-consultation amendment extended this to municipal administrative councils as well, allowing for even greater decentralisation of the
economy (August 2013: 126). In addition to this, a stipulation was appended to a guideline referring to the development of local projects, specifying that all such projects should be managed by economic entities located in the relevant municipality, once again reinforcing the decentralising streak that characterises the post-consultation document (August 2013: 126).

It would be remiss not to also mention the aspect of the Lineamientos which received the most citizen opinions directed against it (Centeno Miranda 2016: 140–141). The proposed abolition of the ration book, an evergreen item that from the early days of the Cuban Revolution has greatly subsidised a wide range of commodities for most Cubans, was met with overwhelming disapproval. The “elimination” of the ration book was subsequently redrafted as an “orderly and gradual elimination”, a policy concession that without additional context may appear miniscule. However, given Raul Castro’s keen desire to get rid of what he viewed as “an insupportable burden, a disincentive to work and a source of illegal behaviour” which “contradicted the socialist principle of distribution linking personal consumption to work performed” (Ludlam 2011), this amendment should be seen as an important protection for Cuban citizens against a hasty removal of the treasured ration book.7

These are but a few of the most consequential economic and labour policy changes made to the Lineamientos after its three-month stint of mass consultation. There were however numerous other amendments that made their way into the revised document relating to urban and rural cooperatives and the newly emerging phenomenon of self-employment (August 2013: 126). In summary, along with the majority of the Lineamientos being redrafted after the consultative process, we can note several highly significant economic policy changes that came as a result of this process too. Municipal authorities in particular were bestowed considerably more power in economic affairs in the post-consultation Lineamientos than in the pre-consultation draft, “reflecting the desire for more control by the workers and population, and for administrative decentralisation in cities and the countryside” (August 2013: 126). This desire for the most part seems to have come to fruition in the outcome of the Lineamientos consultations. A desire to preserve the Revolution’s hard-won social gains is just as discernible in the post-consultation text, the participants having imprinted in the Lineamientos further guarantees that the ration book and price stability on which many Cubans rely wouldn’t be pulled from under them.

7. As of August 2021, the ration book remains a ubiquity in Cuban life.
The 2019 constitution

The next consultation under consideration, called in preparation for the 2019 constitutional referendum, was one of an equally massive proportion to the Lineamientos consultation, spurring for another occasion most Cuban citizens to attend mass assemblies in order to participate in the reforming of a new draft constitution proposed by the National Assembly of People’s Power. The new constitution, in many ways marking a rather profound change in economic policy surpassing even that of the Lineamientos, was to have far-reaching effects on the Cuban economic model despite the relative brevity with which economic matters are addressed in its text.8 Property relations were made to undergo what on the surface appeared to be a striking divergence from the socialist norm, the constitution having introduced a recognition of private property and private ownership over some “specific means of production” into its Economic Foundations (Constitute Project 2018: 10). Also included was a promotion and guarantee of foreign investment which was deemed an important part of the country’s economic development (Constitute Project 2018: 12). As was done with the Lineamientos mass consultation, the extent of participation during the process will be noted, followed then by an assessment of how impactful this participation was in altering the draft constitution through a comparison of the pre- and post-consultation constitutions.

According to a report to the National Assembly on the popular consultation for the constitution, 133,681 assemblies were held, coalescing 8.95 million Cubans into the discussions (Granma 2019; Backer et al. 2019: 235). Furthermore, 783,174 proposals were made to amend the draft constitution in these assemblies, though the overall degree of participation seems to have dropped significantly contrasted with the Lineamientos consultation which in all produced over three million contributions during the course of its operation, compared to only 1.7 million generated by the end of the constitution’s consultation (Granma 2019). If the participation of this consultation is appraised by the same standards as our previous case study, we arrive at a comparatively paltry figure of approximately 20 percent of all participants having tangibly contributed to the consultative process. Although this figure is probably a good deal higher for reasons stated earlier in this article, it still falls shy of the Lineamientos’ participation figure. There doesn’t appear to be a clearly discernible reason for the plunge

