Introduction

Much has been written about the globalization of feminist networks and their impact on the local condition of women. Transborder feminist organizing has transformed local, national, regional, and international discourses and practices.¹ Global feminist initiatives have helped to establish international legal standards that take into consideration the needs and circumstances of women, and have contributed to the gender mainstreaming of human rights norms.² The feminist enterprise has also resulted in support for a neoliberal agenda that has focused on individual empowerment and self-esteem issues, and thus raised questions about who is defining the agendas and strategies for women's struggles for rights.³

¹ Sonia Alvarez et al., Encountering Lain American and Caribbean Feminisms, 28 Signs 537, 38 (2003) (describing the Encuentros in Latin America as a form of transborder organizing). For an overview of the


An exploration of Cuban feminism in this context sets in relief the ways that globalization impacts women differently, while at the same time, women share similar opportunities to make beneficial use of global networks. This article reveals the ways that Cuban feminism is decisively shaped by its particular national history as well as by the experience of colonization and neoliberal globalization, both essential mainstays for unequal global political economies.\(^4\) Part I reviews the ways that Cuban women are shaped by their historical political culture and participation during the nineteenth century wars for independence from Spain.\(^5\) Cuban feminism is also a product of women’s involvement in repeated mobilizations against the United States in the twentieth century culminating in the revolution of 1959 that has facilitated the development of gender equality.

Globalization is not a neutral phenomenon, but rather reflects both a hegemonic political-economic project based on private-market power and the dominance of free-market ideologies on the one hand, and an exchange of ideas, social movement support and solidarity, on the other. Part II explores these contradictions in the context of the development of Cuban feminism since the revolution. That feminist theory has developed within and adapted to international mechanisms and transnational networks, Cuban women have experienced the contradictory “message” of globalization in efforts to advance gender equality. Since the early 1960s, successive U.S. governments have maintained a policy of political isolation and economic sanctions as a cost-effective way to undermine the Cuban government. These circumstances have had adverse affects on the development of Cuban feminist critiques and projects. However,  

\(^4\) See infra  
\(^5\) Stubbs
it also true that globalization as transacted through international and transnational feminist endeavors has provided Cuban women with opportunities to create new norms and expand available spaces for national debate and action. This is particularly the case in the realm of gender-based violence where Cuban feminists successfully reframed national concerns for women’s equality and the right to be free from gender-based violence as global concerns.

Part III examines the recent impact of globalization on Cuba experienced largely in the realm of political economic developments. It addresses the ways that the consequences of neoliberalism have resulted in a significant decline in well-being of all Cubans, and women in particular. The repercussions in Cuba of the late twentieth and early twenty-first centuries policies of economic liberalization, the collapse of the Soviet Union, and the U.S.-global financial crisis have further contributed to household and workplace burdens borne disproportionately by Cuban women. In the current cycle of economic reform characterized by severe cuts to public sector employment, increasing numbers of Cubans will work for themselves. Given that global self-employment data suggest that women fare poorly compared to men in self-employment endeavors, Cuban feminists must once again determine how to avoid a reversal of gains.

Cuban feminism continues to adapt in a globalized world, and to choose those strategies that will advance the interests of women and the nation. As Cuba’s economy moves between socialism based on principles of social justice and recently introduced market mechanisms, Cuban women, shaped by their history and their national character, continue their efforts to advance toward full gender equality.

Part I: History and Revolution
A. Feminism, History, and Transnationalism

Substantive progress toward gender equality has been among the most important accomplishments of the Cuban revolution, an achievement obtained a historical process of decolonization, a struggle for independence, and anti-imperialism. Although greater attention has been paid to the issue of gender equity in Cuba as a function of events following 1959, the achievements that Cuban women gained in the twentieth century are inextricably related to their remarkable national history. A great deal has been written about Cuban identity (conciencia and cubanidad) derived from a particular ethos of moralism based on an ethic of honor, dignity, and decorum that seized hold of the Cuban imagination, and inspired men and women alike. The call to create a “moral republic” emphasized social justice and redemption for the benefit of all Cubans. The protracted Cuban wars for independence waged in function of these ideals prominently included women who were widely recognized for their heroism and combativeness.

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Legendary women fighters, known as *mambisas*, who were fundamental to the independence movements, used their celebrated status to argue for women’s rights. Women's resistance to colonialism resulted in new family and legal arrangements in which both women and men were permitted to own and control property. Women’s revolutionary clubs formed and constituted an important part of the struggle for independence. To put it another way, women’s engagement in the process of national liberation served as a means to achieve personal liberation. National independence implied women’s liberation.

Early gains for women in the nineteenth century reflected not only national-domestic initiatives in the struggle for independence, but transnational influences as well. Geographic proximity and enduring cultural ties between the United States and Cuba created the circumstances by which the U.S. women’s movement, particularly the suffrage struggle, contributed to the development of Cuban feminism throughout the early twentieth century. After having been forced into exile, many Cuban women who left the island settled in the United States and continued to play prominent roles in support of *Cuba Libre*. They were influenced by proximity and enduring cultural ties between the United States and Cuba, which facilitated the flow of ideas and activism across borders.

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9 K. Lynn Stoner, *From the House to the Streets* 22 (1991) (describing Ana Betancourt’s demands for an end to women’s subjugation along with an end to slavery in 1869).

10 Stoner at 22.

11 Stoner, at 24.

12 LAP, OBC.

13 Stoner, at 36-37 (describing the “first Cuban feminist who in 1879 fought for women’s legal equality”).

14 Stoner, at 3.

by the relative degree of personal freedom American women enjoyed in public life. However, Cuban women sought to adapt U.S. feminist ideological concerns that emphasized the importance of women in society to their own national circumstances which often took the form of “mother nationalists.” Indeed, their efforts to achieve quality for women and the development of Cuban feminism have been shaped by historically-determined ethical paradigms that were uniquely Cuban.

B. Cuban Feminism and Revolution

The gains achieved by and for women as a consequence of the Cuban revolution of 1959 constitute some of the most significant advances for women achieved anywhere in the world. New possibilities provided vast numbers of women with a new sense of purpose and significantly altered the gender determinants of daily life, especially during the early years. Women expanded their presence and participation in all realms of public life. They were immediately recruited to join literacy and health campaigns and gained improved access to employment and legal rights. Shortly after the early years of the revolution, Cuba initiated a National Development Strategy committed to the eradication of all forms of discrimination and to address women's issues specifically.

York through the efforts of Cuban exile Emilia Casanova de Villaverde).

16 LAP, OBC, 316
17 Stoner, at 35.
18 Ilja A. Luciak, Gender and Democracy in Cuba 16 (2007).
In 1960, the Cuban revolutionary government established the Federation of Cuban Women (Federación de Mujeres Cubanas) (FMC), one of the four principal mass organizations whose purpose was to improve everyday life and encourage popular participation in nation-building efforts while consolidating political consensus.\(^{20}\) The FMC, with access to political resources and media mechanisms, supported the integration of women into all aspects of the revolution, but especially encouraged women to participate in wage labor outside the home.\(^{21}\) As a result of the FMC’s organizational drive, women of all ages contributed to Cuba’s literacy campaign and deepened their engagement in all realms of voluntary labor.\(^{22}\) The FMC helped to institutionalize quality day care services and established state-run laundries, cafeterias, and take-out restaurants as part of an effort to socialize domestic work.\(^{23}\) The organization initiated a mass sex education program throughout the island.\(^{24}\) Women also were also active with other

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21 Issues of class were early on considered more important than gender concerns. See Rosemarie Skaine, *The Cuban Family: Custom and Change in an Era of Hardship* 12 (2003).

