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Women's Equality in Cuba: What Difference Does a Revolution Make?

Debra Evenson*

The day must come when we have a Party of men and women, and a leadership of men and women, and a State of men and women, and a Government of men and women.

Fidel Castro¹

I. Introduction

Not a single country in the world exists where women presently share leadership equally with men. There are some examples of women in the role of prime minister or other chief of state office, but they are not surrounded by significant numbers of women participating in policymaking positions. These positions are invariably dominated by men. Only when women are fully integrated into the decision-making institutions and processes can we speak of full equality. Cuba is no different in this regard, but the Cuban experience may offer some promise.

The advancement toward women's equality in Cuba has often been referred to as the "revolution within a revolution."² In fact, women's incorporation into the economic and social life of the country has been impressive. Nevertheless, despite party and government policy and statements supporting the promotion of women into decision-making positions, Cuban women have yet to share leadership equally with men. The reasons Cuban women have still not reached this goal can be understood from the historical and social context of the Cuban Revolution. Moreover, twenty-

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1. Speech by Fidel Castro, Second Congress of the Federation of Cuban Women (Nov. 29, 1974), in Second Congress of the Federation of Cuban Women, Central Report 276, 304 (1975) [hereinafter Second Congress FMC].

2. The phrase was first used by Fidel Castro in a speech given at the Fifth National Plenary of the Federation of Cuban Women (FMC) in 1966. Fidel Castro, *The Revolution within the Revolution*, in Women and the Cuban Revolution 48 (Elizabeth Stone ed. 1981) [hereinafter Cuban Revolution]. It has since been repeated in the literature of the FMC and has even appeared on billboards and posters in Cuba.

five years—the span of one generation—is not a very long time for completion of such a radical process.

The approach of Cuban women to the question of equality has been primarily social and ideological, not legal. Nevertheless, as the legislative and judicial institutions of the revolution were given permanent structure in the mid-1970's,³ law has had an increasingly important impact on women's equality. In the revolutionary context, law has a particularly direct relationship to social change, providing both a vehicle for shaping new values and attitudes and a mechanism for enforcing societal norms. For the most part, legislation in Cuba has been supportive of progress for women though some legislation indirectly or inadvertently perpetuates inequality. Law does not play the determinative role, however, as solutions require a revolution in social attitudes and changes in economic and political policies and structures.

This article describes and analyzes the evolution of women's equality in Cuba since the revolution. The question addressed is not simply why Cuban women have yet to achieve full political equality; rather, the article explores whether or not the conditions and institutional framework are supportive of and conducive to its achievement. There is evidence they are.

II. Beginning the Revolution: The First Decade

During the decade following the triumph of the revolution, concerted efforts were made to integrate women into the economic and political life of the country. The integration of women required an often abrupt departure from the traditional norm which relegated women almost exclusively to the role of housekeeper and caretaker. The process awakened women's consciousness to new possibilities offered by education, volunteer service, and work outside the home. From this awakening would emerge more clearly defined goals of self-realization and full equality for women in Cuba.

Although women in general comprised an oppressed class in prerevolutionary Cuba, women's rights per se were not on the agenda during the Cuban Revolution.⁴ The oppression of women

3. See *infra* notes 80-157 and accompanying text.

4. Economic and educational opportunities were available only to women of the middle and upper classes. Even among these classes, women were relegated to subordinate roles, and few women departed from their socially assigned roles of housewife and caretaker. Women did play an active role in the revolution. Women organized demonstrations to protest the repression of the Batista regime and the jailing of opposition leaders. During the armed struggle, women acted as couriers, raised funds, and transported guns and supplies to the guerrillas fighting in the

was not mentioned in Fidel Castro's famous defense speech, *History Will Absolve Me*,⁵ which put forth the vision of the just society for which the revolutionaries fought. Moreover, no well-developed contemporary organizational models existed outside the country: no international feminist movement existed in 1959, and the formation of an organized movement against sex discrimination in the United States would await the civil rights struggle of the mid-1960's.

Centuries of patriarchal tradition and underdevelopment dictated that, for the vast majority of Cuban women, identity and life revolved completely around home, marriage, and family. In 1959, women comprised only about fifteen percent of the work force.⁶ For most of those women, work was an absolute necessity which provided no opportunity for development or self-fulfillment: well over half were maids or domestic servants⁷ and a substantial number were exploited by the hundreds of notorious brothels of prerevolutionary Cuba.⁸ The remainder were primarily teachers, clerks, and factory workers.⁹ Even absent the mores of a strong

mountains. A small number of women also participated in combat. One platoon, the Mariana Grajales Platoon, consisted entirely of women. See Cuban Revolution, *supra* note 2, at 7-8; Vilma Espín, *The Early Years*, in Cuban Revolution, *supra* note 2, at 33, 39; Margaret Randall, *Women in Cuba: Twenty Years Later* 22-23 (1981).

Some groups of women activists in the 1920's and 1930's worked for the right to vote and employment benefits. Cuban women won the right to vote in 1934 as well as some benefits. One achievement of these activists was the very progressive statement on women's equality inserted in the 1940 Constitution. These victories, however, were only on paper, and women's rights were minimally enforced. Nor was any effort made to provide opportunities for women who did not have access to education or employment. See Espín, *supra*, at 37-38.

5. A number of revolutionaries, including Fidel Castro, were taken prisoner by the Batista forces after the abortive attempt to capture the Moncada Garrison in Santiago De Cuba on July 26, 1953. A lawyer, Castro provided his own defense on October 16, 1953 in which he described the oppression and exploitation of the Cuban people. Under enormous international pressure, Batista released Castro and a number of the group imprisoned with him in 1956. The group, which formed the 26th of July Movement, immediately went into exile in Mexico where they planned the strategy for the successful revolution which triumphed in 1959. For a general history of the Cuban Revolution, see Jorge Domínguez, *Cuba: Order and Revolution* (1978).

6. The reports on the percentage of women employed in the late 1950's vary from 13% to 17%, representing 200,000 to 260,000 women. See Alfred Padula & Lois Smith, *Women in Socialist Cuba, 1959-84*, in *Cuba: Twenty-Five Years of Revolution, 1959-1984*, at 79, 80 (Sandor Halebsky & John M. Kirk eds. 1985) (report that 17% of women employed in 1959) [hereinafter Cuba]; Carmelo Mesa-Lago, *The Economy of Socialist Cuba* 188 (1981) (reports that 13% of women employed in 1958).

7. Some authorities estimate the percentage of women working as domestic servants at 70%. Padula & Smith, *supra* note 6, at 80; Randall, *supra* note 4, at 23.

8. Padula & Smith, *supra* note 6, at 80-81.

9. See Cuban Revolution, *supra* note 2, at 6.

patriarchal culture which prevented women from participating in political and economic activity, high unemployment and underemployment among men limited possibilities for women.¹⁰

Within one year of the fall of the Batista regime and the takeover of political control by the revolutionary movements, a national organization of Cuban women was founded—the Federation of Cuban Women (FMC).¹¹ The FMC was created not by women seeking equal rights, but by the governing parties to take on emergency tasks at a time of great urgency. Its primary objective was to incorporate women into the social organization and productive forces of the new society. Vilma Espín, a founding member and FMC president since 1960, recounts that, although she and other Cuban women fought in the revolution, they never once considered the idea of creating a distinctly women's organization.¹² According to Espín, it was Fidel Castro who convinced her and other women active in the revolutionary movement that a women's organization was necessary to incorporate women into the revolution.¹³

At the founding meeting of the FMC on August 23, 1960, Fidel Castro paid homage to the women who fought in the revolution and spoke of the grave economic and military situation confronting the nation.¹⁴ Pockets of armed opposition and incidents of sabotage threatened consolidation of the revolution, and the new leadership was faced with the staggering implications of the

10. In 1958, 28% of the labor force (more than 600,000) were either unemployed or underemployed. Carollee Benglesdorf & Alice Hageman, *Emerging from Underdevelopment: Women and Work*, Cuba Rev., Sept. 1974, at 4. This entire issue of *Cuba Review* is devoted to women in Cuba.

11. The initials are from the Spanish name for the Federation, *Federación de Mujeres Cubanas*. Vilma Espín, sister-in-law of Fidel Castro, was named president of the FMC and remains its president today.

12. Randall, *supra* note 4, at 125.

13. *Id.* Details of the origin and conception of the FMC are scarce and hardly mentioned in the literature. Apparently the founding members came primarily from the same groups which joined to overthrow Batista. The Cuban Revolution was fought by a loose coalition of political groups which included the 26th of July Movement headed by Fidel Castro, the Revolutionary Directorate (primarily a student movement), and the Popular Socialist Party (PSP), which was the old Communist Party. William LeoGrande, *Party Development in Revolutionary Cuba*, 21 J. InterAmerican Stud. & World Aff. 457, 458 (1979). The 26th of July Movement, named after the date of the 1953 abortive attack on the Moncada Garrison in Santiago de Cuba, was the most active in and commanded the armed struggle which overthrew the Batista government in 1959. These same groups coalesced to form the vanguard party, the Integrated Revolutionary Organizations (ORI), which governed Cuba until 1965. The ORI was the forerunner of the present Communist Party of Cuba (PCC), which was formed in 1965. *Id.* at 466. The First Congress of the PCC was not held until 1975. For discussion of some of the issues addressed by the Congress, see *infra* text accompanying notes 76, 103.

14. Randall, *supra* note 4, at 130.

United States trade blockade, which cut it off from eighty percent of its imports and its major export market.¹⁵ Strong support for the revolution among the population was essential in order to develop an independent economy and to diffuse counterrevolutionary activity.¹⁶

Thus, the overriding agenda of the FMC at its founding was to mobilize women's support for and participation in the revolution. The governing statutes adopted by the FMC at its first congress in 1962 do not mention women's equality as one of its goals:

The Federation of Cuban Women, founded in 1960 with the objective of uniting all women and incorporating them in the process of transformation begun with the triumph of the revolution, . . . confronts a new and great objective: the effective and full incorporation of the Cuban woman from all sectors of the population in the construction of the socialist state.¹⁷

A great many tasks needed to be done, and women were an enormous untapped resource which could serve the revolution.