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8. The constitution’s “Economic Foundations” wherein almost all economic and labour provisions lie makes up only 12 of the draft text’s 224 articles.
in participation suffered by the constitution’s consultation, and to offer any speculation in place of this lies beyond the remit of this article. Whatever the cause may have been, participation in the consultative process was underwhelming, but that doesn’t mean that it did not have a pronounced impression on the draft constitution. The next segment will lay out the changes made to the draft constitution’s Economic Foundations on the counsel of the mass consultation, elucidating their significance and to what extent they represent a substantive change to state economic and labour policy.

An examination of the post-consultation constitution’s Economic Foundations readily turns up a wealth of changes from its pre-consultation form. For a start, two new articles were added to it (Granma 2019). The first of these new articles, Article 20, should command the most attention. It states that “Workers participate in the processes of economic planning, regulation, management, and monitoring” (Constitute Project 2019: 10), a sentiment not as clearly expressed in the pre-consultation draft.9 The significance of this inclusion requires little explanation considering the Cuban state’s self-proclaimed socialist identity. No socialist state worthy of the label could neglect the ideology-defining importance of worker control over the means of production and, by extension, the economy more broadly. To do so would have it stray far from its own theoretical underpinnings. The inclusion’s significance should not be too overstated however, as the draft constitution did already make reference, albeit rather vaguely, to worker participation in the processes of “economic activity” (Constitute Project 2018: 11–12), and so the principle conveyed in the new article should not be construed as solely being a product of the consultative process.

What should be viewed as a substantive change though is the important clarification that the new article provided with regards to worker participation in the economy, inscribing clearly into law a more precisely defined role for workers in specific areas relating to the economy, rather than keeping a much more ambiguous clause that could more easily be skirted. Another key amendment included in the post-consultation constitution came in Article 22 which dealt with the different forms of property to be recognised, adding to the

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9. In the pre-consultation draft, the clause on worker participation in economic activity was lumped into an article dealing with the state’s role in the economy reading, “The State’s essential function is to plan strategic development and to harmonize economic activity for the benefit of the society. ... Workers participate actively and consciously in these processes” (Draft Cuban Constitution 2018: 11–12)
description of the newly acknowledged private property. It was specified that private ownership was to play only “a complementary role in the economy” (Constitute Project 2019: 11), a crucial reassurance for Cubans who have observed a conspicuous tilt towards market-based economics both in the constitution and in government policy the decade preceding it. The early policies of Raul Castro’s administration such as the Lineamientos and the laying off of 500,000 state workers and their rerouting to the expanding non-state sector, followed by the courting of greater foreign capital investment, marked a retreat from the Cuban socialist orthodoxy (Centeno Miranda 2016: 137, 141). It is likely that some Cubans feared the enshrinement of these market elements in the constitution – effectively weaving them into the country’s long-term economic fabric – could herald a gradual slide into a functionally capitalist economy. The aforementioned post-consultation stipulation however made it clear that socialised ownership would remain cemented as the focal point of Cuba’s economy, further consolidating the socialist character of the constitution.

More changes were made to this effect in other parts of the Economic Foundations, such as in Article 30 which refers to the regulation of the concentration of property, and which had affixed to it after the consultation a proviso that “guarantees an increasingly just distribution of wealth” (Constitute Project 2019: 13). Non-state workers typically earn higher average salaries than state workers (Mesa-Largo 2017), while state “enterprise sector’ workers can receive incentives and hard currency linked to increased production” (Yaffe 2019). State workers in non-commercial employment are thereby on the lowest rung as far as income is concerned. In view of the growing income inequality that has resulted from the enlargement of the non-state sector as well as discrepancies in compensation between state sectors, this amendment works to protect the interests of many Cuban state employees, who account for over 70 percent of the country’s workforce10 (CIA 2021; Mesa-Lago 2017).