22 Padula and Smith in T and S, 178. Domínguez at 268. Check which


mass organizations, often assuming leadership roles.\textsuperscript{25}

Progress toward gender equality was registered on many fronts. State-run television endeavored to reflect new sensibilities about socially constructed gender roles in the home.\textsuperscript{26} School texts and other educational materials were revised to depict women as fully capable persons integrated into all levels of society.\textsuperscript{27} The FMC remains a highly impressive organization; over 85 percent of women over the age of fourteen are members.\textsuperscript{28}

Many of the changes that reflect the improved status of women have been in the realm of jurisprudence. All through the early years of the revolution, gender-related legal reform was the subject of public discussion and debate.\textsuperscript{29} The 1975 Cuban Family Code provided for an equal division of housework and child care between husbands and wives.\textsuperscript{30} In 1976 constitutional

\begin{quotation}
\begin{footnotesize}
\textsuperscript{25} Luciak, at 7, 29, 31.
\textsuperscript{26} Gail Reed, \textit{The Media on Women: Caught Napping}, CUBA UPDATE, Summer 1991, at 15, 17 (reviewing a popular cartoon, “The Little Pumpkin,” which was remade to portray the primary caretaker figures as male).
\textsuperscript{29} Kruger \textit{supra} note at 106.
\end{footnotesize}
\end{quotation}
reforms addressed the burdens of the double shift on women, set forth standards for marriage as an equal partnership, and proclaimed equal political, economic, and social rights as between husbands and wives, and men and women.\textsuperscript{31} As a function of the need for women to participate in labor outside the home, laws extended new rights and protections to women.\textsuperscript{32}

Although some of these measures were aspirational without specific legal enforcement mechanisms, they shaped the discourses of gender norms and equality.\textsuperscript{33} Certainly, Cuban women have not achieved fully equality, and legal norms often function more as expedient propaganda than practice. But the achievements toward gender equality realized by the revolution cannot be minimized. The U.N. Special Rapporteur on Violence Against Women along with scholars of Cuba have described Cuban women's progress in health—particularly reproductive health, education, and employment as “enviable.”\textsuperscript{34} Women have made gains in nontraditional professions as physicians and engineers.\textsuperscript{35} Cuban women are statistically better

\begin{itemize}
  \item \textsuperscript{31} King, \textit{supra} note, at 109-10.
  \item \textsuperscript{32} CEDAW Report, \textit{supra} note at 75.
  \item \textsuperscript{33} See Nicola Murray, \textit{Socialism and Feminism: The Cuban Revolution, Part 2} 3 Feminist Review 99, 100 (1979) (noting the discourse about the double shift in periodicals published in Cuba and the implementation of \textit{Plan Jaba} by which working women could shorten their grocery shopping time).
\end{itemize}
off than most of their Latin American counterparts. Moreover, the status of women in Cuba compares favorably with industrialized capitalist countries.


Feminist concerns impact localities differently. In Cuba, efforts to obtain gender equality were initially based on the premise that “the precondition of women’s equality was the destruction of private property as the basis for state and family.” Indeed, as noted above, the achievements for women’s economic, social, and legal rights as a consequence of Cuba’s revolutionary political economic project have been dramatic. As efforts to develop a socialist economy unfolded, opportunities for women expanded in education, in the professions, and to a lesser degree within households. Despite increased participation in all dimensions of defending and building nation (patria), full equality remained elusive. And over time, as with the development of most social movements, the terms and nature of the campaign for equality changed.

A. State Feminism and Autonomous Organizing

Scholars outside of Cuba have observed that the FMC paid less attention to the

36 Special Rapporteur's Report, at 10, 68.


39 Fernandes
development of an autonomous feminist movement than to the nurture and protection of the
revolution. They have pointed to the inability of the state to challenge gendered hierarchies
within the household. Others have expressed concerns that the unintended consequences of the
material gains achieved by and for women resulted in the under-development of a “collective
feminist consciousness” and a “triumphalist discourse” that inhibited a feminist movement.

Some Cuban women did create a short-lived feminist organization known as Magín.
However, its existence was short-lived for a number of reasons, including the professional
character of the organization’s transnational networks, its failure to obtain mass support, and the
state’s resistance to its continued development. Critics have decried the “deactivation” of
Magín is a reflection of the political dominance of the FMC which sought to deny space to an
autonomous women’s movement outside of its confines. While many of these critiques may
be valid, as Sujatha Fernades has argued, “we need to go beyond the dichotomous classifications
of ‘state feminism’ and ‘autonomous organizing’ as defined by theorists working mainly in
liberal democratic contexts.


41 See Johanna I. Moya Fábregas, J. of Women’s History 74 (2010)

42 Luciak, at 35.

43 See Sujatha Fernades, *The Case of Magín* 431 (2005) (paper published for The Women and Politics Research Section of the American Political Science Association) (on file with the author) (suggesting that the professional nature of transnational feminist exchanges prevented the organization from developing a mass base).


45 Fernades at 434.
In fact, Cuban feminists, including the leadership of the FMC, did turn their attention to developing a gender analysis in addition to the reliance on a materialist framework as a means to improve women’s circumstances. Much of the efforts to develop a feminist discourse and program and to gain full equality for women were simultaneously made possible and yet constrained by forces of globalization. Cuba’s response to the issue of domestic violence sets these complicated and sometimes contradictory circumstances in relief.

B. Domestic Violence

As Cuba’s revolutionary program unfolded, the FMC anticipated that domestic violence would cease with changed material conditions. Women, it was argued, had achieved economic security and thus no longer would be held hostage to violent or unwanted relationship because of financial dependency on a male. However, over time and with the recognition of the persistence of violence against women, the FMC, as well as other activists and scholars, urged greater attention to the issue. Cuban feminists and scholars identified the social construction of gender roles among the factors that contributed to domestic violence and to the social and

46 Jennissen and Lundy, at 187 (quoting Carolina Aguilera, member of the national leadership of the FMC with regard to the need to address the persistence of machismo in Cuban culture). See Nancy Saporta Sternbach et al., Feminisms in Latin America: From Bogotá to San Bernardo 17 Signs 393, 418, 428 (1992) (noting that the FMC has participated in regular meetings of feminist throughout Latin America for the purpose of engaging in feminist debate and activism). As another indicator of some level of autonomy, the FMC also raises its own funds after years of financial dependency on the Cuban government. Luciak at 24.

47 See supra note (triumph discourse).

48 Moya Fábregas supra note  at 77.

49 Luciak, 35-36.
political problems that Cuban women continue to face. Cuban women, like their counterparts elsewhere, began to engage in the politics of identity as a means to achieve full status in all realms of their public and private lives. Matters relating to gender-based violence were no longer considered “mere subtexts of ‘real’ economic problems.”

Cuban women were successful in achieving the space for debate and a greater public acknowledgment of the ongoing problems of gender-based violence as a consequence of a number of circumstances. One scholar has suggested that Cuban women formed within revolutionary rhetoric relied on the very public discourse that elevated the importance of women to the revolution as an opportunity “to defy constraining premises of femininity that kept them for many years in subordinated positions.” Others have observed that in the beginning of the 1990s, the channels of civil society were opened in ways that created favorable circumstances for feminist activity. Regardless of the reasons, by the early 1990s, women’s groups and scholars were beginning publicly to examine the problem of domestic violence. Researchers undertook surveys and disseminated their research findings about the character of gender-based violence

50 See CEDAW Report, supra note , at 40;

51 See Nancy Fraser, Mapping the Feminist Imagination: From Redistribution to Recognition to Representation, 12 Constellations 295,300 (2005) (referring to the awakening of issues of recognition in the former second world).