The FMC quickly launched a major campaign to get women out of the house and into productive work. The first activities into which women were recruited related to health and education. FMC members went from house to house to recruit women for these tasks. Women were given first-aid training and organized into health brigades which carried out the first nationwide vaccination programs against tetanus and polio.¹⁸ They were also mobilized into the repulsion of the Bay of Pigs invasion in 1961.¹⁹ As

15. Medea Benjamin, Joseph Collins & Michael Scott, *No Free Lunch* 12 (1984).

16. From the moment the revolution triumphed in January 1959, counterrevolutionary movements organized armed opposition. Factories and buildings were firebombed, sugarcane fields burned. The CDRs—Committees for the Defense of the Revolution—were organized to keep vigil in neighborhoods and to report counterrevolutionary activity. Civilian militias, including women, were also organized to fight the armed opposition groups. *Cuban Revolution*, *supra* note 2, at 8-9. The CDRs now serve primarily political education and social service functions related to education, health, and neighborhood surveillance against burglary and theft.

17. Primer Congreso Nacional de la Federación de Mujeres Cubanas, *Memoria* 57 (1962) [hereinafter *First Congress FMC*]. All the mass organizations, like the FMC and the Confederation of Cuban Workers (CTC), as well as the Communist Party of Cuba, hold national congresses of their members. Since 1975, the interval between congresses has been regularized to every five years. The FMC holds its congress in the year preceding the party congress.

18. Leo Huberman & Paul M. Sweezy, *Socialism in Cuba* 62-63 (1969). In 1964, almost 2.5 million children under age 14 were vaccinated against polio. An additional 1.4 million under age six were vaccinated in 1966. *Id.* The FMC continues to implement vaccination programs in Cuba.

19. On April 15, 1961, an invasion force of Cuban ex-patriots and United States military personnel landed at the Bay of Pigs. The invasion was planned by the CIA and approved by President Kennedy, who was misinformed by some of his advisers about the potential for success. It was believed that large numbers of people in

a result of FMC organizing, young women, venturing away from their homes for the first time, joined the tens of thousands of youth who carried out the famous literacy campaign of 1961.²⁰ In addition, the FMC was instrumental in providing training programs and social services which enabled thousands of former prostitutes to find new jobs.²¹

Another tactic to incorporate women's participation in the revolution, particularly in rural areas, was the organization of educational programs which had both an ideological and skill-oriented focus.²² Rural women were given sewing classes. Traditionally a female-identified skill, sewing appealed to women who had never worked and was an acceptable activity to reluctant parents and spouses.²³ Once in classes, the young women were given an elementary education and were exposed to the social and political ideas and goals of the revolution.²⁴

At the same time, the government provided material support for women to enter the work force: the first day-care centers were established in 1961;²⁵ a maternity law providing liberal paid leave

Cuba would quickly join the invading forces to overthrow the revolutionary government. The invasion was defeated within a few days. For a thorough account of the planning, execution, and defeat of the Bay of Pigs invasion, see Peter Wyden, *Bay of Pigs* (1979). Many women went to the battlefield to carry supplies to the troops and to care for the wounded. See Espín, *supra* note 4, at 43-45.

20. See Padula & Smith, *supra* note 6, at 82. As a result of the campaign, a little over 700,000 people were taught to read and write. The illiteracy rate in Cuba dropped from 23.6% to about four percent. Huberman & Sweezy, *supra* note 18, at 27. Fifty-five percent of those taught to read and write were women. Second Congress FMC, *supra* note 1, at 101. For an account of the literacy campaign, see generally Jonathan Kozol, *Children of the Revolution* (1978).

21. See Padula & Smith, *supra* note 6, at 80-81; Randall, *supra* note 4, at 24.

22. Among the first such schools were the Ana Betancourt Escuelas Campesinas for rural women. Thousands of *campesinas* were brought from rural areas into the city of Havana to attend these schools. Cuban Revolution, *supra* note 2, at 11; Heidi Steffens, *FMC: Feminine, Not Feminist*, *Cuba Rev.*, Sept. 1974, at 22. In addition, approximately 20,000 former domestic servants attended special schools for the Advancement of Domestic Servants established in Havana in 1960. Many of these women were trained to staff the child-care centers established the following year. Benglesdorf & Hageman, *supra* note 10, at 5.

23. See Cuban Revolution, *supra* note 2, at 11; Isabel Largaia & John Dumoulin, *Women's Equality and the Cuban Revolution*, in *Women and Change in Latin America* 344, 348 (June Nash & Helen Safa eds. 1986). The authors report that many of these women came from homes where their parents "would often frown on their even learning to read and write." *Id.*

24. Cuban Revolution, *supra* note 2, at 11, 41-42.

25. Day-care centers, *circulos infantiles*, were first started by the FMC in 1961. The FMC trained women to work in the centers; many were former domestic servants. Second Congress FMC, *supra* note 1, at 102-03. In 1974, there were 645 centers serving over 50,000 children. *Id.* at 104. The number has grown slowly since then due to economic constraints; as of 1984, 838 day-care centers existed. Cuarto Congreso de la Federación de Mujeres Cubanas, Informe Central 53 (1984) [hereinafter Fourth Congress FMC].

for pregnant women was enacted in 1963;²⁶ and educational opportunities were created which helped women advance into new areas of work.²⁷ These material supports enabled the FMC to encourage significant numbers of women to enter the paid work force. In 1964, a Secretariat of Production was created within the FMC to examine the issues concerning the incorporation of women into the work force and to develop a strategy for incorporation.²⁸ Slow, steady progress was achieved in the 1960's, largely as a result of incorporating women who had previously worked as domestics into new jobs.²⁹

The challenge of the great "ten ton sugar harvest" planned for 1970 required a massive mobilization of the population, including both men and women, into productive work.³⁰ In the late 1960's the Confederation of Cuban Workers (CTC), the national trade union organization,³¹ and the Ministry of Labor responded to the need to incorporate more women into the work force to reduce the labor shortage. In 1968, the Ministry of Labor adopted a preferential hiring program for women under which certain jobs, particularly in the textile industry, were set aside for women.³² In 1969 and 1970, more than 100,000 women entered the production forces in both paid and voluntary work.³³ For the majority of women, this was to be their first work experience outside the home.

The following year the *Frente Feminino*, or Feminine Front, was organized as a secretariat within the CTC to monitor the pro-

26. Maternity Law of 1963, Law No. 1100 (1963). The Working Woman Maternity Law of 1974 expanded the benefits provided by this earlier law. See *infra* notes 133-138 and accompanying text.

27. See Second Congress FMC, *supra* note 1, at 104-05. During the first 15 years of the revolution, the number of students enrolled in schools of higher education increased more than fivefold from 15,600 to 83,800. Marvin Leiner, *Cuba's Schools: 25 Years Later*, in Cuba, *supra* note 6, at 27, 31. Education at all levels in Cuba is free, even adult education programs, and students receive additional support in the way of room and board. *Id.* By 1983, Cuba ranked 20th among 142 countries in the percentage of women enrolled in university programs. *Id.*

28. For a description of the structure of the FMC, see *infra* text accompanying notes 45-55.

29. Although some of the employers of domestic servants—the middle- and upper-class population—stayed in Cuba after the revolution, a large number left. See Cuban Revolution, *supra* note 2, at 10.

30. Benglesdorf & Hageman, *supra* note 10, at 3.

31. For an analysis of the trade union movement in Cuba since the revolution, see Marifeli Pérez-Stable, *Class, Organization, and Conciencia: The Cuban Working Class After 1970*, in Cuba, *supra* note 6, at 291.

32. See Cuban Revolution, *supra* note 2, at 13-14. Resolution 47, which embodied the program, was repealed after the CTC voted in 1973 to end it. It had become clear that despite educational and training programs there were still not enough women in the work force to fill all the jobs set aside. *Id.*

33. Padula & Smith, *supra* note 6, at 84.

gress and address the needs of women in the workplace.³⁴ The Front, renamed in the 1980's the Department of Women's Affairs,³⁵ has become one of the most active groups within the CTC and a powerful voice for women.³⁶

The first decade of the revolution brought impressive achievements. The national priority given to free education yielded dramatic results. Illiteracy in Cuba dropped from twenty-three percent to less than five percent.³⁷ By 1970 young women made up fifty-five percent of high school students and forty percent of those attending institutions of higher education.³⁸ The professions were immediately opened to women. Nearly one-half of Cuban medical students in the mid-1960's were women.³⁹ By 1971,

34. Very little literature on the Feminine Front exists. For a brief description of the Feminine Front, see Carollee Benglesdorf, *The Frente Feminino*, Cuba Rev., Sept. 1974, at 27. Each work center elects a delegate to the Front. Delegates are elected not just by women, but by all workers in the work center. As a result, a small number of men are elected delegates. The rationale for not keeping the Front exclusively female is that the goal of women's equality is not separate from the advancement of society as a whole. *Id.* at 28.

35. Interview with Esther Lidia Chinaea, National Director of the Dep't of Women's Affairs of the CTC, in Havana (Dec. 27, 1985). According to Chinaea, the change was made because the name "Front" was too confrontational in tone and inconsistent with the principle of women's solidarity with the revolution. *Id.*

36. For further description of the Department's activities and achievements, see *infra* text accompanying notes 56-64.

37. See *supra* note 20.

38. Benglesdorf & Hageman, *supra* note 10, at 5. Almost half of the 15,000 students enrolled in state-funded universities were women in 1956-57. Marcia Dolores Ortiz, Cuban Women in Higher Education 20-21 (1985). Less than 20 of these, however, were enrolled in engineering or the sciences. *Id.* During the 1984-85 school year, of more than 240,000 students enrolled in Cuba's universities, approximately half were women. *Id.* at 22. Moreover, approximately half of the students enrolled in schools of technology, sciences, economics, and medicine were women. *Id.* at 23.