It was also added to Article 31, an article outlining the role of labour in Cuban society, that “paid labour must be the principal source of income that sustains dignified living conditions” (Constitute Project 2019: 13), yet another amendment that can be interpreted as solidifying the constitution’s socialist nature and preventing the

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10. In July 2019, not long after the ratification of Cuba’s new constitution, all workers in the non-commercial state sector were given significant pay rises. One of the reasons cited by President Miguel Diaz-Canel was the demand from many Cubans during the constitution’s consultative process (Yaffe 2019).
further creeping in of capitalistic features into the economy. Furthermore, in delineating the role of the Communist Party, the phrase “to advance towards a communist society”, present in the 1976 constitution, was removed from the draft version with only “the construction of socialism” remaining (Fletcher 2018). This deletion was inserted back into the post-consultation constitution (Constitute Project 2019: 6). Interestingly, there was one amendment that garnered a high volume of proposals during the consultative process, but which was nonetheless rejected for inclusion in the finalised constitution. 46,968 proposals were made to amend Article 31 by adding an “obligation to work”, however this suggestion was not taken on board by the Constitution Drafting Commission, who cited the proposal’s conflict with Cuba’s “international principles and commitments” (Granma 2019).¹¹¹² The resulting compromise saw work entrenched as a “social duty” for “all people who are able to work” (Constitute Project 2019: 13).

Overall though, we can be sure that several important changes were made to the constitution’s Economic Foundations after the period of popular consultation, almost all of them reinforcing the socialist nature of Cuba’s economy. While this is significant in itself for strengthening the position of the Cuban worker past what the state’s original economic and labour policy was prepared to dispense, it should be noted that none of the amendments radically altered the constitution, rather serving to reaffirm the “irrevocability” of the socialist system that is established in its first articles (Constitute Project 2019: 6). In any case, the findings made in this section should function as sound evidence that Cuban mass political participation, in the form of ad-hoc mass consultations, has the capacity to exert tangible influence on state economic and labour policy.

**The mass organisations and their role in facilitating political participation**

In the previous section the process of all-inclusive ad-hoc mass consultations was discussed, that being a core pillar of modern Cuban mass political participation yet far from its only component.

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¹¹¹ These international principles and commitments are not specified.

¹¹² The Constitution Drafting Commission, acting on the advice of the popular consultation, was responsible for drawing up the finalised constitution before endmost approval by the National Assembly of People’s Power (Granma 2019).
In fact, on account of its enormous scale it is predictably the least exercised form of mass political participation in the country, organised only for matters which will bear upon the populace at large. Mass political activity in times of ad-hoc consultation absence finds its home in the workings of the mass organisations. These mass organisations, of which the Worker’s Central Union of Cuba (CTC) and the National Association of Small Farmers (ANAP) will serve as the focus of this section, are responsible for a number of participatory functions. Above all they are charged with the role of organising assemblies for their members, similar to the ad-hoc consultations in format, to debate government policy proposals pertinent to their members’ interests. The CTC, for example, must convene worker’s assemblies to discuss all proposed labour legislation (Lee 2013: 51; Evenson 2003). The member-based input that they collect and relay to governmental institutions on relevant policy places the mass organisations firmly at the centre of Cuban mass political participation, hence no analysis of the effects of such participation on economic and labour policy can be complete without an understanding of how effective they are at delivering it and subsequent policy change alongside it. This article therefore sets out to bring about this understanding primarily by examining two instances of member-wide consultation carried out by the CTC and ANAP respectively. Utilising the methodology of the preceding section as well as first-hand accounts of the consultative process, the substantial change often made to state economic and labour policy by this manifestation of Cuban mass political participation will be demonstrated.