52 Moya Fábregas supra note at 79.

53 Fernandes, at 434-435

54 As early as 1991, the author was invited to meet with law scholars and FMC organizers who were collecting data, organizing conferences, and meeting with feminist counterparts in Latin America with regard to the issue of domestic violence.
and its consequences. Cuba created a multi disciplinary research team and working group to
study and create policies regarding domestic violence.

This period of a new public consciousness about the enduring nature of domestic violence
occurred around the time that Cuba declared a “Special Period in Time of Peace” in the early
1990s in response to the economic crisis prompted by the demise of the Soviet Union, its key
trading partner and provider of subsidies. Cuba responded to the loss of Soviet support with
efforts to establish and improve international relationships and seek new economic ties and
foreign investors. The government also introduced political reforms as well as domestic
economic adaptations as a means to weather the crisis and fend off internal collapse.

It was in this changing global setting that the United States seized new opportunities to

55 Celeste Bermúdes Salvón & Mirta Rodríguez Calderón, Laws and Aspects of
Special Rapporteur's Report, supra note xx, at 28 (citing a study in Pinar del Rio).

56 The working group was affiliated with the National Commission on Prevention and
Social Attention (Comisiones de Prevención y Atención Social) (“CPAS”) created in 1986 to
study the social aspects of crime and deviance. See THE CUBAN REVOLUTION INTO THE

57 Rafael Hernández et al., Political Culture and Popular Participation in Cuba, 18 Latin

58 See Robert S. Gelbard, U.S. Policy Toward Cuba, 3 Dep't St. Dispatch 312, 313
(1992); James Petras & Morris Morley, Clinton's Cuba Policy: Two Steps Backward, One Step

59 Cuba in the International System 1, 5 (Archibald R.M. Ritter & John M. Kirk eds.,
1995). The Cuban government legalized U.S. currency and granted Cubans access to dollar-only
stores. The government authorized farmers and artisans to establish free markets, and liberalized
self-employment opportunities. See Mark P. Sullivan, Cong. Research Serv., Cuba: Issues for the
in response to U.S. prohibitions on foreign trade with Cuba in dollar exchange, Cuba announced
that dollars would need to be exchanged for convertible pesos. Id.
further increase pressure on Cuba by enacting the Cuban Democracy Act of 1992 ("Torricelli Act")\textsuperscript{60} for the stated purpose of "wreak[ing] havoc on the island."\textsuperscript{61} In response to Cuban efforts to re integrate itself into the global economy, the Torricelli Act sought to assume extraterritorial authority and prohibited third-country subsidiaries of U.S. companies from doing business with Cuba.\textsuperscript{62} It authorized the President to impose sanctions, including cutting aid and debt relief on any country that traded with or assisted Cuba.\textsuperscript{63}

In Cuba, U.S. sanctions were both perceived and experienced as a threat to national security, and contributed to a heightened sense of national crisis. Many Cubans—men and women alike—were concerned that their grievances against the state would erode national solidarity or, at the least, be perceived as undermining morale and confidence in the state.\textsuperscript{64} Thus, efforts to examine state practices regarding domestic violence were dampened by the perceived need to maintain national consensus in the face of an external threat.\textsuperscript{65} Feminists were

\begin{itemize}
  \item \textsuperscript{62} Cuban Democracy Act of 1992 §6003(a); see See Robert S. Gelbard, U.S. Policy Toward Cuba, 3 Dep't St. Dispatch 312, 317 (1992) (noting concerns that the law demanded other countries similarly embargo Cuba).
  \item \textsuperscript{63} Cuban Democracy Act of 1992 §6003(b)(1). Any vessel known to be engaging in trade with Cuba was barred from loading or unloading freight at any place in the United States. §6005. The statute included U.S. territories and “possessions.” §6005(b)(4)(B).
  \item \textsuperscript{64} Isaac Prilleltensky \textit{et al.}, Applied Ethics in Mental Health in Cuba: Part II—Power Differentials, Dilemmas, Resources, and Limitations, 12 Ethics & Behavior 243, 249 (2002)
  \item \textsuperscript{65} Louis A. Pérez, Jr., \textit{Cuba Between Reform and Revolution} (New York: Oxford Press, 2006), at 317. \textit{See} Prilletensky at 249.
\end{itemize}
more inclined to defend their gains then to advance new initiatives. The leadership of the FMC, concerned about advancing critiques deemed divisive during a time when “Cuban exiles based in Florida were already discussing what policies to implement following their return to power,” faced a dilemma as to how to proceed.

Cuban feminists and scholars nonetheless continued to address the issue of domestic violence, but began to frame it as a global problem of epidemic proportions to which the Cuban people could not be immune. They seized new opportunities that arose during a period of heightened internationalism and the burgeoning development of gender-based human rights norms. They made use of the ways that Cuba had extended its international relations in an effort to recover its losses from the collapse of the socialist bloc. Indeed, increased international relations were not confined to the economic sphere. Cubans also inserted themselves into various international and transnational exchanges on issues pertaining to the rights of women. Cuban women participated in international conferences hosted in Havana and abroad.

66 Luciak, at 24 (noting the abandonment of a reform agenda). See Boaventura de Sousa Santos, Why Has Cuba Become a Difficult Problem for the Left? 36 Lat. Amer. Persp. 43, 44 (2009) (“resistance has ended up taking precedence over alternatives”).

67 Luckiak at 24.


69 This is not to suggest that Cubans were isolated prior to this period and in fact, Cubans prided themselves as being good internationalists as exemplified by their solidarity and support in the wars for independence in Angola. See

70 Fernandes, at 439, Luciak at 26.
International organizations, including United Nations programs opened offices in Havana. Cubans participated in transnational feminist networks and attended the Latin American Encuentros which functioned as sites of debate around feminist issues of the day. Cubans also participated in the international Non-Aligned Movement which grappled with issues relating to women’s status during this period. Caught up in the Zeitgeist of feminist internationalism, much of which functioned around a discourse related to domestic violence, Cubans were able to use the politics of human rights as a way to expand opportunities to challenge the status quo without impugning the stature of patria.

Cubans writing on the topic of gender-based violence therefore attributed the obligation to address domestic violence as arising from international solidarity and participation in the global realm rather than a response to a problem within the boundaries of the state. Research papers that address domestic violence in Cuba often point to the commitments arising out of

71 Fernandes at 439
72 See Alvarez et al., supra note 428.
74 In a related analysis, Nancy Fraser describes the way new neoliberal policies that constricted the state limited the scope of retributive projects and led to feminists recasting their claims is demands for recognition “in keeping with the postsocialist Zeitgeist.” See Fraser 300.
U.N. International Conferences on Women and the Convention to End Discrimination Against Women (CEDAW) as the basis for Cuban feminist and scholarly inquiry and their suggestions for reforms. In fact, when *Granma*, the official government newspaper, discussed the problem of domestic violence in Cuba, the lead paragraph reported global statistics while noting that such violence affected women in every country throughout the world.\(^76\)

With these developments, efforts to address domestic violence moved forward. The National Commission on Prevention and Social Attention (*Comisiones de Prevención y Atención Social*) (CPAS) trained Cuban officials in matters relating to gender violence.\(^77\) CPAS also coordinated community organizations to conduct workshops and media campaigns to promote awareness and intervention in cases of domestic violence, with a focus on gender equality in spousal relationships.\(^78\) The Center for Psychological and Sociological Research (*Centro de Investigaciones Psicológicas y Sociológicas*) (CIPS) developed curricular programs and training sessions for parents on the prevention of violent behavior within the family, including the disruption of gender-determined power dynamics.\(^79\) Government agencies began to treat domestic violence as a public health problem and urge families and communities to re-examine


\(^77\) Special Rapporteur's Report, *supra* note at 86.