39. Cuban Revolution, *supra* note 2, at 11. As of 1984, women comprised well over half of Cuba's medical students. Ortiz, *supra* note 38, at 23. The advances in health care in Cuba are almost legendary and are cited even in committee reports of the United States Congress. Since 1959, the infant mortality rate in Cuba has declined from 60 per 1,000 live births to 16.8, a rate which rivals most developed nations. *Maternal-Infant Care in Cuba*, Granma Weekly Rev., Nov. 4, 1984, at 3, 5. This rate is lower than that found in United States cities with large minority populations, like Washington, D.C., which has an infant mortality rate of 25.1 per 1,000 live births. U.S. Dept. of Commerce, Statistical Abstract of the United States 1985, at 73 (1985). In a report on the Cuban economy prepared for the Joint Economic Committee of the United States Congress in 1982, Lawrence Theriot notes that among the socioeconomic accomplishments of the Cuban Revolution that have attracted international attention is the "[e]stablishment of a national health care program that is superior in the Third World and rivals that of numerous developed countries." Lawrence H. Theriot, Cuba Faces the Economic Realities of the 1980s, study prepared for the use of the Joint Economic Committee, U. S. Cong. 5 (1982).

The impact of Cuba's example in providing quality health services to all its citizens free of charge prompted the Reagan administration to issue an order to all Health Services Agency employees prohibiting them from traveling to Cuba, exchanging information with Cubans, or participating as World Health Organization

the percentage of women in the labor force had reached twenty-three percent nationwide with even greater increases in rural areas.⁴⁰ In 1973, 451 day-care centers had been created serving 50,000 children.⁴¹

Some observers argue that the advances in providing day-care and liberal maternity benefits were not promoted primarily to help women, but rather to push them into unfilled jobs.⁴² Socialism, as well as capitalism, requires a productive work force. The changes in Cuba, however, went far beyond what was necessary simply to get women into assembly lines. Although the majority entered jobs traditionally held by women,⁴³ Cuban women were given opportunities to and did enter a wide variety of professions.⁴⁴

Weighing the results of this decade of change, women clearly

consultants to Cuba without prior clearance from the United States Department of State. The State Department's Director of the Office of Cuban Affairs explained the rationale for the order:

[Cuba's] efforts to portray itself as a world-class medical power are intended to attract third-world appreciation of the "Cuban model," and thus to chip away at its isolation and gain allies for its policies. Medicine in Cuba is not, therefore, apolitical. It is used as a foreign policy tool of the regime.

Memorandum of the Surgeon General & Director, Office of Int'l Health, Dep't of Health & Human Services to Agency Heads & Agency Int'l Representatives (July 11, 1985).

40. Benglesdorf & Hageman, *supra* note 10, at 8. The figure is even more impressive when one considers the difficult challenge of expanding production and absorbing the large numbers of unemployed men in an underdeveloped country faced with an almost total hemispheric economic blockade imposed by the United States and its Latin American allies in 1961. Canada and Mexico were the only major trading partners of Cuba in the hemisphere which did not join the blockade. Although almost all Latin American countries now trade with Cuba, the direct U.S. blockade continues, and the United States has used other tactics, such as excluding goods imported from the Soviet Union containing nickel manufactured in Cuba, and threatening the same against other countries. This has had a negative impact on Cuba's developing nickel industry. See Elaine Fuller, *Ban on Cuban Nickel*, *Cubatimes*, Mar.-Apr. 1984, at 9. For discussion of the international law implications of the United States blockade, see Paul Shneyer & Virginia Barta, *The Legality of the U.S. Economic Blockade of Cuba Under International Law*, 13 *Case W. Res. J. Int'l L.* 451 (1981).

41. Second Congress FMC, *supra* note 1, at 119. Day care was initially free, but by 1970 the government began charging \$25 per month for day-care services. The actual cost for one child at that time was about \$100 a month. Padula & Smith, *supra* note 6, at 85.

42. See, e.g., "La Silenciada," *Cuba: Paradise Gained, Paradise Lost—The Price of "Integration,"* in *Sisterhood is Global: The International Women's Movement Anthology* 169 (Robin Morgan ed. 1984).

43. See Benglesdorf & Hageman, *supra* note 10, at 7 (chart showing large percentages of women who worked in textile production (80%), health services (60%), and education (55%)).

44. See *supra* note 38. Cuban women may have been the indirect beneficiaries of the United States-directed embargo, which deprived Cuba of technical assistance and technology and caused the flight of large segments of the Cuban professional class and skilled workers. As a result, Cuba desperately needed skilled personnel

had many more educational and economic opportunities than before the revolution. Nevertheless, the improvements did not reflect a pervasive societal acknowledgment of women's equality. Despite massive incorporation of women into paid productive and volunteer social service work, women remained barely visible in the ranks of leadership outside their own organizations. Nevertheless, the first steps in the process through which advancement into leadership positions could be achieved had been taken. Moreover, Cuban women now had national organizations which specifically addressed their role in society and concerns in the workplace.

III. Women's Organizations

A creation of the revolution, the FMC⁴⁵ is officially recognized as a mass organization charged with "fulfill[ing] the state functions . . . according to the Constitution and the law."⁴⁶ It is not clear what those "state" functions are; nor is the relationship between the Communist Party of Cuba (PCC), the Peoples Power Assemblies,⁴⁷ and the FMC clearly defined.⁴⁸ From 1960 to 1975, the Party leadership exercised considerable guidance over and gave direction to the activities of the FMC. The Party still provides policy guidance, but the content of Party policy today is derived in large measure from information and proposals made by the FMC. Since the 1970's, as the goal of women's equality has become more

at all levels of the economy. Thus, education became a priority and entry to schools of higher education was rapidly opened to women.

45. For a description of the origin of the FMC, see *supra* notes 11-17 and accompanying text.

46. Constitution of the Republic of Cuba, ch. I, art. 7 (1976) (English translation, Center for Cuban Studies, New York). Other mass organizations include the Confederation of Cuban Workers (CTC), the Committees for the Defense of the Revolution (CDR), the National Association of Small Farmers (ANAP), and the Federation of University Students (FEU). *Id.* For a description of the CTC, the CTC Secretariat, and the Department of Women's Affairs, see *supra* notes 31-36 and accompanying text. Mass organizations are national organizations representing various sectors of Cuban society. They are officially recognized by the Constitution, receive some state financial support, and have substantial influence in decision making. Many other organizations also exist such as the National Union of Cuban Jurists, the National Union of Writers and Artists, the National Union of Journalists, and the Cuban Ecumenical Council.

47. The Peoples Power Assemblies are the legislative bodies established by the 1975 Constitution to govern the nation. The assemblies exist at the municipal, provincial, and national levels. For further description of Cuba's legislative organs, see *infra* note 145.

48. Article 73 of the statutes of the Communist Party of Cuba states: "The Party guides and directs the work of the mass . . . organizations . . . while recognizing the organic independence and autonomy of those organizations." Second Congress of the Communist Party of Cuba, Documents and Speeches 154 (1981) [hereinafter Second Congress PCC].

clearly defined by the FMC, the FMC has taken more initiative in defining issues and proposing solutions for adoption by the Party and the legislative bodies.

FMC decisions are made and projects undertaken in the context of social, political, and economic policies of the revolution at a given time.⁴⁹ Within that context, the FMC has played the role of communicator of state policy, initiator of policy recommendations, and implementer of programmatic work.⁵⁰

Membership in the FMC is voluntary and presently includes 83.5% of Cuban women starting at age fourteen.⁵¹ The organization grew rapidly. In 1961 there were approximately 17,000 members.⁵² Within two years, by the date of its first congress, more than 350,000 Cuban women had joined.⁵³ Though initially supported financially by the state, it is now seventy-eight percent self-financed, primarily from membership dues.⁵⁴

The structure of the FMC parallels the pyramidal scheme of the national political institutions. The base level consists of small delegations which are grouped into *bloques* roughly corresponding to a neighborhood. These *bloques* elect delegates to municipal, provincial, and national committees. Issues are raised at all levels for discussion and action, but policy is made at the national level. Although the full congress, which is attended by several thousand women, meets only every five years, the national plenary meets annually to discuss issues and to direct the work of the organization.⁵⁵

Like the FMC, the Women's Affairs Department of the

49. In 1975, the First Congress of the PCC defined the "immediate task" of the FMC to be: "to intensify—together with the rest of the political and mass organizations—the fight for the creation of the objective and subjective conditions which permit the full exercise of equality of women." *Plataforma Programática del Partido Comunista de Cuba 147* (1982) (author's trans.).

50. Among the work undertaken by the FMC is the recruitment of women into the Territorial Troop Militia, a voluntary civil defense force. Women now make up 48% of this force. Karen Wald, *Cuban Women: Still a Long Way to Go*, *Cubatimes*, May-June 1985, at 1, 15. The FMC also continues to organize the Militant Mothers for Education (which fosters parental involvement with children's education), health brigades, and cultural activities. Some of these activities are undertaken with the CDRs. In addition, the FMC as an organization is concerned with many issues of concern to women including sex education, teenage pregnancy, physical fitness, and nutrition. It also oversees publication of two magazines, *Mujeres* and *Muchacha*, as well as the production of television programs for women.