The autonomy of the mass organisations

Before delving into the main analysis, it is paramount to contend with a potential stumbling block that could derail any effort to establish the mass organisations as vehicles for effective political participation altogether. The problem in question relates to a pervasive misconception regarding the mass organisations, namely their perceived lack of autonomy from Cuban state organs. If they are “mere transmitters of government policy” as the criticism often goes (Ludlam 2009, 550), then the whole project of determining their influence on such policy is put in peril. Without the capacity to facilitate political participation that can clash with the government and Communist Party line and synthesise change congruous to membership interest out of this conflict, the mass organisations’ participatory function would be no greater than that of a talking shop; powerless to carry member demands into government policy.
This interpretation of the mass organisation’s capacity for autonomous action is one shared by many noted scholars of Cuba, held as an assumed premise of the Cuban political system. Eusebio Mujal-León, for instance, speaks of how during a national debate in workplaces and neighbourhoods where citizens were asked to air their grievances and problems, the impact “was absorbed within Party and mass organisations”, later claiming that Cuban elites have “channelled participation vertically through a host of mass organisations” (Mujal-León 2008: 27, 30). Armando Chaguaceda and Lennier López assert that the mass organisations “represent the Leninist model of participation, which is vertical and limits tremendously these groups’ autonomy” (Chaguaceda and López 2018). These depictions of the mass organisations are taken for granted and left without any further elaboration, the only provided justification being a vague reference to their “vertical participation” that is implicitly presumed to make them little more than puppets of the state. Such a view does not however line up with the track record of the mass organisations in pushing back against the state when member interests do not align with state policy proposals. There are empirical examples abound of the mass organisations acting contrary to the wishes of the state, resulting in no small number of instances whereby the CTC and the ANAP, upon consulting with their membership, have significantly changed the state’s policy direction by substantially amending proposed legislation or, in rarer cases, removing it from consideration entirely.

The Federation of Cuban Women (FMC), another of the largest mass organisations to which 90 percent of Cuban women belong (Telesur 2017), has by the same token forced many of its initiatives in the sphere of women’s rights and gender identity past government recalcitrance and into state policy (Johnson 2011: 37). What’s more is that the mass organisations can and regularly do take policy creation into their own hands. Invested by the Cuban constitution with the right of legislative initiative, the mass organisations can propose bills directly to the National Assembly, as was done by the FMC with the 1975 Family Code and by the ANAP in the case of the 2002 Agricultural Cooperatives Law (Guanche 2016: 79) (Roman 2005). This section will soon go onto discuss such examples of mass organisation autonomy in greater depth when some of the consultations that have been conducted by them are examined; for now just a few of the more prominent ones will suffice to demonstrate the point that Cuban mass organisations avail of considerable operational autonomy from the state.
The most dramatic occurrences of mass organisation opposition to state proposals stem from the CTC. For one, union opposition to a 1995 draft law that would have allowed foreign companies to directly employ workers on their own terms sank the proposal, leading to the concession that such workers would instead be employed through a state agency and subject to Cuban labour law rather than civil law (Ludlam 2009: 550; Evenson and Ludlam 2011, 9). Another government proposal that befell a similar fate was one introducing an income tax and social security contribution on workers, discarded after CTC resistance, as well as a proposal to raise the retirement age (Ludlam 2009: 550–551) (Evenson and Ludlam 2011: 9). There are countless more examples that could be pointed to, although those already provided should constitute enough evidence to put to bed the unsubstantiated notion that Cuban mass organisations are helpless to act autonomously from the state.13 Now that the doubts oft raised about the efficacy of mass organisations in coordinating effective and autonomous political participation have been dispelled, the article will proceed as with the last section – out of a lack of space to suitably cover all the many occasions of mass organisation-sponsored political participation – by studying two notable case studies. Naturally, both of these case studies will relate to economic and labour policy.