\(^78\) SR at 86

patterns of patriarchal culture.\textsuperscript{80}

These circumstances serve as an example of the ways that the internationalization of feminist human rights norms pertaining to domestic violence created the spaces of autonomy so that such norms may be adapted to the material and political conditions of those who seek to invoke their rights. By framing gender violence as a type of international human rights transgression and to which all nations in good standing must respond, activists create strategic opportunities to mediate the tension between gender interests and group or nationalist consciousness that may otherwise discourage public claims of harm.

But it must also be reiterated: globalized feminism functions at the local level where history, defense of nationality, and national character intersect with transnationalism. Although Cubans successfully re-framed domestic violence as an issue that transcended the territorial state, and despite international and transnational influences if not pressure to emulate the paradigmatic criminalization response to domestic violence, Cubans did not abandon the theoretical developments that reflect Cuban culture in their quest for solutions. Cuba stands apart from most other nations with regard to domestic violence responses as noted by the absence of a call for more stringent applications of criminal laws. Clotilde Proveyer Cervantes, one of Cuba's most prominent experts in domestic violence, explains this difference and argues that legal sanctions must be the “last rung of the ladder”—that is, a last resort.\textsuperscript{81} She has insisted that “criminal


\textsuperscript{81} Interview by SEMlac Cuba with Dr. Clotilde Proveyer Cervantes, Professor, University of Habana (Nov. 28, 2006), \textit{Cuba: El Silencio Nos Vuelve Cómplices \cite[Cuba: Silence]}
treatment is not the solution;” rather, the answer lies in “build[ing] other models of masculinity and femininity that are not conflicting.” Cubans instead emphasize social controls to mitigate gender-based violence through social participatory mechanisms and legal responses that include legislatively mandated obligations to research the issue and to address equality issues. These viewpoints reflect a particular idiom in Cuban criminology, one that invokes human dignity and reconcilability as premises of an approach to domestic violence.

Part III. The Gendered Processes of Global Capitalism

As demonstrated above, the globalization of feminism enabled Cuban women to employ strategies to reduce the possibilities of creating a false dichotomy between national interests-identities and gender interests-identities. International relationships and transnational networks facilitated the development of broader discourses around issues of concern to Cuban women. At the same time, the consequences of a dominant neoliberal global political economy have contributed to the reversal of some gains obtained by Cuban women and created disproportionate burdens borne by Cuban women in day-to-day life. These setbacks confirm feminist scholarship that has rejected the notion that globalization is a gender-neutral phenomenon.

Renders Us Accomplices], http://www.mujereshoy.com/secc_n/3586.shtml.

82 Interview bu SEMlac

83 See Deborah M. Weissman & Marsha Weissman, 342-345.

84 Interview with Caridad Navarrete Calderón in Havana, Cuba (Oct. 16, 2003).

consequence of the processes of global capitalism, women throughout the world have disproportionately suffered bleak working conditions, forced migration, sex and labor trafficking, changes to family structures, and violence.  

Much of the literature on gendered globalization has focused on women as subordinated workers in export zones and transnational factories in what has been described as “the South, the Third World, or in ‘peripheral’ or ‘developing’ countries.” Scholars have also studied those countries that have transitioned from a socialist economy to a capitalist economy. Although Cuba is differently situated and has maintained its ideological commitment to an egalitarian project, it too has been significantly impacted by the global rise of neoliberal capitalism in ways that are gendered.

A. Global Neoliberal Capitalism and The Social Reproduction of Households

Nancy Fraser has written about the impact that the political economic developments of late twentieth century had on a transnational feminist ideology “committed to taming markets and promoting egalitarianism” that flourished through the 1960s and 1970. She states:

“By 1989, however, history seemed to have bypassed that political project. A decade of conservative rule in much of Western Europe and North America, capped by the fall of Communism in the East, miraculously breathed new life into free-market ideologies previously given up for dead. Resurrected from the historical dustbin, “neoliberalism” authorized a sustained assault on the very idea

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86 See DMW- The Personal is Political– And Economic 410

87 Acker, at 21,

88 Fraser at 298.
of egalitarian redistribution.\textsuperscript{89}

The “assault” that Fraser describes has largely been a function of the dominance of the United States and the institutions it controls including the World Bank and the International Monetary Fund.\textsuperscript{90} These circumstances have impacted Cuba, notwithstanding the government’s commitment to a socialist project and its efforts to maintain a political economy distinct from the global capitalism. Although Cuba has not been directly affected by the commands of the International Monetary Fund and World Bank to introduce structural adjustment programs, the government has been the focus of U.S. determination to obstruct and undermine its very existence for having turned the capitalist paradigm on its head, something for which Cuba would never be forgiven.\textsuperscript{91} The Torricelli Act of 1992, notwithstanding the economic harm it caused, did not fully achieve its desired results, and thus, the United States introduced yet another embargo-related statute, the Cuban Liberty and Democratic Solidarity Act of 1996 (“Helms-

\textsuperscript{89} Fraser at 298.


\textsuperscript{91} SAP footnote here.
Burton Act”) in pursuit of never-ending hopes of accelerating the Cuban government's demise. The new law further expanded the extraterritorial reach of the embargo and prohibited the importation of any products, including goods “made or derived in whole or in part of any article which is the growth, produce, or manufacture of Cuba.” Congress instructed the executive branch to exercise its authority to prevent Cuba's membership in international financial institutions and the Organization of the Americas. International financial institutions that engaged in financial transactions with Cuba would suffer a forfeit of payment by the United States, an effective incentive to comply with U.S. embargo demands. The embargo continues today and Cuba remains on the “state-sponsored terrorist list although recently released U.S. diplomatic cables demonstrate that there is no factual basis to support such categorization.

The lack of access to international financing severely limited Cuba's integration into the global economy and prevented it from offsetting the loss of its trading partners. To be sure,

93 Helms-Burton §6040.
94 §§6034, 6035
96 Wikileaks cable
Cubans have contributed to the weaknesses of their economic conditions. But as Boaventura de Sousa Santos has observed, “Cuba is perhaps the only country in the world where external conditions are not an alibi for leaders’ incompetence or corruption but a cruel and decisive fact.”\(^{98}\) To put it differently, as historian Louis A. Pérez has written, “All that is American imperialism is found to have been practiced in Cuba.”\(^{99}\)

Miren Uriarte who has studied the consequences of the U.S. embargo on Cuba found that:

Cuba’s Gross Domestic Product (GDP) was reduced by one-third between 1989 and 1993; import capacity plunged by 75 percent; and the availability of energy was halved. As a result, agricultural production practically stopped, leading to serious food shortages and a decrease of 30 percent in the average caloric intake between 1990 and 1995. Fuel shortages affected industrial production, transportation, and the availability of electricity. The lack of availability of raw materials halted the production of medicines, clothing, and other products for the domestic market and depressed significantly Cuba’s export industries.\(^{100}\) (Citations omitted).