51. Fourth Congress FMC, *supra* note 25, at 9.

52. First Congress FMC, *supra* note 17, at 6.

53. *Id.*

54. Fourth Congress FMC, *supra* note 25, at 18.

55. See Ministerio de Justicia, *La Mujer en Cuba Socialista* 5-18 (1977).

CTC,⁵⁶ formerly called the Feminine Front, has a national structure with councils at the national, provincial, municipal, and work-center levels of the trade unions.⁵⁷ It is not, however, a membership organization, and delegates are elected by members of the CTC.⁵⁸ The Department takes an aggressive approach to promoting women's equality in the workplace.⁵⁹ Some say that the Women's Affairs Department represents the interests of women workers, while the FMC represents housewives.⁶⁰

The primary functions of the Department are to address women's concerns in the workplace and to monitor hiring and promotion decisions. It also supervises courses given to women to increase their work qualifications and holds seminars to explain to women the laws which affect them.⁶¹ Furthermore, the Department investigates claims of discrimination and has begun analyzing the effect of incentive systems on women.⁶² The principal focus of its current work is to increase the promotion of women into management positions.⁶³ The success of women in moving into leadership positions at the local trade union level, in proportions higher than they represent in the work force, is evidence of the strength of the Department.⁶⁴

IV. Defining Goals and Confronting Obstacles

The emphasis of the FMC's work during the 1960's had been almost entirely on getting women out of the house and into some kind of participation—into educational programs, into voluntary service, and into the workforce. These efforts necessitated confronting the entrenched notions of the traditional role of women as circumscribed by home and family. Success in breaking down these social and psychological barriers generated a new consciousness among many women who began to seek not just opportunities for participation but conditions which would lead to equality for all women.⁶⁵

56. For a description of the origin of the Women's Affairs Department, see *supra* notes 34-36 and accompanying text.

57. China interview, *supra* note 35.

58. Benglesdorf, *supra* note 34, at 28.

59. China interview, *supra* note 35.

60. *Id.*

61. *Id.*

62. *Id.*

63. *Id.*

64. See *infra* note 158 and accompanying text.

65. The FMC and the Women's Affairs Department concerned themselves with women from all sectors of society—the well educated as well as the newly literate, professionals as well as production workers. This equal concern reveals the social-

Unlike their counterparts in the developed world, Cuban women rapidly gained equal access to higher education and the professions after the revolution.⁶⁶ Equality in the workplace and in leadership, however, were not as readily achievable. Women's organizations recognized that the gains made by women were not permanent as they were not accompanied by any real societal transformation of consciousness.

One indication of the problem was the large number of women leaving the work force. Although over 700,000 women joined the labor force from 1969 to 1974, more than 500,000 simultaneously dropped out.⁶⁷ Thus, the net increase during these years was less than 200,000.⁶⁸ Concern over the impermanence of female workers was heightened by the economy's growing demand for workers.⁶⁹ The FMC and the Women's Affairs Department of the CTC studied the problem to find out why the female labor force was so unstable. The major problems were not difficult to identify and were listed by the Second Congress of the FMC: "[p]ressure of home and family, [inadequate] services, lack of economic incentive, lack of minimal conditions of hygiene and protection at work sites, lack of political work with the newly-incorporated women on the job, [and] a lack of understanding concerning women's role in society."⁷⁰

A double duty burdened women—what has been called the "second shift."⁷¹ Traditionally, housework was exclusively women's work. Women's participation in social and economic activi-

ist content of the women's movement and underscores the elimination of class bias in the search for women's equality in Cuba.

66. See *supra* note 38.

67. Tesis y Resolución: Sobre el Pleno Ejercicio de la Igualdad de la Mujer 16 (1976) [hereinafter Tesis]. This thesis on women's equality was presented to and adopted by the First Congress of the PCC in December 1975.

68. *Id.*

69. See Benglesdorf & Hageman, *supra* note 10, at 6. A vagrancy law went into effect in March of 1971. Although the statute states in article 1 that "[a]ll citizens who are physically and mentally fit have the social duty to work," and includes all such women between the ages of 17 and 55, only men are legally accountable for not working. *Id.* Benglesdorf notes:

The law stops short of making it a crime if women do not work. But its direction is clear. The discussions it provoked made this obvious. *Granma* of March 14, 1971 reported that during the discussions of the law, one of the changes proposed, but not adopted, was "that it be applied to single women who neither work nor study." Some work centers recommended that the full weight of the law be applied to women. Generally, however, it was recognized that the material conditions did not yet permit such an application.

Id.

70. Second Congress FMC, *supra* note 1, at 116.

71. See Benglesdorf & Hageman, *supra* note 10, at 6-11.

ties outside the home did not relieve them of responsibility for *all* the household chores and care of their children.⁷²

The Cuban film *Portrait of Teresa*, made in 1976, vividly portrays the pain and frustration of a young woman trying to respond to the multiple demands of job, family, and self.⁷³ There is no happy ending. Teresa's struggle, universal to working women, is all the more difficult in an underdeveloped economy. Material conditions in Cuba had not advanced to the extent that services, convenience goods and foods, or electric appliances (*electricos domesticos*) such as washing machines were readily available.

In addition, because the economy was struggling to provide basic goods, a family could buy few consumer items with excess income. Therefore, if the husband worked, the wife had little economic incentive to work as well. Equally important, attitudes about the role of women in society had not advanced very far. Most men, as well as women, continued to hold "old-fashioned" beliefs about women as participants in economic and political activity.⁷⁴

Continued economic growth could ameliorate the material conditions which hindered women's participation, but only a full-scale assault on subjective attitudes could effect the radical change necessary to women's development. Change would require the commitment of the entire society. That commitment did not originate with the population; rather, it was initiated by the governing leadership which marshalled the nation's institutions to support the goal of women's equality.

In large measure, the failure of the FMC and other institu-

72. A survey of 251 working women in 1975 showed they spent "an average of 13 hours a day on job-related or household activities, and eleven and a half hours on weekends, due to the accumulation of housework." Tesis, *supra* note 67, at 15-16 (author's trans.).

73. Cuban film has consistently played an important role in heightening societal consciousness of women's burdens and frustrations in the Cuban Revolution. Examples of such films include *de Cierta Manera*, which candidly portrays the frustration of a school teacher whose consciousness and aspirations have advanced beyond the people she serves. The film also deals with manifestations of "machismo" among Cuban men. A more recent film, made in 1983, *Hasta Cierta Punto*, is a painfully honest look at the complexity of the male/female relationship in contemporary Cuba. A popular film in Cuba and winner of first prize at the Latin American Film Festival, Havana, 1983, the film demonstrates a perceptive and sophisticated consciousness of the issues. Less can be said of television and magazine images of women, which tend to reinforce traditional roles of women. Many articles and programs are devoted to health, fashion, cooking, and romance. A recent television serial, however, dealt with the subject of machismo and the role of women in the early stages of the revolution in the city of Santiago de Cuba.

74. See Cuban Revolution, *supra* note 2, at 15. Stories abound of husbands appearing at job sites or FMC or CDR meetings and demanding that their wives return home. Ferrera interview, *infra* note 96.

tions early on to articulate and define the goal of women's equality impeded progress in the steady incorporation of women into productive work. In the mid-1970's, critical years in the political and economic development of the revolution, the FMC, the CTC, and the Cuban Communist Party (PCC) each addressed the question of women's equality and the necessity of eradicating the conditions which keep women in an unequal status. The central theme of the Second Congress of the FMC, held in March 1974, was not simply the incorporation of more women into productive service, but the "struggle for women's equality."⁷⁵ The First Congress of the Cuban Communist Party in 1975 took up this theme and embraced women's equality as an objective of the Cuban Revolution: "[T]he participation of women in society must be in absolute equality with men, and so long as any vestige of inequality remains, it is necessary to continue working to achieve this objective of the revolution."⁷⁶ Recognizing the historical double exploitation of women, the Thirteenth Congress of the CTC in 1973 also approved a resolution on the full equality of women.⁷⁷

Rhetoric was translated into far-reaching legislation, which the FMC had a role in shaping by initiating proposals, reviewing drafts, and recommending changes. Both the new Family Code⁷⁸ and Constitution,⁷⁹ enacted in 1975 and 1976 respectively, declare the equal status of men and women in Cuban society. Although the direct impact of these laws on the achievement of women's equality has been mixed, yielding both advances and disappointments for women, they have had broader significance by not only codifying the commitment to equality, but, most importantly, articulating an ideal against which progress could be measured.

75. Castro, *supra* note 1, at 281.

76. Tesis, *supra* note 67, at 9 (author's trans.). This thesis as well as other theses presented at the Congress were discussed at length in the year preceding the Congress at work places, schools, military units, and mass organizations. See Randall, *supra* note 4, at 33.

77. Trece Congreso de la CTC, Resolución Sobre la Mujer Trabajadora, 152-54 (1973). The CTC Congress resolved to 1) contribute to women's full and dignified access to whatever type of work as a right and duty conferred by the socialist society; and 2) to realize the incorporation of women into work with full equality with men. *Id.*

78. Family Code, Law No. 1289 (1975). The Family Code was approved by popular referendum in November 1974. It was officially enacted by the Council of Ministers on February 14, 1975 and became effective on International Woman's Day, March 8, 1975. For a discussion of the provisions of the Family Code, see *infra* notes 92-101 and accompanying text.

79. Constitution of the Republic of Cuba (1976).

A. *The New Constitution*

The new Constitution, approved by popular referendum in February 1976,⁸⁰ contains provisions which expressly recognize women's equality. The new Constitution incorporates as constitutional law the equal relationship of men and women in marriage codified in the Family Code,⁸¹ and specifically prohibits discrimination on the basis of sex: "Discrimination because of race, color, sex or national origin is forbidden and is punished by law. The institutions of the state educate everyone, from the earliest possible age, in the principle of equality among human beings."⁸² In addition to prohibiting discrimination, the Constitution expressly grants women "the same rights as men in the economic, political and social fields as well as in the family."⁸³ The Constitution also guarantees the right to work to both men and women.⁸⁴

Cuba's Constitution designates the National Assembly, not the courts, as the arbiter of legislative constitutionality.⁸⁵ Thus, to redress legislation which is discriminatory or contradictory to the Constitution, women must seek action from the National Assembly or from administrative bodies to which the National Assembly has delegated authority. Women have been largely successful in their efforts to do so.⁸⁶

80. The Constitution, like the Family Code, was circulated in draft form among the mass organizations for discussion and recommendations. See Randall, *supra* note 4, at 33. Although the changes made as a result of these discussions were minor, the discussions played a very important role in educating the public to the provisions and implications of the new constitution.