The 2014 Labour Code

The first case study to be covered by this section is a mass consultation assembled for the purpose of allowing workers to critically review and put forth amendments to a specific piece of legislation. The concerned legislation, initially supplied for worker consideration under the auspices of the CTC in 2013, was an updated Labour Code set to replace the rapidly aging and antiquated Code introduced in 1985, one which had long since passed its fitness for purpose in a post-Cold War, post-Special Period, and increasingly diverse Cuban economy. Exercising its right to be consulted on labour legislation, the CTC yet again organised the time-honoured process of mass member consultation for the occasion, this time involving 2.8 million workers across almost 70,000 workplace meetings over a five-month period (Ludlam 2014; Thale and Boggs 2013). As with all mass organisation-orchestrated mass consultations, there unfortunately exists no publicly available figures that can offer some clarity on their quality

13. For a more comprehensive account of the relationship between the CTC and the state, see Debra Evenson and Steve Ludlam’s Workers in Cuba: Unions and Labour Relations (2011)
of participation. Subsequently, since there is no way of measuring participation in the consultative process, the investigation into this section’s two case studies must be watered down to only analyse the changes that made it into the revised legislation after the conclusion of the consultation. This alone nevertheless is able to tell us a great deal about the degree of influence over state economic and labour policy that is wielded by Cuban citizens engaging in mass political participation. As before, the same general rule applies; the more substantive changes made to the legislation after the mass consultation, the more influence Cuban citizens can be said to have over state economic and labour policy via mass political participation.

As is true of the other mass consultations under review till this point with respect to the indisputably large number of amendments they generated for their corresponding policies, so it remains the same for the Labour Code consultation too. This much can be noted by a quick glance at the total number of changes made; 101 articles were modified and 22 new regulations included. Chapter Two which is concerned with union rights was in the process almost entirely reconstructed as well (Ludlam 2014; Cuba Debate 2014). What is of the most interest to our analysis, however, remains the substance behind these changes. To what extent does the post-consultation legislation, it must always be asked, signify a substantial departure from previous state labour policy and consequently a capability of Cuban mass political participation to apply tangible pressure and influence on their government in policy decision-making mechanisms? We may begin this line of inquiry by taking note of the most significant differences found in the final Code, which can be located in the provisions regarding non-state employment and union rights.

On the topic of non-state employment, a sector that for the first time had received official recognition of its rights and guarantees in Cuban labour law under the new Code, several changes of great importance to workers of this sort were added. The clauses concerned with contracts for those employed in the burgeoning private sector were strengthened so as to afford non-state workers protections more in line with the ones enjoyed by state workers. Whereas the draft Labour Code only made mention of written contracts between workers and private entities as being “preferable”, the revised Code spelled out that such contracts would be an obligation for employers to provide. Moreover, provisions were also included to allow for indefinite contracts in seasonal work such as tourism, increasing much needed job security in the far more precarious private sector (Ludlam 2014). While there’s no doubt that changes to this effect are indeed
substantial for the private sector workers who are able to avail of their benefits, the essence of Cuban government labour policy in regard to non-state workers seems to have remained relatively untouched by them. The draft Code was originally written with clear consideration for the emerging private workforce as evidenced by the provisions already in place to extend codified labour rights to these workers, a rather straightforward indication that the Cuban government was firmly set in its policy to legitimise private enterprise and grant some parity to the workers involved in it. That’s not to say that the changes brought about by the mass consultation were in any way insubstantial, however, as an undercurrent of reluctance from the government to bequeath total parity of labour rights to non-state workers is equally apparent. This is evident in areas other than the draft Code’s clause on non-state worker contracts, for example in the articles pertaining to paid holidays. It is mandated that private sector workers receive seven days of paid holiday time per year, a meagre offering relative to their state worker compatriots who are eligible for an entire month paid holiday time (Thale 2014). The post-consultation inclusion of additional rights for private sector employees is therefore reflective of an aspiration of workers to shore up worker protections across the board, something they’ve proved able to actualise to a moderate extent through the Labour Code consultation.