Although Cuba had partially recovered from the collapse of the Soviet Union, economic conditions further deteriorated in 2008 when three successive hurricanes hit the island affecting more than 60 per cent of the country at the same time Cuba, like the rest of the world suffered the consequence of the recent global economic crisis.\(^{101}\) Sociologist Catherine Krull describes the devastating impact on infrastructure and food production:

While housing, roads, local industry, and electrical systems across the island

\(^{98}\) De Sousa Santos, at 48.

\(^{99}\) LAP, Metaphor (intro).


\(^{101}\) Hurricane Gustav (August 30, 2008); Ike (September 8 2008); Paloma (November 8-9, 2008).
sustained extensive damage, the food system and infrastructure were decimated; all sectors of production—fruit, vegetable/tuber, grain, avian, and porcine—reported significant losses. Ike, alone, saw an estimated 4,000 metric tons of reserve foodstuffs lost in damaged storage facilities. For months, markets sat empty or, in those few open, only limited items. Scarcity caused price inflation. Many food items doubled in value—guava—or tripled—onions. Others like black beans and avocados reached unprecedented prices. In many ways, post-hurricane food disruptions mirrored the worst of the Special Period.\footnote{102}

It is these circumstances that have unfolded in ways that have disproportionately burdened women. Boaventura de Sousa Santos notes the importance of a comparative context and explains that in Cuban society, “unequal relations of power are different from those existing in capitalist societies, but they do exist (even if weaker).”\footnote{103} Women in Cuba have entered the workforce and have, in significant numbers, occupied professions historically limited to men only.\footnote{104} However, gendered hierarchies have never been fully eradicated in the home notwithstanding efforts to dismantle traditional roles within household and family assigned by sex.

The day-to-day lives of families are often immediately and significantly impacted by economic crises of the type Cuba has experienced. The persistence of socially constructed norms that emphasize the assignment of the tasks of social reproduction of the household to women has meant that women have experienced the pressures of securing food and other household

\footnote{102} Krull, (paper on file with author).

\footnote{103} De SS at 48.35 CUBAN STUDIES 105 (2004)

\footnote{104} Jennessen and Lundy, supra note at 187 (noting, for example, the percentages of women who are agricultural and, forestry engineers and doctors but continued to be primarily responsible for domestic labor).
necessities that have been in limited supply. The processes of assuring health and hygiene in the home, transportation to day care or school, and other family chores have been complicated by shortages of all household items and fuel, thus exponentially increasing the working hours of women. Household appliances that cannot be repaired for lack of parts together with regular power outages have made chores such as cooking, laundry and cleaning more labor intensive. Tampons, sanitary napkins and contraceptives, have at times been in short supply.

The burdens are often so time-consuming that some women have abandon paid work and social participation outside the home. Others, for the first time, took on additional employment in order to provide for basic household needs. Based on her studies of households in Havana, Catherine Krull reports that while fathers assist with child care responsibilities, women rely on mothers, daughters or other female relatives for assistance in meeting daily family needs and with household work. She also reports that women restricted their own caloric intake as a means to assure that other family members had sufficient food. Economic strain


106 J & L at 191 (describing soap shortages and water cutoffs, for example).

107 Hildago & Martinez, at 111.

108 J & L at 192.

109 Krull 3-4, J & L, at 195.

110 N-S at 122 (noting the multiple employment was a new phenomenon brought about by the economic crisis of the Special Period).

111 Krull 4

112 Krull at 5
has led to rising divorce rates.\textsuperscript{113} These circumstances have exacerbated the tensions between the ongoing efforts to achieve gender equity in all facets of public and private life and the obligations to maintain family well-being.

Cubans have attempted to respond to these developments, first and foremost by strengthening systems that protect vulnerable populations.\textsuperscript{114} Cubans have encouraged new means by which to adapt to the harsh economic conditions, including creative and environmentally sound methods of agricultural productivity and alternative medical treatments.\textsuperscript{115} Many of the efforts to strengthen the safety net have been directed towards women. The Ministry of Public Health in collaboration with other health sector entities and local governments created programs to address the nutritional needs of at-risk pregnant women (\textit{hogares maternos}) and to provide preventive education and other social services for pregnant women and their young children.\textsuperscript{116} Municipalities coordinated with government workplace centers to assure that at-risk women were provided at a minimum one free meal every day.\textsuperscript{117} The FMC initiated new programs targeted at women and their circumstances in order to mitigate the impact the gendered impact of the economic crisis.\textsuperscript{118} Women’s centers were established throughout the island,

\textsuperscript{113} Uriarte.

\textsuperscript{114} Jennessen and Lundy at 188-189.

\textsuperscript{115} Uriarte, at 121.

\textsuperscript{116} Uriarte, at 121.

\textsuperscript{117} Uriarte, at 121.

\textsuperscript{118} J & L at 195.
staffed with lawyers, social workers, health educators, and mental health professionals.\textsuperscript{119} Social work brigades were created to protect women’s employment and assist with job training.\textsuperscript{120} Cuban feminists have engaged in research projects to study to determine how best to ameliorate the impact of the embargo on the lives of Cuban women.\textsuperscript{121}

Women with primary responsibilities for domestic work boast about their abilities to creatively strategize as “domestic ‘experts’” in order to keep their households functioning despite the crisis of scarcity.\textsuperscript{122} Collective initiatives consistent with Cuba’s participatory culture are integral to the overall plan of action.\textsuperscript{123} However, notwithstanding the pride and purposefulness with which Cubans have attempted to confront the challenge of economic crisis, gendered roles have been further re-inscribed in Cuban households as women bear the brunt of the day-to-day consequences of the crisis.

B. Gendered Migration Strategies

Cuba-U.S. migration has been a constant feature of the Cuban condition, both as cause and consequence of U.S. policy. The United States implemented a course of action designed to promote internal rebellion by exacerbating economic adversity but instead produced migration abroad. The first wave of migration from 1959 to 1969 consisted principally of Cubans

\begin{enumerate}
  \item J & L at 195
  \item Uriarte, 123. For additional information on social work brigades, see DMW and MRW...
  \item Hidalgo & Martinez, at 110 n. 10.
  \item Hidalgo and Martinez at 111, Krull at 5.
  \item Krull at 5
\end{enumerate}

28
associated with the Batista regime, upper-middle-class Cubans who lost property, and individuals who feared retribution because of their collaboration with the failed Bay of Pigs.\textsuperscript{124} The United States, hoping to demonstrate to other parts of the world that socialist systems could not provide for their people, promoted migration particularly of the professional and skilled class.\textsuperscript{125} Families with young children were targeted through the CIA sponsored “Pedro Pan Operación” ("Peter Pan Operation") designed to frighten parents with false rumors of military conscription and indoctrination of children by the Cuban government.\textsuperscript{126} The United States also adopted what can only be described as an exceptional immigration policy for Cubans in the form of the Cuban Refugee Act (“Cuban Adjustment Act”) which allowed Cubans to apply for permanent residency one year after arrival, without paying fees and without having to leave the country to apply regardless of their status on arrival.\textsuperscript{127}

\textsuperscript{124} Weissman, NCLR 1891.

\textsuperscript{125} Weissman 1892.