81. Chapter III, article 35 of the Constitution states: "Marriage is the voluntary established union between a man and a woman. . . . It is based on full equality of rights and duties for the partners, who must see to the support of the home and the integral education of their children through a joint effort."

82. Constitution of the Republic of Cuba, ch. V, art. 41 (1976).

83. *Id.* at ch. V, art. 43. This article further states:

In order to assure the exercise of these rights and especially the incorporation of women into socially organized work, the state sees to it that they are given jobs in keeping with their physical makeup; they are given paid maternity leave before and after giving birth; the state organizes such institutions as children's daycare centers, semiboarding schools and boarding schools; and it strives to create all the conditions which help to make real the principle of equality.

It is not stated why this article was thought necessary in addition to articles 40 and 41. It can be interpreted as an expression of paternalism which perpetuates unequal treatment based on physical capacity and child-rearing responsibilities, but it can also be seen as making explicit the commitment to women's equality and commitment to the principle that equality requires benefits which support women in their roles as mother.

84. Chapter I, article 8(b) of the Constitution provides: "The socialist state . . . guarantees that every man or woman who is able to work have the opportunity to have a job."

85. *Id.* at ch. VIII, art. 73(c).

86. See, e.g., *infra* notes 165-168 and accompanying text.

B. The Social Sphere: Home, Marriage, and Family

The initial response to the double burdens of working women focused on material, rather than subjective, social conditions. Thus, it was thought that if housework could be made easier, the "second shift" would be shortened. Programs to make grocery shopping more convenient and faster were instituted in the early 1970's.⁸⁷ The number of day-care centers and boarding schools has continued to increase.⁸⁸ In addition, improvement in economic conditions, particularly since 1980, has made possible the provision of more services and goods which ease the burden of housework.⁸⁹ These improvements in no way match what is available to women in developed countries—Cuban women do not have microwave ovens or food processors—but they far surpass general conditions in other third world countries.

Improved material conditions, however, clearly did not and could not solve the problems of the "second shift"; they merely shortened it.⁹⁰ Since Cuba has maintained the nuclear family as the "elementary cell of society"⁹¹ and has not socialized family responsibilities, the weight of these responsibilities falls on individuals, not society as a whole. Thus, if women truly were to have opportunities to be fully integrated into productive work and leadership, men had to be integrated into housework.

The duty of husband and wife to share household responsibilities became a legal obligation in 1975 when the Cuban Family Code was enacted.⁹² The Code was approved by popular vote after a lively national discussion.⁹³ Under the Code, husband and wife

87. These programs enabled working women to leave a shopping list at the grocer to be filled while she was at work or permitted working women priority in lines at grocers. Benglesdorf & Hageman, *supra* note 10, at 9.

88. See *supra* note 25.

89. See Fourth Congress of the Federation of Cuban Women, Draft Thesis: Cuban Women: 25 Years of Revolution 35-37 (1984) [hereinafter Draft Thesis IV]. The amount of consumer goods increased considerably from 1975 to 1980. The number of refrigerators distributed almost tripled, and the percentage of homes with refrigerators increased from 15% to 38%. The percentage of homes with washing machines increased more than five times, jumping from 6% in 1975 to 34% in 1980. Second Congress PCC, *supra* note 48, at 28. By 1985, 50% of Cuban homes had refrigerators and 59% had washing machines. Cuba Indicadores Economicos—Sociales y Politicos, 1981-1985, at 14-15 (1985).

90. Germaine Greer suggests that because Cubans are so fastidious about cleanliness, material improvements only permit women to do more housework in the same amount of time. Germaine Greer, *Politics: Cuba*, in *Women: A World Report* 271, 284 (1985).

91. Proclamation to the enactment of the Family Code.

92. Family Code, Law No. 1289 (1975).

93. The draft of the Family Code was circulated and discussed at all levels of the society, including base organizations like the worker assemblies and local CDRs as well as by the Party apparatus. It was even discussed by junior high school stu-

have equal rights and duties in the marriage. These duties are not abstract. Article 26 explicitly states:

Both parties must care for the family they have created and each must cooperate with the other in the education, upbringing and guidance of the children. . . . They must participate, to the extent of their capacity or possibilities, in the running of the home and cooperate so that it will develop in the best possible way.⁹⁴

The Family Code also reinforces the equality of the marital relationship by making all marital property, including wages, joint property.⁹⁵

The significance of the Family Code is not that it creates a legally enforceable duty to share housework. Enforceability of article 26 is doubtful. Rather, it codifies a societal norm and has become a tool for education and change. The adoption of the Family Code and the continuing discussion it fostered has altered the way Cubans now view domestic relations. Although men did not help with the laundry and cooking immediately, and many still resist particularly among older generations,⁹⁶ the message was clear that the correct, revolutionary thing for a man to do is to share in housework. This ideal of the marital relationship is promoted in education and through the mass media, and it is reportedly catching on among younger couples.⁹⁷

The Code also gives women equal rights with respect to divorce. Either party may seek a divorce,⁹⁸ which takes about a month from the time the request is made for a judicial decree dissolving the marriage. Partly as a result of the new law which

dents, even though they were not yet old enough to vote, because of its importance to their future. See Randall, *supra* note 4, at 37. Randall reports that, like almost all major pieces of legislation (for example, the Criminal Code, the Constitution, and the new Housing Law passed in 1984), the Family Code was published in cheap tabloid editions before its adoption so that virtually every citizen could have her or his own copy to study. *Id.* at 37-38. Despite passage, the Family Code was the butt of disparaging jokes by many men. Stories have been told about Cubans who left Cuba because the Family Code was destroying family life.

94. Family Code, tit. I, ch. II, § 1, art. 26 (1975).

95. *Id.* § 2, arts. 29-30.

96. Interview with Rita Perrera, Federation of Cuban Women, in Havana (June 4, 1984). See also Cuban Revolution, *supra* note 2, at 21.

97. Among younger couples, such sharing is increasingly becoming an accepted way of life according to Rita Perrera, a member of the national staff of the FMC. Perrera interview, *supra* note 96. See also Wald, *supra* note 50, at 14. If the evolution of humor is any indicator of a trend, men's attitudes toward household responsibilities have changed. Perrera recounted that when the Family Code was first passed, men poked fun at others who helped in household chores such as washing dishes and laundry. Now, she says, many jokes are pointed at the men who do not do their share.

98. Family Code, tit. I, ch. III, § 4, art. 53.

makes it easy to obtain a divorce and as a result of changed societal conditions which give women more freedom, the divorce rate in Cuba has more than tripled since the revolution.⁹⁹ Women's economic independence from men has given women the option to choose, decline, or end a marriage. At the same time, economic independence encourages, if not necessitates, pursuit of a career. Support of children remains the mutual and enforceable obligation of both parents; thus, divorce does not inequitably increase the economic burden of women.¹⁰⁰ Women retain custody in all but exceptional instances,¹⁰¹ however, and so child-care responsibilities still unequally burden divorced women.¹⁰²

C. *The Economic Sphere: Employment and Work Conditions*

1. Impact of economic reform.

At the same time the Family Code and Constitution were adopted, other major institutional and legislative changes were occurring in Cuba which reorganized its economic and political structure. These changes have had a profound impact on women's rights and on the organization of social and economic institutions in general.

The First Congress of the Communist Party adopted sweeping reforms in the structure of economic institutions to enhance efficiency. Under the new system, decentralized management in semiautonomous enterprises replaced centralized management of production.¹⁰³ The FMC nervously viewed the change as a setback for women because it thought that centralized agencies which con-

99. See Padula & Smith, *supra* note 6, at 84 (divorce rate rose from 8.5% in 1959 to 30.2% in 1974).

100. Family Code, tit. I, ch. III, § 4, art. 59. One commentator argues that working mothers, particularly if they are divorced, have unequal financial burdens since they must care for children and pay for day care. Muriel Nazzari, *The "Woman Question" in Cuba*, 9 Signs 246, 258 (1983). Since the law requires that these burdens be shared, however, the cost of child rearing should not impact more on women than men. Moreover, the Family Code states that "[t]he economic basis of matrimony will be joint property" which includes salaries and wages. Tit. I, ch. II, § 2, arts. 29-30. Thus, the man's salary contributes to day-care services as well as the woman's.

101. Family Code, tit. I, ch. II, § 2, art. 89.

102. Cuban women have freedom of choice with respect to childbearing. Abortion in the first trimester is legal, readily available, and provided free to all Cuban women. An urgent medical reason is required for abortions after the first trimester. In addition, contraceptives are also readily available. See Randall, *supra* note 4, at 69.

103. For an explanation of the new economic system and the structure of semi-autonomous enterprises, see Andrew Zimbalist, *Cuban Economic Planning: Organization and Performance*, in Cuba, *supra* note 6, at 213.

tracted employment could more effectively implement programs of preferential placement. The FMC feared that enterprise managers, responsible for profitability, would use efficiency as an excuse to discriminate against women in selecting personnel.¹⁰⁴ Decentralization was only implemented in 1980 and has taken time to function as planned. The evidence since 1980 bears out the fears of discriminatory practices, and the FMC has recently cited instances of injustice and discrimination against women.¹⁰⁵

Decentralization, however, makes specific discriminatory conduct more identifiable, and local management is now individually accountable for discrimination in hiring and promotion decisions.¹⁰⁶ Thus, unlike infractions of familial duties under the Family Code, the laws prohibiting discrimination are readily enforceable. The FMC has called for that enforcement.¹⁰⁷

Many women, however, do not make claims to vindicate their rights. As the FMC recently noted, many women, as well as men, do not know their rights or how to enforce them.¹⁰⁸ At its last national congress, the FMC resolved to correct this problem.¹⁰⁹ Moreover, as workers in general have more input into working conditions, management policies, and planning decisions,¹¹⁰ the role of the Women's Affairs Department will take on greater importance. The voices of women will have more influence in the workplace, enabling them to combat discrimination and call management to account for its failure to hire and promote women.