Outside of the non-state sector, the changes seen in the post-consultation Code in respect of union rights and workers’ rights more broadly tell a similar story, that of mass political participation showing itself to be capable of engendering concrete change in government labour policy while at the same time falling short of fundamentally reshaping it. Whether this is born out of a contentedness by workers with the fundamentals of government labour policy or an inability for them to do so we cannot undoubtedly ascertain, although given that these fundamentals form one of the most comprehensive sets of worker rights and protections in the world, the former seems

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14. In gaining their unprecedented labour rights, private sector workers found themselves newly entitled to minimum salaries, maximum hours, rest periods, paid holidays, and health and safety protections (Ludlam 2014). All of these benefits are present in the draft Labour Code.

15. Private sector workers are also underprivileged in another key respect − union rights. The Code’s private sector chapter “does not specify how employees negotiate collective contracts with their employers in order to protect their economic interests, and it does not distinguish between the interests of the employer and the employee in this sector” (Thale 2014).
more likely. 16 Nevertheless, other substantial changes to the draft Code include the removal of a new stage that was to be added to the workplace grievance and disciplinary procedure, one which would have furnished senior management with exclusive powers previously delegated to panels dominated by elected workers (Ludlam 2014). Another draft proposal allowing workers to work all but seven of their thirty days annual leave was also significantly amended, permitting work during annual leave only in exceptional circumstances and with union agreement (Ludlam 2014). One can imagine this change resulted from a worker fear that their workplaces may in practice unduly pressure them to work during their leave days, and a desire to eliminate this possibility. Complementing these changes are several related to union rights. Unions by right are to now receive information from company management under the revised Code in order to raise the quality of worker participation. They are also guaranteed office space and materials, and union officers are afforded leave from work to fulfil union responsibilities, getting rid of a draft clause to restrict this where it prejudiced paid work. Lastly, a new right was inserted to promote training for union representatives (Ludlam 2014). All of these changes are in keeping with worker interests and yet again lay bare the tangible effect that mass political participation can have on Cuban labour policy.

The 2002 Agricultural Cooperatives Bill

The second case study that will be considered in this section concerns the consultation held among the cooperative farmers of the National Association of Small Farmers (ANAP) in 2002 for discussion of the Agricultural Cooperatives Law, a law drafted and proposed to the National Assembly by the ANAP itself. While not strictly an economic and/or labour policy proposal because of its roots in agricultural policy, much of the legislation’s contents had appreciable ramifications for both which is why this article has included its consultation as a case study. To provide some context on the legislation and its origin, at the

16. The Labour Code “fundamentals” provide all workers with “the right to work, equal pay, minimum salary, and non-discrimination (now including sexual orientation) … state pensions, maternity leave, unemployment benefit, accident benefit … [right to] stop dangerous work”. All employers are obligated to “eliminate risks, provide training and adequate protective equipment and clothing” and “workers have the right to participation at work through workplace assemblies and trade unions. In the state sector, grievance and disciplinary cases go before labour justice panels dominated by elected workers. Private sector workers go directly to municipal courts” (Ludlam 2014).
9th ANAP Congress in May 2000, the delegates passed a motion exhorting the organisation’s leadership to make use of its constitutional right to introduce legislation and put to the National Assembly a new law on agricultural cooperatives. This arose out of serious criticisms of the existing relevant statute from the delegates, who relayed the practical problems encountered by cooperative farmers under the archaic legislation including but not limited to selling products at market, housing, and profit distribution (Roman 2005: 41). The result was an agreement reached by the ANAP’s national leadership and the National Assembly at the end of 2000 for the ANAP to draft this new law for presentation to the Assembly in its December 2001 session (Roman 2005: 41). The mass consultation stage didn’t occur until later, however, after the contentious legislation which stoked vigorous disagreements among National Assembly deputies was deemed necessary to undergo this by an Assembly Commission and the ANAP, citing the lack of deputy consensus and the extensive consequences that amendments proposed in the Assembly could have for cooperative farmers (Roman 2005, 43). The mass consultation thus began in January 2002 and ran until April.