\textsuperscript{126} For a thorough examination of Pedro Pan Operación, see María de los Angeles Torres, The Lost Apple: Operation Pedro Pan, Cuban Children in the U.S., and the Promise of a Better Future (2003)

Thereafter, waves of Cuban immigrants have entered the United States for similar reasons as the majority those who leave their home countries: family reunification and economic necessity. 128 Cubans benefitted from U.S. immigration laws that were exclusively created for and applied to Cubans only. However, these privileges were afforded in service of U.S. foreign policy. 129 As a consequence of Cuban migration and the desire of Cuban families in the United States to assist their families in Cuba, a flow of foreign exchange and goods allowed many Cubans who remained on the island to survive the very sanctions designed to topple the Cuban government. 130 As a result, U.S. policy began to increase its focus on restricting travel and remittances to Cuba. 131 U.S. laws and regulations affecting families have operated in a dialectical warp that has corresponded to weaknesses that continually burden the Cuban state, as well as global economic conditions, affronts, and perceived wrongs committed by the Cuban government. 132 While the Obama administration has liberalized travel and remittances to Cuba,

128 Susan Eckstein and Lorena Bareria, _Grounding Immigrant Generations in History: Cuban Americans and Their Transnational Ties_, 36 International Migration Review 299, 815 (2002) (noting a study that demonstrated that 83% of rafters intercepted on their way to the United States were motivated to help families in need in Cuba).

129 Id.


131 DMW- 1909-1913.

132 DMW 1910.
relations between the United States and Cuba remain otherwise unchanged.\textsuperscript{133} The embargo continues and Cuba remains on the list of terrorist states despite U.S. diplomatic cables released via Wikileaks that demonstrates it meets none of the criteria to warrant such status, all to the detriment of families and communities.\textsuperscript{134}

As a consequence of these policies, Cuban migration patterns have contributed to the development of a unique binational family system and have had particular gendered consequences. The impact of U.S. policy on family migration and remittances served to deny Cuban families the ability to carry out commitments to family members.\textsuperscript{135} The burdens have been pronounced: as a cultural matter, experts who have studied the sociology of the Cuban family have described families as “the most important social unit in the life of Cubans.”\textsuperscript{136} “Familism” is the basic structure of Cuban society and includes not only nuclear and extended

\textsuperscript{133} 15 C.F. R. pts 736? 740? 746?


\textsuperscript{136} Guillermo Bernal, \textit{Cuban Families, in Ethnicity and Family Therapy} 140 (Monica Goldrick et al. eds., 1982), reprinted in Cubans in the United States (Miren Uriarte-Gastón & Jorge Cañas Martinez eds., 1984); Lisandro Pérez, \textit{The Household Structure of Second-Generation Children: An Exploratory Study of Extended Family Arrangements}, 28 Int'l. Migration Rev. 736, 741 (1994) (describing how Cuban families in the United States often consist of three generations, a structure that is consistent with traditional, Cuban values).
family, but friends, neighbors, and communities who represent fictive kin. Family identity with Cuba attaches even to those individuals who emigrated before the age of one and who consider visits to Cuba as visiting home.

The gendered relationships between migrants and their families and communities of origin have been inadequately studied. However, sufficient data exists to enable a comparison of the pattern of remittances between men and women. Because women generally attach greater importance to family or are otherwise expected to fulfill family obligations, they tend to remit more funds and goods to families in countries of origin compared to men. Moreover, women are motivated to remit specifically for the purposes of alleviating family hardships compared to men who often remit as a matter of investment interests, that is to say, in function of self interest.

An examination of Cuban migration contributes to this field of research and demonstrates the degree to which gendered impacts are a consequence of the global phenomenon of socially constructed sex roles whereby women are charged with maintaining households and family well-being. In the case of the migration of Cuban women, however, there are additional unique


circumstances. Cuban women have participated in all successive waves of Cuban immigration, and in some periods have comprised the majority of émigrés to the United States. Currently, women continue to exceed the number of males who have migrated.

Several researchers have examined the gendered pattern of remittances to Cuba as a consequence of migration. Studies confirm that Cuban women entered the wage-labor force upon arrival to destination countries significant numbers and conceived of workforce participation as an opportunity to help family on the island. Indeed, Cuban women like their counterparts elsewhere, enact their sense of obligation to their families by sending remittances to


families who remain behind. Cuban women are more likely to send funds to nonimmigrant families than Cuban men. Women were also more likely to send goods as well as money than men. Moreover, Cuban women remit more over time than their male counterparts as a reflection of their long-term commitment to families back home. The 2000 Havana survey conducted to assess the impact of remittances on families, among other matters, described such assistance as “tremendous and significantly contributed to poverty reduction.”

In addition to the gendered pattern of remittances, the experience of Cuban women prior to migration reveal the unique circumstances of their migration. Women’s choices to leave or stay, and their behaviors upon reaching their destination are affected by the gender-based norms constructed within Cuba, particularly as a function of the achievements obtained in their home country in the realm of women’s equality. The majority emigrated in their early adulthood and were formed by the processes and social structures of the revolution that emphasized social mobility and equality for women. It is reasonable to expect that their decisions to migrate would reflect the gendered dimension of their social formation.

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146 Blue, 75-80

147 Blue


149 Blue at 72.


151 Nuñez-Sarmiento at 106.-
Sarmiento has noted that Cuban women “took within them peculiarities in their gender ideology gained in Cuba.”

She observes that Cuban women’s migration experiences have been shaped by gains they achieved in their home country in the realm of gender equality. Possessed of a sense of preparedness and independence, Cuban women emigrated in greater numbers than men in part because two decades of economic crises “paralyzed the trend of extending social equality” and arrested the social mobility Cuban women had enjoyed throughout the 1960s, 1970s, and 1980s. Two-thirds of the women in Nuñez-Sarmiento’s study had migrated alone, unaccompanied by a male partner and without a male partner waiting for them in their destination country. She found that Cuban women were unwilling to delay the progress they had enjoyed in Cuba but that had come to a halt as a consequences of economic circumstances.

The study found, however, that Cuban women’s expectations were unmet and that most experienced disappointment on arrival to the United States. They faced greater difficulties than their male counterparts in obtaining employment commensurate with their education and training. Many women were forced to work more than one job and reported salary discrimination and poor working conditions.

\[152\] N-S, at 107.
\[153\] N-S, at 108.
\[154\] N-S at 121, 123.
\[155\] N-S at 108.
\[156\] N-S at 108.
\[157\] N-S, at 109.
\[158\] N-S at 108.
These circumstances have produced contradictory gendered migration consequences, especially in the realm of remittances to Cuba and the impact on women. As noted above, studies on the behavior of Cuban remitters demonstrate that women tend to remit more consistently and to a greater number of family members. However, lower levels of income in the United States suggest that women have less disposable income to remit. The fact that women remit more suggests that they may place themselves in greater economic hardships than their male counterparts.

The Cuban migration experience shares much in common with migration from other countries. Women leave in order to support their families and regularly remit funds out of a sense of obligation and deep family commitments. They contribute to household stability and in the case of Cuba, to the recovery of nation. Their sense of social mobility, however, sets them apart from their female counterparts elsewhere, both as a cause and consequence of migration.