Measures designed to stimulate productivity have a less visible, but equally discriminatory effect. Exemplary workers who over achieve production quotas and work voluntarily on weekends are rewarded with household appliances such as washing ma-

104. Tercer Congreso de la Federación de Mujeres Cubanas, Memorias 72-73 (1984) [hereinafter Third Congress FMC].

105. See Draft Thesis IV, *supra* note 89, at 12-13, 17.

106. In 1980 a new disciplinary code was enacted governing conduct by enterprise managers and directors. Decreto-Ley No. 36 (Sobre la Disciplina de los Dirigentes y Funcionarios Administrativos Estatales) March 29, 1980. Although the law does not specifically cover discrimination in hiring and promoting women, article 5(j) provides that it is an infraction of discipline for a manager or director to hire or promote workers in a manner inconsistent with the social interest. In addition, chapter V, article 41 of the Cuban Constitution prohibits discrimination on the basis of sex.

107. See *infra* text accompanying notes 160-162.

108. Fourth Congress FMC, *supra* note 25, at 43.

109. *Id.* at 45.

110. See Zimbalist, *supra* note 103, at 221. For example, workers now participate in discussions of annual work plans in their enterprise. *Id.* They also participate in monthly assemblies where they discuss work conditions, production progress, worker education, and other issues of worker concern. *Id.* at 220. Worker delegates are elected to the enterprise management council to represent workers' views. *Id.*

chines, which are in short supply.¹¹¹ Ironically, married women or single women with children, who most need these appliances, cannot put in extra hours or volunteer time and also perform household duties. No credit is given for the hours spent caring for home and children.¹¹²

In addition, women are given excused absences from work to take care of sick children while men are not.¹¹³ Although intended to be helpful, these measures actually undermine women's advancement since they reinforce the unequal sharing of child care and also require women to be absent more frequently than men, hindering women's chances of employment and promotion.

Despite measures to increase female participation in the work force, the slowing of the Cuban economy and the growing international economic depression put women's progress in doubt in 1980. The Main Report of the Third Congress of the FMC suggested that, under the circumstances, further incorporation of women into the work force might have to be delayed.¹¹⁴ Remarks by Castro indicate that consideration had been given in 1980 to stalling women's progress in favor of giving jobs to young men who were just joining the labor force.¹¹⁵ Fortunately, the projections proved incorrect. The Cuban economy continued to grow, and women continued to enter the workforce in impressive numbers.¹¹⁶ The proposal favoring employment of young males over women, however, indicates that, despite rhetoric and legislative dictates supporting women's equality, the predominantly male leadership had considered subordinating the progress of women in times of economic difficulties.

This kind of trade-off was strongly rejected at the last FMC congress in 1984. In response to the practice of some enterprise managers using efficiency as a rationale for not hiring or promoting women, the FMC quoted a remark made by Fidel Castro at the FMC's previous congress: "We cannot be guided only by strictly economic criteria without taking into account the question of social

111. See *id.* at 219-20.

112. In discussions with members of the FMC in December 1985, I was told that the FMC was aware of the problem and studying possible solutions.

113. Draft Thesis IV, *supra* note 89, at 13-16.

114. The FMC noted that the pace of women's incorporation into the labor force would necessarily slow because of economic conditions and suggested that "the further incorporation of women will depend, primarily, on her skill and training and will come about slowly in accordance with the country's economic development." Third Congress FMC, *supra* note 104, at 72-73 (author's trans.).

115. Fidel Castro, *Speech given at the Fourth Congress of the FMC, March 8, 1985*, in *Granma*, March 24, 1985, at 2, col. 2.

116. Over 240,000 women entered the work force between 1980 and April 1984. Draft Thesis IV, *supra* note 89, at 9.

justice. We are not capitalists, we are socialists and we want to be communists."¹¹⁷ Thus, the Fourth Congress denounced subordination of women's equality to goals of efficiency and productivity. Instead, the congress addressed the causes of higher absenteeism among women and proposed solutions.¹¹⁸

2. Affirmative action and preferential treatment for women.

Cuba has implemented preferential programs to advance the employment of women. These programs have had varying success. The preferential hiring program of the late 1960's was abandoned in 1973 when it was shown that few qualified women applied to fill the positions allotted.¹¹⁹ A second plan, Resolution 511, was approved in 1980.¹²⁰ Pursuant to Resolution 511, women were given preference for almost 500,000 designated positions.¹²¹ The managers of enterprises designate these positions with the approval of the workers' councils.¹²² The FMC is to be consulted on the positions selected.¹²³ Since many more women had received education and training in the interim years, more qualified women existed to take these positions than before. According to the FMC, women presently occupy the vast majority of the reserved positions.¹²⁴ A special commission, comprised of representatives from the State Committee on Labor and Social Security, the CTC, and the FMC, was established in 1981 to oversee implementation of this program.¹²⁵

Women have not been the only beneficiaries of affirmative action measures. Faced with the growing dominance of women in some areas of higher education, Cuba has embarked on a preferential program for men. Women's success in gaining entrance to professional schools such as medicine and law had been so great that

117. Fourth Congress FMC, *supra* note 25, at 44 (author's trans.).

118. *See infra* notes 164-167 and accompanying text.

119. *See supra* note 32 and accompanying text.

120. Resolución 511 (Sept. 13, 1980) (State Committee on Work and Social Security).

121. Fourth Congress FMC, *supra* note 25, at 37.

122. Resolución 511(1)-(3). Preferential hiring under Resolution 511 does not displace male workers as the Cuban Constitution guarantees employment for all citizens. Constitution of the Republic of Cuba, ch. I, art. 8(b). Moreover, because certain positions are set aside for women, it does not require the administrators to select between a female and a male applicant for a particular job.

123. Resolución 511(2).

124. Fourth Congress FMC, *supra* note 25, at 37.

125. *Id.* Expressing concern for the success of the program, the Main Report of the Fourth Congress declared it "absolutely necessary" that the FMC take a more active role in the Commission's activities in the future. Draft Thesis IV, *supra* note 89, at 18.

they constituted sixty to seventy percent of incoming students in 1985.¹²⁶ Last year, medical schools instituted special quotas to maintain a proportional balance of men and women, though women continue to hold a slight edge.¹²⁷

3. Equitable pay.

Although concentrated in some areas of traditional work, Cuban women have not been locked into "feminine" jobs and locked out of nontraditional jobs as the result of preferential treatment. Women continue to break into new areas of work at both the production and professional levels. Nor have the growing proportions of women in certain fields resulted in a devaluation of that profession in terms of wages.¹²⁸ For example, women will soon constitute half the lawyers in Cuba.¹²⁹ Moreover, women are as likely to be specialists in criminal law or economic law as they are to specialize in domestic relations law.¹³⁰ The most recent proposals with respect to salary reform for lawyers call for an increase in maximum salaries from 400 to 500 pesos per month to be based on productivity, not area of specialty.¹³¹ Similarly, traditional areas of women's work are not less well paid, on the average, than nontraditional work. For example, women comprise a large proportion of health technicians. The entry level salary for nurses is equal to that of all other skilled technicians.¹³²

126. See Castro, *supra* note 115, at 4, col. 3.

127. *Id.*

128. This is a common phenomenon in the United States, for example, and is the focus of recent comparable worth court decisions. See, e.g., County of Washington v. Gunther, 452 U.S. 161 (1981); American Fed'n of State, County & Mun. Employees v. State of Washington, 578 F. Supp. 846 (W.D. Wash. 1983). Cuba avoids this problem. Salary schedules covering broad categories of work are legislated by the State Committee on Social Security and Labor. Salaries are not negotiated individually or by local trade unions with the management of a particular state enterprise. The unions do, however, have some say in overall salary schedules.

129. The dean of the law school at the University of Havana recently estimated that 70% of the entering classes were women. Interview with Luis Sola, in Havana (June 7, 1984).

130. This observation is based on numerous visits to law collectives in Havana and conversations with Cuban lawyers.

131. Informe de Rendición de Cuenta de la Junta Directiva Provisional a la Asamblea General de Bufetes Colectivos 4-5 (1985).

132. Compare Resolución 693 (April 15, 1981) (CETSS) with Resolución 741 (June 1, 1981) (CETSS) (salary schedules of technicians and nurses). In 1981, the starting salary for nurses depending on classification and experience ranged from 148 to 231 pesos. *Id.* Starting salaries for technicians in 1981 ranged from 111 to 198 pesos monthly. Resolución 693. For medical school graduates the starting salary for the first two years was 231 pesos a month. *Id.*

4. Benefits and paternalism.

Cuba has one of the most advanced maternity laws in the world. The Working Woman Maternity Law adopted in 1974,¹³³ which extends the benefits provided by the previous law of 1963,¹³⁴ demonstrates the extraordinary amount of concern and care for pregnant women and their babies in Cuba.¹³⁵ Fully paid maternity leave was extended from twelve to eighteen weeks.¹³⁶ Additional non-paid leave up to one year after childbirth may also be taken with a guarantee that the woman can return to her original position.¹³⁷ Women are also given one day of paid leave a month to visit a clinic for prenatal care before birth and one paid day leave a month during the child's first year for pediatric checkups.¹³⁸

Because of their reproductive capacity, women receive generous benefits, but they are also excluded from many kinds of work considered dangerous to female reproductive organs. The first such regulation, Resolution 48, adopted in the late 1960's, was overly inclusive and applied to all women whether they were of childbearing age or not.¹³⁹ Resolution 48 was replaced in 1976 by Resolution 40, which perpetuated the same paternalism although with a somewhat shorter list of exclusions.¹⁴⁰

In 1977, the National Assembly approved a new occupational health and safety law which superseded Resolution 40.¹⁴¹ The Women's Affairs Department of the CTC is studying the application of the new law to determine whether its protective measures re-

133. Law No. 1263 (1974).

134. Law No. 1100 (1963).

135. Cuban women received maternity benefits by law as early as 1934, but these benefits were limited and the law largely unenforced. Ferrera, *supra* note 96; Ministry of Justice, *Foreword* to Working Woman Maternity Law 3 (1975).