Going forward in our analysis of this case study, it must be taken into account that the nature of the legislation at hand differs in one notable aspect from the previous case studies. This legislation being the first one not wholly drafted by the Cuban government or Communist Party makes the job of determining how much its changes nudged government policy slightly more difficult since there was no clear layout of initial state intentions as in prior draft legislative proposals, owing to the fact that the legislation sprung up purely from ANAP initiative. Additionally, the law meant to be superseded by this legislation had been on the books since 1982 (Roman 2005: 40), hardly making it fair to brand it as contemporary state policy especially considering the willingness and full cooperation extended by the government to see the new legislation through. All that being said however, the stamp of state influence was clearly etched in the legislation’s drafting process. Communist Party leadership was consulted at the outset to confirm the scope and extent of the legislation, and representatives from the Ministry of Agriculture and now-defunct Ministry of Sugar sat on the ANAP task force that drafted it (Roman 2005: 41). It therefore seems reasonable to conclude that even given the fact that the legislation was primarily an ANAP affair, the Cuban state was satisfied in accepting the final draft as government policy.

A multitude of substantive changes made their way into the final legislation, most concerning greater autonomy for agricultural
In the draft version, the state alone was given responsibility to approve and oversee production and development plans for agricultural cooperatives, an article that was then amended after farmer complaints to include the general assemblies of each cooperative in this process rather than have it remain the sole prerogative of the Ministry of Agriculture and Ministry of Sugar (Roman 2005: 50–51). Continuing on the point of increased autonomy, another article which dealt with the proposal and implementation of each cooperative’s “social objective”, which defines the authorised productive and service activities it may engage in, was also changed. Again, the state possessed total discretion in determining this social objective under the terms of the draft legislation, however the relevant article was similarly reworked because of farmer demands. The role of state ministries was reduced to approving the social objective of individual agricultural cooperatives, whereas the cooperative’s general assembly itself would propose it (Roman 2005: 50). What’s particularly noteworthy about these two key changes is that they brought agricultural cooperatives greatly expanded control over their own operations at the expense of the oversized power that the state previously held over them. The draft legislation didn’t make any efforts to this end nor was this one of the prominent reasons that sparked the call for new legislation in the first place, making it appear as if these amendments were exclusively the result of suggestions posed by farmers in the course of the mass consultation. In any case, the amendments displayed a capacity for mass political participation to effect substantive change of state policy.

Several more favourable amendments for cooperatives could be discerned throughout the consultative phase. For instance, clarification as to which and how much agricultural production would be sold to state enterprises was provided, the end result being that cooperatives were accorded a freer hand to sell their produce through other avenues, i.e. at agricultural markets or to other cooperatives (Roman 2005: 49). Under another amendment, agricultural cooperatives were reserved the right to obtain from state organisations all of the products and services necessary for the execution of their economic and social activities, rather than just those activities for which it is contracted by the state (Roman 2005: 49).

Facets of state labour policy relating to the distribution of cooperative profits also saw considerable change through the work of the mass consultation. The draft legislation extended the practice of profit-sharing to all workers contracted by agricultural cooperatives, but
this was curtailed amid farmer objections to the idea of profits being distributed among short-term and seasonal workers, many of whom would leave after only a couple months of work. It was feared that this addition would disincentivise membership of cooperatives. In light of this, the article in question was altered to read that cooperative members have a right to participation in profits from their first day as members (Roman 2005: 53). Suffice to say this amendment worked to the advantage of cooperative farmers who stood to gain stronger cooperatives and a larger share of their profits from it. Retired cooperative founders also received a boon to their compensation. Originally, the bill had appropriated a portion of profits for those retired founders who contributed land or equipment to their cooperative, although this article was later expanded at the behest of farmers to contain all retired cooperative founders (Roman 2005: 52).

In step with the Labour Code’s mass consultation, that summoned for the Agricultural Cooperatives Bill illustrates that Cuban citizens, engaged in mass political participation by way of the mass organisations, possess the means to effectuate substantial change in state economic and labour policy. This section has served to reinforce and add to the findings of the first, demonstrating that Cuban mass political participation has a significant degree of influence across the two main formats in which it is exercised.