C. Gender in the New Cuban Economy


As a consequence of the economic crisis which had reached grave proportions, in October 2010, the Cuban government formally announced dramatic reforms with regard to economic structures. Two decrees published on October 1 and October 8, 2010 in La Gaceta Oficial, the mechanism by which the Cuban government communicates new legal measures and policies, proclaimed the need to establish new procedures in order to maximize profitability and

159 Blue paper.

160 Osaki, supra note at 467 (noting that the migration of a female member of the household may benefit the household’s economic circumstances while undermining the welfare of the female migrant).
efficiencies in the Cuban economy. The government set forth means for accomplishing these goals and declared that each state-owned economic enterprise would be required to re-evaluate its organizational structures. In order to achieve new levels of competitiveness, the state government determined that up to one million Cuban workers would have to leave the formal Cuban economy (500,000 in the first six months) which, as of the date of the decrees, employed 85 percent of the national workforce. Cuban workers discharged from state jobs were declared to be “available workers” (trabajadores disponibles) and were simultaneously authorized to engage in various forms of self-employment (trabajo por cuenta propia) that were previously prohibited, and were for the first time, granted authority to hire employees. The government repealed or modified laws that previously prohibited or otherwise strictly regulated such employment. It also created a new system for payment of taxes, borrowing money, social security for self-employed workers, and a new pension system. The government also issued

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161 Gaceta Oficial, 10/1
162 G.O. 10/1
164 GO 10/1 p 75; G.O. 10/8 116-119.
165 G.O. 1 1 75-59.
166 Cuba to cut one million public sector jobs, 14 September 2010 http://www.bbc.co.uk/news/world-latin-america-11291267; G.O. 1., at 85. Cuba also created a new game for children to teach them about the value and methods of paying taxes. See Esteban Israel, Cuba plans children's video game to promote taxes, 1/26/2011
regulations intended to provide a framework for determining how each enterprise would “downsize” its workforce and published various instructions with methods for calculating the means to achieve new standards of efficiency.\textsuperscript{167}

Notwithstanding, or perhaps because of, the detail with which the Cuban government attempted to undertake such historic changes, the new edicts with regard to layoffs have failed to sufficiently materialize, if at all.\textsuperscript{168} The regulations for determining which workers are to be made “available” are complex and early on met with resistance, including legal challenges.\textsuperscript{169} To further complicate matters, the state failed to repeal certain laws that conflicted with the new decrees, including laws that required a certain number of minimum workers per job.\textsuperscript{170} Layoffs have yet to occur, and newspaper interviews suggest that the new economic program has been thwarted by resistance and a failure to establish sufficiently clear guidelines.\textsuperscript{171}

The government’s reluctance to move forward with the decrees until there can be further clarification of the process is more than warranted. New reforms suggest an end to the Cuban government’s “covenant” with its people to provide full employment, notwithstanding its assurances that the new reforms would not change Cuba’s socialist character and its promises

\begin{flushleft}
\url{http://www.msnbc.msn.com/id/41282091/ns/technology_and_science-games}
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\textsuperscript{167} G.O. 2, 89-97, 101-111.

\textsuperscript{168} Haven.

\textsuperscript{169} Interview with economist in Havana, 3/9/10.

\textsuperscript{170} Interview 3/9

\textsuperscript{171} Haven.
that no one would be left behind.\textsuperscript{172} Officials are now wary of proceeding with the restructuring of the economy given the many deficiencies and omissions of the plan.\textsuperscript{173} Instead, the official Cuban newspaper, \textit{Granma} has published stories encouraging Cubans to meet and debate throughout the country.\textsuperscript{174} However hesitant the government may be to move forward, officials continue to insist that such changes are necessary for the well-being of the nation.\textsuperscript{175}

Although the proposed layoffs have yet to materialize, the government reports that up to 113,000 Cubans have applied for self-employment licenses.\textsuperscript{176} Cafeterias, beauty salons, clothing stands, and a newly planted privately owned farms are the types of enterprises that have been approved thus far.\textsuperscript{177} As the process has unfolded, individuals have complained about the complexity and lack of specificity about the process.\textsuperscript{178} The high costs of procuring licenses, taxes, and the limits on profits serve as disincentives and limit the possibility of building

\textsuperscript{172} Cuba's Raul Castro admits mass lay-offs behind schedule, 1 March 2011 \url{http://www.bbc.co.uk/news/world-latin-america-12606044}.

\textsuperscript{173} Haven

\textsuperscript{174} 1 December 2010 Cuba begins public debate on economic reforms, ("It is the people who decide"). \url{http://www.bbc.co.uk/news/world-latin-america-11894593}

\textsuperscript{175} Cuba begins debate.


\textsuperscript{177} Israel, Frank Jack Daniel, In fields and city streets, Cuba embraces change, Jan 25, 2011 \url{http://news.yahoo.com/s/nm/20110125/wl_nm/us_cuba_reforms};

\textsuperscript{178} Tribunal Supremo de Cuba acepta demanda contra ministra de Justicia, La Jornada, Jan. 24, 2011 (reporting on a law suit filed to gain approval for a self-employment license). \url{http://www.jornada.unam.mx/2011/01/24/index.php?section=mundo&article=022n1mun.
flourishing enterprises. These are indeed significant challenges, but perhaps among the most significant are concerns regarding the degree to which the new economy may disadvantage women.

2. The Gendered Impact of the New Economy

The long-term impact of the reforms and the consequences for women’s work and gender equality remain to be seen. However, Cuba has previously experimented with private economy employment and enacted a law in 2007 that provided additional opportunities for self employment. Thus, data does exist with regard to the gendered effect of self-employment opportunities. Moreover, the discourse that has emerged with regard to women’s opportunities in the new economy together with information about the license applications received thus far suggest, albeit in contradictory ways, the possible changes to women’s status as a function of the new reforms. Data from other countries, both developing and developed, further informs the making of a prognosis concerning women’s economy in Cuba.

a. Earlier Experiments: Gender, Self-Employment, and the Special Period

Cuba first began to experiment with self-employment during the 1990s as a consequence of the economic crisis of the Special Period. Described then, as now, as a set of reforms to further advance socialist goals as opposed to a shift to capitalist economic modes, Cuba identified a number of new economic priorities that included the development of tourism, acquiring convertible currency and legalizing the U.S. dollar, expanding support for foreign

179 Daniel.

180 G.O. 1

181 Supra
investment, promoting medical exports, and legalizing certain forms of self-employment.\textsuperscript{182}

During this period, women were affected in a number of ways.\textsuperscript{183} First, as a consequence of the development of two economies, one based on the Cuban \textit{peso} and the other based on the dollar, individuals who held highly qualified administrative positions, teachers, health care professionals and scientists were obliged to remain in the \textit{peso} economy. Cuban women, who comprised the majority of these positions had fewer opportunities to acquire hard currency unless they abandoned their chosen professions— which in fact many of them did.\textsuperscript{184} Data from this period demonstrated that women’s state salaries were insufficient to keep up with the cost of living and that many household necessities were unavailable in Cuban \textit{pesos}.\textsuperscript{185} The equitable salary structure that Cubans had enjoyed vanished.\textsuperscript{186}

An examination of the circumstances of Cuban health care professionals sets in relief the contradictory outcomes that characterize gender and the economy in Cuba. In the early 2000s, Cuba began to engage in international medical missions and sent teams of health care workers abroad as an expression of solidarity with less developed countries while charging below-market

\begin{itemize}
  \item \textsuperscript{182} J & L, 183, 188, 190, 192.
  \item \textsuperscript{183} One issue not addressed in this paper relates to the issue of prostitution in Cuba. For a discussion of this issue, see
  \item \textsuperscript{184} Sarah A. Blue, Cuban Medical Internationalism: Domestic and International Impacts 9 Journal of Latin American Geography 31, 41, 42 (2010); J & L, 190, 192 (explaining that privatization of professional activities was prohibited).
  \item \textsuperscript{185} Blue, at 41, J & L at 192.
  \item \textsuperscript{186} Blue at 41.
\end{itemize}
rates that nonetheless allowed Cuba to earn much needed hard currency. Many health care professionals, the majority of whom were women, were assigned international posts. They left family and community behind, and were expected to do so as an expression of solidarity. Those doctors and nurses who remained in Cuba, the majority of whom were women, increased their workload as they endeavored to meet the demands of Cubans who were accustomed to regular and easy access to medical care.