136. Working Woman Maternity Law, Law No. 1263, art. 2 (1975). Women are obliged to stop working in their 34th week of pregnancy. *Id.*

137. Resolución No. 2, art. 14 (1974) (Ministry of Labor). This resolution contains regulations for implementing the Maternity Law.

138. Working Woman Maternity Law, ch. V, arts. 12-13.

139. *See* Cuban Revolution, *supra* note 2, at 13-14. Under this regulation women were prohibited from all jobs requiring heavy lifting. The regulation prohibited women from entering many nontraditional jobs. As a result of women's complaints about the discriminatory nature of the regulation, it was changed. *Id.*

140. Resolución 40 (1976) (Ministry of Labor). The list was still shockingly long and overly inclusive in barring women from such jobs as all work below water or more than five meters above ground on scaffolds, and all work operating offset machines in book factories. *Id.* It drew criticism from the FMC at its Third Congress in 1980: "Resolution 40 still suffers from many of the defects of the previous regulations which are presently being revised to correspond to the reality of women today in our country." Third Congress FMC, *supra* note 114, at 78.

141. Law of Protection and Health in the Workplace, Law No. 13 (1977) (codified in the Labor Code, Law No. 49, chs. 7-8 (1985)).

sult in unnecessary discrimination.¹⁴² The law permits a woman to choose to work at jobs which generally exclude women, provided she obtains a certificate from her doctor indicating she is fit.¹⁴³ The Women's Affairs Department has been particularly aggressive in scaling back the number of positions not recommended for women and in protecting a woman's right to reject the recommendation.¹⁴⁴

D. Integration into Leadership

In addition to establishing women's rights to equality, the Constitution established a new political structure and institutions to govern the country.¹⁴⁵ Popular assemblies were to be elected by the people at the municipal, provincial, and national level. The new structure opened opportunities for women, as well as men, to participate in decision making by electing and being elected delegates to the Popular Assemblies. In the most recent elections, women took 11.5% of the delegate positions in the municipal, 21.4% in the provincial, and 22.6% in the national assemblies.¹⁴⁶ Although these figures represent an increase over the previous elections,¹⁴⁷ the FMC as well as the Party have expressed great dissatisfaction with the results.¹⁴⁸ Although far from what is re-

142. China interview, *supra* note 35.

143. *Id.*

144. China, *supra* note 35; Ora Schub, unpublished notes on interview with Digna Cires, Director of Women's Department of the CTC (Sept. 14, 1985) (on file with *Law & Inequality Journal*).

145. Chapters VII and VIII of the Cuban Constitution establish the state administrative and legislative bodies. All positions are elected, although only the municipal assemblies are elected by popular vote. The municipal assemblies elect the members of the provincial and national assemblies. The Council of State, the chief executive branch, is elected by the National Assembly. The administrative branch is the Council of Ministers composed of the heads of the various ministries. Its members are appointed by the president of the Council of States and approved by the National Assembly. Legislation is enacted by the National Assembly. See Archibald Ritter, *The Organs of People's Power and the Communist Party: The Nature of Cuban Democracy*, in Cuba, *supra* note 6, at 270, 274-75. When it is not in session, the Council of State may enact legislation (decree-laws) subject to repeal by the National Assembly at its next session. Pursuant to specific legislative authorization, ministries and state committees may issue decrees and resolutions.

146. Fourth Congress FMC, *supra* note 25, at 48.

147. The corresponding statistics in the elections of 1980 were: municipal 7.2%; provincial 17.8%; and national 21.8%. *Tesis: Participación de la Mujer en la Vida Económica, Política, Cultural y Social del País*, in Third Congress FMC, *supra* note 104, at 84.

148. See, e.g., Fourth Congress FMC, *supra* note 25, at 48; Second Congress PCC, *supra* note 48, at 377. Although the Cubans are not satisfied with these figures, the results are very impressive when compared to the number of women elected to the United States Senate (2%) and the House of Representatives (approximately 5%) as of 1986. 1985-86 Cong. Index (CCH) 11,001-02, 25,303-06.

quired for full equality, these results are somewhat encouraging that continued progress will be achieved.

In addition, the Communist Party held its first congress in 1975 at which the Party was reorganized and given a permanent, broader-based structure.¹⁴⁹ The number of Party members more than doubled between 1975 and 1980, and as a result, membership among workers expanded.¹⁵⁰ Women's membership in the Party, however, has only gradually increased from 14.1% in 1974 to 21.9% in 1984.¹⁵¹ The percentages roughly mirror growth in women's representation in the National Assembly.¹⁵²

Clearly, the advance of women in employment and education has not been reflected in the nation's leadership. Although women have made steady progress in Party membership, election to the People's Assemblies,¹⁵³ and appointment to middle management positions,¹⁵⁴ progress has been frustratingly slow in the area of upper level management and national leadership positions.

For example, in the central state agencies, which include ministries, state committees, and national institutes, women make up less than five percent of the presidents or ministers and ten to twelve percent of director and assistant director positions.¹⁵⁵ Women, however, represent 29.3% of the managers, and 40.5% and 41.3% respectively of the assistant managers and administrators.¹⁵⁶ Similarly, in the CTC, women hold only 17.7% of leadership positions on the national level, but over 45% of such positions at the base level.¹⁵⁷

149. See generally LeoGrande, *supra* note 13, at 473-77.

150. In December 1975 Party membership totaled 211,642, compared to 434,143 in 1980. Second Congress PCC, *supra* note 48, at 77. The percentage of production and service worker members in the Party rose from 36.3% to 47.3% during the same period. *Id.* at 78.

Membership in the Party is not by simple registration. Membership is considered an honor, and citizens over 18 years of age are selected for Party membership in several ways. Young people under 25 are generally selected from the ranks of the Union of Young Communists, a national youth organization. Statutes of the Communist Party of Cuba, ch. 1, art. 5, in Second Congress PCC, *supra* note 48, at 131. Others are nominated or recommended for membership by assemblies in work centers, and some may request membership directly to the Party. Ch. I, art. 7, in *id.* From these recommendations or nominations, a number are selected by the local Party nucleus and ratified by the next higher body of the Party. Ch. I, art. 4, in *id.*

151. Fourth Congress FMC, *supra* note 25, at 51.

152. Party membership is not a requirement for election to the National Assembly although most delegates are also party members.

153. See *supra* notes 146-147 and accompanying text.

154. Draft Thesis IV, *supra* note 89, at 21.

155. *Id.*

156. *Id.*

157. *Id.* at 23.

The Party leadership as well as the leadership of the mass organizations have frequently expressed dissatisfaction with these figures. On each occasion they promise rededication to increased promotion of women into leadership positions. Often, those expressing concern are the very bodies which have the power to effect the increase.

V. From Goals to Rights

Although disappointed with the pace of change, the FMC has never adopted a separatist approach to women's rights; instead, it holds to the view that women's equality is inseparable from the advancement of the society as a whole.¹⁵⁸ In fact, members sometimes state that it is a "feminine" not a "feminist" organization,¹⁵⁹ meaning that they do not concern themselves with women's rights divorced from comprehensive social change.

While continuing to reject a separatist approach, the 1984 Congress of the FMC took a decidedly more aggressive stance toward achievement of equality. The tone of the Congress exhibited the FMC's growing impatience with the tempo of progress and with conditions that perpetuate discrimination. For the first time, the FMC spoke in terms of present rights, not simply goals, which were not being respected.

For example, the 1984 Congress specifically called for equality in promotions, not preferences, and an end to discriminatory practices which are contrary to the guarantees of the Constitution. The Congress urged action to eliminate these practices and to make accountable those guilty of discrimination. "[T]he errors and arbitrary decisions that are made must be rectified, even if they involve only one case. There is no room for discrimination in our society, and those who act against the revolutionary laws should be

158. Fourth Congress FMC, *supra* note 25, at 154. At the Fourth Congress, the FMC concluded:

All the advances which we report here, are the result of a certain conception that, in an underdeveloped country like ours, women must fight for their own liberation at the same time they fight for the liberation of the nation and society, and that later, when they have produced transformations in the socioeconomic structures, it is necessary to continue struggling for equality between women and men in all aspects of life.

Id. (author's trans.).

159. This is a recurrent refrain heard by visitors to the FMC's headquarters in Havana. The phrase is used often to distinguish their approach from what they perceive to be the pervasive approach among North American feminist groups: a struggle for women's rights separate from revolutionary change. Interview with Rita Ferrera, *supra* note 96; see also Steffens, *supra* note 22, at 22.

punished."¹⁶⁰ It also recognized the need to educate women workers of their legal rights and to encourage them to file complaints to protect those rights.¹⁶¹ Thus, while noting the impressive progress of women, the Congress focused more sharply on the persistent obstacles to women's equality and explicitly recognized that to overcome these obstacles it was going to have to take a more activist role in relationship to its own work, the CTC, the Party, and other organizations and institutions.¹⁶²

Moreover, the FMC is developing an increased awareness of the relationship between law and equality and is studying laws and customs which perpetuate inequality and reinforce attitudes about women's place in society as chief caretaker and homemaker.¹⁶³ For example, hospital regulations permitted only women to care for family members who were hospitalized.¹⁶⁴ Consequently, women performed this task and in the case of prolonged illness could be absent from work for substantial periods of time. These absences forced on women by discriminatory practices and rules diminished women's chances of being hired or promoted.¹⁶⁵ The FMC successfully urged that these hospital rules be changed¹⁶⁶

160. Draft Thesis IV, *supra* note 89, at 18.

161. Article 5 of Decree-Law 36 stipulates that it is an infraction of discipline on the part of enterprise managers to hire or promote employees for reasons of friendship or kinship or for any reason inconsistent with the social interest in applying correct criteria. Decreto-Ley No. 36, art. 5(j) (1980). No body of discrimination law has yet evolved in Cuba. Therefore, no articulated standards for proving liability exist.