Conclusion

As this article draws to a close, it’s important to briefly take stock of its main findings. The first section, dealing with ad-hoc mass consultations called for by the Communist Party or the government, discussed two case studies which were to have a prodigious impact on Cuban economic and labour policy; the Lineamientos consultation and the draft constitution consultation. A comparative analysis was conducted between the draft texts put forward for deliberation by the consultation participants and the final texts that followed the consultations. In carrying out this analysis, it was discovered in both cases that the post-consultation text exhibited many differences with respect to economic and labour policy from the one that preceded the changes of the mass consultation, a sizable number of which were substantial. The Lineamientos saw greater power and economic responsibilities delegated from the central government to municipal authorities, a safeguard implemented against a hurried abolition of the ration book, and the inclusion of multiple exhortations that the state do more to control prices. The draft constitution was likewise
subject to a litany of changes, this time concerned chiefly with buttressing the socialist clauses found throughout the constitution’s Economic Foundations. Private property was specifically designated as having a complementary role in the economy, worker participation in the economy was more clearly delineated, and a communist society was enshrined as the ultimate societal objective that would be worked towards. These changes among others contributed to several economic and labour policy shifts on the part of the Cuban Communist Party and government, making evident the significant influence that mass political participation can hold over economic and labour policy through the ad-hoc consultations.

Upon concluding this section, the next item on this article’s agenda was a similar review into the mass political participation facilitated by Cuban mass organisations and its influence on state economic and labour policy. After spending some time rebutting the argument that the mass organisations are subservient to the Cuban government and Communist Party, one that is so rife in Cuban political analysis as to pre-emptively stifle discussion on mass organisation-sponsored political participation, the second section proceeded much in the same way as the first. Two further case studies were submitted to a comparative analysis utilising a similar methodological approach as before, turning up results that met the expectations set by the first section. In the first case study – the consultation held by the CTC for the 2014 Labour Code update – a large number of substantial changes in a variety of different areas were carried through into the legislation’s final version. Private sector workers were endowed with a new right to be provided with a written contract by their employer and a clause allowing for indefinite contracts for such workers was also added. Furthermore, state workers benefitted too from a number of changes made in the area of workplace and union rights, with workers gaining more protections and unions a slate of new rights and guarantees to increase their power in the workplace. The second case study – the consultation for the ANAP-proposed Agricultural Cooperatives Law – was also marked by various significant amendments. Agricultural cooperatives were given a greater say over their own affairs, as farmers proposed and found acceptance of two amendments that reined in the state’s profound control over cooperative business, ceding them greatly enhanced autonomy. The relationship between agricultural cooperatives and the state became more beneficial for cooperatives in other ways too, with changes to the bill allowing them to sell more produce to non-state entities and guaranteeing that all their material and service-related needs could be met by the state. An amendment
allotting cooperative profits solely to cooperative members was also included, displacing an earlier clause that would have distributed profits to seasonal workers as well. The findings of this chapter reinforced what had been indicated beforehand in the first section – that Cuban mass political participation has an appreciable influence on the economic and labour policies that are put before it. While none of the policies studied by this article were fundamentally remade, the impact of the mass consultations in impressing substantial changes upon them cannot be denied.

As for how all of this bears on our understanding of Cuban mass political participation and its political potency as a whole, the particular application of mass political participation studied by this article likely acts as something of a microcosm. After all, there’s no good reason to believe that its influence on economic and labour policy is an outlier. If it can help propel substantial changes into documents as consequential as the Constitution and the Labour Code, it can almost certainly do the same if not to a greater degree to agricultural policy (as we saw a glimpse of in this article with the Agricultural Cooperatives Law), health policy, educational policy, etc. Nevertheless, more research is needed on several aspects of Cuban mass political participation commensurate with its increasing relevance in the Cuban political system – particularly on the topic of participation quality in the mass consultations – if a more well-rounded understanding of it is to be attained.

References