Doctors on international missions were paid a set amount in Cuban pesos and were expected to “get by” regardless of fluctuating economic conditions at their site of work. In one interview, the family member of a doctor who was in second year of a three year rotation abroad explained that her daughter often had to rely on newly-formed networks in the country where she worked due to both delays in the receipt of her pay issued by the Cuban government as well as the insufficiency in amount. Nonetheless, the family boasted of their daughter’s position, of the contributions she made toward international health, and observed that the position of a Cuban doctor abroad often carried with it an assignment of moral superiority and material privilege by way of donations from patients and their families.

The experiences of women who did not hold professional status positions in the state economy and who gained access to private enterprises were often less than salutary. Until the

\[187\] Blue at 33.

\[188\] Interview, H.C. 3.10.

\[189\] Interview.

\[190\] Interview.

\[191\] Interview.
latest decrees, Cuban regulations prohibited individuals from hiring staff or otherwise relying on the labor of others with the exception of family. As a consequence of this policy, women were often found to work in family-owned restaurants as cooks, cleaners, or servers. Other accounts of past experiments with self-employment revealed that the vast majority of private enterprises were initiated by men. Those women who moved from the state economy to the private sector abandoned positions that required a high degree of specialization and ability for low-skilled work. Studies found that women engaged in self-employment activities that were largely domestic in nature: coffee vendors, seamstresses, hairdressers, and cooks. Indeed a study undertaken by the Center for Psychological and Sociological Investigation (CIPS) determined that self-employment opportunities favored men while disadvantaging women. These early experiences with self-employment, although reflecting a different set of laws and regulations than promulgated by the most recent decrees, nonetheless raises concerns as to how women will fare in the new economy.

b. Current reform: Gender Indicators

Although complications and lack of clarity have delayed Cuba’s new reform efforts, there are indicators that the current move toward self-employment will have gendered repercussions.

192 J & L 192
193 J & L at 193.
194 SemLAC, p 5
195 SemLac at 5
196 Hidalgo at 112. Semlac at 6.
197 Semlac 5.
One the one hand, women who occupy certain professional positions including teaching and health care will not be able to seek self-employment in those field as they are not included in the list of self-employment alternatives.\textsuperscript{198} Although these individuals may not face layoffs, they are constrained economically as a result of the limitations of the peso economy. On the other hand, the women who comprise 80 percent of administrative and management positions will be disproportionately harmed by the new reforms because it is precisely those positions that are targeted for elimination.\textsuperscript{199}

Cuban women have been alert to the possibilities that the new economy will result in new hardships. Women were the primary force behind the challenges to the implementation of the “reordimiento laboral” and were successful in delaying the process for layoffs as a consequence of litigation in Cuban courts.\textsuperscript{200} Experts have already expressed concerns about the increase of women who have moved into traditional gender-stereotyped employment with less opportunities for income and growth, especially in the area of food and coffee vendors who sell their goods in the streets.\textsuperscript{201} Within days of the publication of the October 1\textsuperscript{st} decree, an article appeared in a newsletter written by and for Cuban women entitled The Challenge of the Self-Employed (El Retrato de Trabajar Por Cuenta Propia).\textsuperscript{202} The article noted that although official assurances

\begin{footnotes}
\item[198] G.O.
\item[199] Interview PV, Edith. El Retrato
\item[200] Interview with lawyer, 3/9/11 (noting that the courts readily sided with the women in their challenges based on conflicting laws that were still in effect).
\item[201] Interview with sociologist, 3/10/11
\end{footnotes}
had been offered by the government that the reforms would not burden or discriminate against women, women faced greater dangers of un- and underemployment.\textsuperscript{203} Furthermore, Cubans have been meeting in workplaces and in neighborhood Committees in Defense of the Revolution (CDR) meetings to review the decrees and guidelines and both men and women have raised concerns about the ways in which women will be adversely impacted by the changes.\textsuperscript{204} Some have criticized the list of enterprises open to self-employment opportunities for its gendered language noting that feminine nouns were used to identify jobs traditionally but not necessarily held by women.\textsuperscript{205}

In February 2011, a study of self-employment in Villa Clara found that women were training for massage therapy, cosmetology and hair styling and seeking licenses to sell food.\textsuperscript{206} Other women have disclosed their anxiety about the limited private employment possibilities suitable for women.\textsuperscript{207} Sociologists on the island who study self-employment and women workers have urged women to consider self-employment opportunities other than gender-

\textsuperscript{203} Id.


\textsuperscript{205} Interview with lawyer, 3/11/11 (pointing out, for example, “artisano” vs. “manicura” or “vendededoras de flores artificiales”). See G.O. Oct. 8, 119-123.


\textsuperscript{207} Haven (noting concerns that most new work opportunities would in the area of agricultural or construction work, neither of which ordinarily appeal to women).
stereotyped occupations in order not to fall behind.\textsuperscript{208}

Not all of the women seeking self-employment are moving from high skilled or management positions to low-skilled domestic work. Many who applied for work licenses are former housewives entering the wage-labor force for the first time.\textsuperscript{209} And to be sure, there are women who have opened up car repair shops, or who work in construction.\textsuperscript{210} Furthermore, as a means to incorporate women into self-employment, a number of Cuban institutions have begun to urge women to consider agriculture as a means to achieve economic stability.\textsuperscript{211} Recently, the official newspaper, \textit{Granma} issued a call for women to enter into agricultural work as a means to carry out the new economic reforms.\textsuperscript{212} The article observed the rising number of women enrolled in Cuba’s Agricultural Polytechnic Institute who have gained critical technical skills in the field of agronomy.\textsuperscript{213} Women were praised for their capabilities in all realms of agriculture and for their contribution to the discipline of the field. Women students described the scientific

\begin{flushleft}
\textsuperscript{208} Edith, El Retrato.


\textsuperscript{210} Interview, Havana 3/11/11 (interviewer, however, noted that female mechanics were much more uncommon than male mechanics; \textit{Self-employment and Sexual Discrimination} http://www.cubavibra.es/admin/viewPDF.php?PDF=/documentos/cuentapropistas/Cuentapropistas_discriminacionsexual.pdf.

\textsuperscript{211} Granma article, Mar. 17\textsuperscript{th}, Edith (El Retrato) (quoting Norma Vasallo, chair of Women’s Studies at the University of Havana).


\textsuperscript{213} \textit{Id.}
\end{flushleft}
aspects of their studies and expressed that agricultural work drew upon intellectual capacities to prepare them as skilled workers.\textsuperscript{214} However, women currently occupy a small percentage of female agricultural workers notwithstanding efforts by the Association of Cuban Farmers (ANAP) to incorporate women as usufructuaries, an initiative that met with little success.\textsuperscript{215}

c. Comparative Data: Gender and Self-Employment in Other Countries

(Add information/data about gender disparities in the realm of self-employment in developing and developed countries).

Part IV: Conclusion

(Add questions of loyalty, creativity, challenge).

Notwithstanding the uncertainty and anxiety brought on by the October 2010 decrees, Cuban women continue to express their loyalty to the project of economic reform and a desire to implement them with discipline and creativity.\textsuperscript{216}

\textsuperscript{214} Id.

\textsuperscript{215} Interview with sociologist, 3/10/11.

\textsuperscript{216} Interview with lawyer 3/11/11.