162. Fourth Congress FMC, *supra* note 25, at 45-46.

163. For example, women, but not men, are permitted excused, unpaid absences from work to care for sick children or family members. Draft Thesis IV, *supra* note 89, at 14-16. In the Draft Thesis from the 1984 Congress, the FMC stated:

[The] legal base has served to promote the important achievements that women have attained in the various spheres of revolutionary activities, but we should continue analyzing aspects of its application in order to adjust them to present conditions, so that, . . . they fulfill their objectives.

The FMC is making a study of legislation related to women, and . . . will submit some specific proposals to the Party . . .

Id. at 12. The FMC is now coordinating a broad study to scrutinize all Cuban legislation, both before and after the revolution, to determine its impact on women. The research is being undertaken by women law students at the University of Havana as the basis for their dissertation, a degree requirement. Interview with Rosario Grove, Director of Research of the FMC, in Havana (Dec. 27, 1985).

164. In Cuba, relatives are required to assist hospital staff in caring for sick family members. They carry out such nonmedical tasks as bathing and feeding. See Wald, *supra* note 50, at 12-13.

165. This problem was specifically noted at the last FMC Congress. Draft Thesis IV, *supra* note 89, at 13-15.

166. During my most recent visit to Cuba, friends recounted stories of how their husbands were permitted to and did attend to hospitalized children. The husband of one woman, who was hospitalized by complications resulting from a miscarriage, was permitted to spend the night in the hospital with her.

and has pressed for more equitable application of work rules to eliminate discrimination,¹⁶⁷ but the FMC also recognizes the necessity of continued ideological work to convince both men and women of the importance of sharing these tasks.¹⁶⁸

Similarly, the Fourth Congress called for increasing ideological work both to convince women to take a tougher stand for their rights and to break down the reluctance of men to share household chores: "It is absolutely necessary to increase ideological work aimed at freeing wom[e]n comrades from having their abilities and possibilities for filling leadership posts limited."¹⁶⁹ The FMC recognizes that substantial improvement in material conditions¹⁷⁰ and increasing willingness of men to share household responsibilities have not removed the burden of housework which limits the possibility of advancement for most women in work and leadership positions. Thus, the organization views this as an ideological problem, not a legal problem.

The last congress of the FMC in 1984 demonstrated two important advances made by the FMC. First, in the last decade it has become increasingly aware of and has sharpened its analysis of the objective factors limiting women's equality, and it has demonstrated its ability to effect change based on its analysis.¹⁷¹ Second, the FMC has recognized the need to heighten women's awareness of their complicity in the perpetuation of entrenched "machismo."¹⁷² The FMC has yet, however, to develop a comprehensive analysis of the contradictions between women's aspirations for economic and political equality and the enduring inequality in social relationships between Cuban men and women.¹⁷³

167. See Draft Thesis IV, *supra* note 89, at 14-15.

168. At its Fourth Congress, the FMC noted: "[W]e should remember that, sometimes, women themselves don't accept men's participation in these tasks. These concepts from the past should be changed. . . . Naturally, all this means that ideological work should be strengthened, since men's absences from work for these reasons aren't understood yet in many places." *Id.* at 14.

169. *Id.* at 29 (emphasis omitted).

170. The economy has continued to grow from three to five percent a year since 1980. Zimbalist, *supra* note 103, at 226. Since 1979 more than 460,000 refrigerators and 693,000 washing machines have been distributed. Draft Thesis IV, *supra* note 89, at 36.

171. See *supra* notes 163-168 and accompanying text.

172. See, e.g., Draft Thesis IV, *supra* note 89, at 14, 25. Some activities of the FMC itself may actually impede establishing equality between men and women. Stimulating parental involvement in children's education is a task the FMC undertook in the early 1960's. The FMC organizes the Militant Mothers for Education Movement and the mothers' advisory councils for the day-care center. *Id.* at 46-47. In pursuit of an important objective, these activities perpetuate the role of women as primarily responsible for child rearing and do not promote the involvement of men, a key link to breaking down stereotypes for this and the next generation.

173. Germaine Greer, in a recent essay on women in Cuba, observes that Cuban

Some commentators have suggested that regardless of women's progress in education and employment, the male leadership is unwilling to share power with women.¹⁷⁴ The obvious contradiction between theory and practice, however, cannot persist without substantial loss in confidence by a large portion of the population. The success of the Cuban Revolution has been in large measure dependent on its responsiveness to the needs of the population and on the enduring confidence of the population in the leadership and governing institutions.¹⁷⁵ Moreover, decisions made at the Third Congress of the Communist Party in February 1986 suggest a new dedication to bringing more women into leadership.¹⁷⁶

One characteristic shared by single-party states is the stability and continuity, if not intransigence, of their leadership. Leadership posts do not turn over every four to six years as a result of contested elections.¹⁷⁷ Consequently, the opportunities for women to advance into the upper ranks of leadership are diminished by the lack of change in personnel altogether. The creation of popular legislative bodies in Cuba in 1975 broadened participation in decision making and thereby opened new opportunities for women. Similarly, expansion of economic activity created new managerial positions and other opportunities for women. Until recently, however, no similar process had been introduced to broaden access to top positions.

The Third Congress of the Communist Party seems to have taken bold steps in reshaping Party leadership. In direct response to the demands of the FMC for the promotion of more women into leadership, the Congress adopted a policy of assuring women will

women have not redefined their relationships with men to match their emergence into economic and political life, but continue to rely on men for emotional satisfaction and self-esteem. Greer, *supra* note 90, at 288-89. "Cuban feminism," she reports, "shows no signs of any attempt to reduce women's psychic dependence upon their success in heterosexual relationships by strengthening camaraderie among women or teaching them that in order to live with men they must learn to live without them." *Id.* at 289.

174. See Padula & Smith, *supra* note 6, at 89. The results of elections actually suggest the opposite conclusion as twice the number of women were elected to the National Assembly by the Provincial Assemblies than were elected at the base level as delegates to the Municipal Assemblies. See *supra* text accompanying note 146.

175. Theriot, in his study submitted to the Joint Economic Committee in 1982, remarks that Cuba has developed a "relatively well-disciplined and motivated population with a strong sense of national identification." Theriot, *supra* note 39, at 5.

176. See William Ryan, *Cuba's "Broad Renewal,"* Guardian, Feb. 19, 1986, at 13, col. 2. For discussion of some measures adopted at the Third Congress of the PCC, see *infra* notes 178-181 and accompanying text.

177. The stability of leadership is reflected in the FMC as well. Vilma Espín has remained the organization's president since its founding in 1962.

be represented in the Political Bureau and Central Committee of the Party in numbers corresponding to their proportional membership in the Party.¹⁷⁸ In the Central Report to the Congress, Fidel Castro noted progress toward women's equality but urged continuation of "our determined struggle to implement the Party's policy for the total emancipation of women."¹⁷⁹ He further declared that its achievement "[a]bove all . . . requires constant, effective ideological effort, largely educational, and an unflinching struggle against the prejudices and discriminatory attitudes that still block the full development of women's potential, both at home and in their professional and social life."¹⁸⁰ Further, in his closing speech at the Congress, Castro noted that reliance could not be placed on antidiscrimination laws alone to bring about full equality: "The correction of historic injustice cannot be left to spontaneity. It is not enough to establish laws on equality and expect total equality. . . . It has to be the work of the party, because we need to straighten out what history has twisted."¹⁸¹ Accordingly, affirmative measures had to be taken, and as a result the percentage of women elected to the Central Committee by the Third Congress of the Communist Party increased from fourteen to eighteen percent.¹⁸²

The Party's response to the analysis and critique of the FMC is a clear signal of its commitment to the elevation of women into leadership. It also reveals the strong influence of the FMC in obtaining concrete commitments.

178. Ryan, *supra* note 176, at 13.

179. Third Congress of the Communist Party of Cuba, Main Report, *published in Granma Weekly Rev.*, Feb. 16, 1986, at 1, 12, col. 2.

180. *Id.* at 12, col. 3.

181. Closing speech by Fidel Castro, Third Congress of the Communist Party of Cuba (Feb. 10, 1986) (unofficial translated transcript). The analysis of historic discrimination was also applied to Black Cubans who are underrepresented in positions of leadership. *Id.* The acknowledgment of persistent racial discrimination comes as quite a surprise as Cuba has never admitted any failings in promoting a color-blind society. Nevertheless, while Black Cubans have the same educational and employment opportunities as all Cubans and are found in all professions and economic sectors, observers could not but notice the small numbers of Blacks in leadership posts. It is not readily apparent how such an affirmative action program will work as the vast majority of the Cuban population is racially mixed. As of this writing, no explicit program of implementation has been announced. From conversations with members of local CDRs and trade unions, however, it is clear that the pronouncement has taken effect and that elections to offices in these organizations reflect greater consciousness of race. The subject is treated with humor. For example, in one CDR election, an active member was nominated for president. After the nominator presented a lengthy list of his many qualifications, she added, "Also, he is a Black!" which was greeted with laughter. He was elected.

182. Greer, *supra* note 90, at 286; Ryan, *supra* note 176, at 13.

VI. Conclusion

Cuban women have found their voice within the revolution. As a result, a perceptible shift has taken place in the orientation of Cuban women and of the organizations which represent them. With statute and law to back up their demands, women are no longer simply pursuing the "goal" of women's equality—but are demanding eradication of barriers and enforcement of their legal rights. The representation of women in policymaking positions, although not proportional, is substantial and slowly increasing. Cuban women could not have come so far, however, without a national commitment to the realization of women's equality—a commitment which, thus far, has not sacrificed equality on the altar of "efficiency."

The "revolution within a revolution" is at a critical stage. Material conditions have improved to the point where full integration of women into the economic and political life of the country is an achievable goal. Furthermore, the process of democratization of institutions and decision making begun in 1975 enhances the chances for equal sharing of power between men and women. Neither equality of opportunity, supportive legislation, nor further democratization, however, guarantees the revolution in consciousness essential to realization of equality. Paternalism and machismo persist as formidable barriers to change. The day is yet to come when Cuba has a party, leadership, and government of men and women, but it appears that momentum is on the side of progress.