



RESEARCH ARTICLE

Conditional Freedoms: Non-State Labour in Cuba between Institutional Delegitimisation and Civic Recognition

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(Received 14 February 2021; revised 1 April 2023; accepted 29 April 2023;
first published online 11 September 2023)

Abstract

During the height of its power over everyday life, between 1968 and 1993, the Cuban Communist Party outlawed virtually all non-state labour and exchange. Since then, however, its continuity in power has increasingly depended on devolution: shifting responsibility for the provision of basic goods and services from failing state enterprises back to the self-employed. The latter now produce the majority of food and basic products; receive most of the national income from tourism, remittances and foreign investment; and generate most new jobs. Nevertheless, they subsist under a subaltern regime of fragile and conditional freedoms. The article adapts James Scott's consideration for the subaltern's 'hidden transcripts' and agencies to contemporary Cuba. It analyses the unavoidability of informal and illegal practices for daily subsistence; their naturalisation in society in contrast with their delegitimisation as opportunistic self-enrichment in party-controlled media; and how the self-employed resist such judgements in favour of more conciliatory civic visions.

Keywords: self-employment; everyday resistance; informal economy; normative ambivalence; authoritarian media; character assassination

Introduction

Can a paternalist state-party remain in power when it can no longer fulfil its paternal obligations, from the provision of food to medical care? Contemporary Cuba showcases the social, economic and class politics that can emerge when economic devolution¹ is not accompanied by political opening. After outlawing virtually all non-state work and exchange between 1968 and 1993, the Communist Party of

¹When using the term 'devolution', we refer to the transfer of economic freedoms and responsibilities from the portfolio of centrally planned state firms and agencies to millions of small-scale public, cooperative and private providers.

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Cuba has managed to remain in power partly because it managed to devolve responsibility for producing and distributing a growing range of basic products and services to ‘self-accounting workers’ (*trabajadores por cuenta propia* or TCPs).² Although state labour officially remains the norm, comprising 78.1 per cent of formal jobs in 2020,³ reforms instituted by Raúl Castro’s government (2006–18) began an irreversible process of workforce migration towards self-employment.⁴ The self-employed now produce the majority of food and basic products, earn the lion’s share of income from tourism, and receive most of the remittances and small-scale foreign investment into the island nation.⁵ Between 2011 and 2015, self-employment generated more than 90 per cent of the new jobs in Cuba.⁶ As state salaries, pensions and redistributive payments withered in value⁷ (in 2020 they amounted to 400 Cuban pesos or US\$10 per person per month),⁸ most households came to perceive them as secondary incomes, instead relying on self-employment incomes, remittances, and participation in informal and illegal markets for their subsistence. Although initially an emergency measure to weather the worst of the economic crisis, this rearrangement of productive forces between the public and private spheres has become a fully fledged ‘transition from below’.⁹

²In Cuba, almost all types of non-state work are legally contained in the person of the ‘self-accounting worker’. Until a 2021 law allowed a small number of SMEs in some sectors, there were no legal provisions for private businesses; only individual workers could declare themselves ‘self-employed’. Other kinds of formal work outside the state (such as membership in non-agricultural cooperatives) remain minimal. Carmelo Mesa-Lago, Roberto Veiga *et al.*, *Voices of Change in Cuba from the Non-State Sector* (Pittsburgh, PA: University of Pittsburgh Press, 2018), pp. 4–14.

³66.6 per cent, if workers in agricultural cooperatives created by the state and subject to various vertical integration mechanisms are excluded. Oficina Nacional de Estadísticas e Información (National Office of Statistics and Information, ONEI), *Anuario Estadístico de Cuba 2020* (Havana: ONEI, 2021), p. 178.

⁴The number of non-agricultural TCPs grew from 144,000 in 2009 to 602,000 in 2020, while the 2008–12 agrarian reform redistributed idle land to 158,000 new family farms. Ileana Díaz Fernández, ‘Emprendimiento en Cuba: ¿Enfocado al desarrollo económico?’, *Economía y Desarrollo*, 164: 2 (2020), pp. 6–7; ONEI, *Anuario Estadístico 2020*, p. 178; Carmelo Mesa-Lago and Mario A. González-Corzo, ‘Agrarian Reform and Usufruct Farming in Socialist Cuba’, *Journal of Economic Policy Reform*, 24: 2 (2021), p. 120.

⁵Louis Thiemann and Max Spoor, ‘Beyond the “Special Period”: Land Reform, Supermarkets and the Prospects for Peasant-Driven Food Sovereignty in Postsocialist Cuba (2008–2017)’, *Canadian Journal of Development Studies*, 40: 4 (2019), pp. 546–63; Louis Thiemann and Claudia González Marrero, ‘Multiple Economies and Everyday Resistance in Cuba: A Bottom-Up Transition’, in Bert Hoffmann (ed.), *Social Policies and Institutional Reform in Post-COVID Cuba* (Berlin: Barbara Budrich, 2021), pp. 183–206; Emilio Morales, ‘Remittances, an Investment Route for Cubans?’ (Miami, FL: Havana Consulting Group, 2019).

⁶Pedro Monreal, ‘Si la empresa privada es la respuesta, entonces ¿cuál es la pregunta?’, *Cuba Posible*, 10 May 2016.

⁷The median real wage in 2019 languished at 47.3 per cent of its 1989 level. Carmelo Mesa-Lago, ‘Currency and Exchange Unification in Cuba: Regulations, Effects, and Perspectives (Part II)’, *Horizonte Cubano*, 3 March 2021, available at www.tinyurl.com/2p838d9c, last access 12 June 2023.

⁸Calculated based on ONEI, *Anuario Estadístico 2020*, pp. 92, 180, 186, 187, at the informal market exchange rate of 40 Cuban pesos per US dollar in Dec. 2020. Following monetary reform and salary increases in Jan. 2021, this increased to around 1,500 Cuban pesos. The inflation that accompanied these measures undermined the intended effect on purchasing power, while dollarisation increased inter-household inequality, with those receiving hard-currency remittances enjoying privileged access to goods and services.

⁹Thiemann and González Marrero, ‘Multiple Economies’, p. 188; Ted Henken and Archibald Ritter, *Cuba empresarial: Emprendedores ante una cambiante política pública* (Madrid: Hypermedia, 2020).

To decipher the cultural and political semantics of Cuba's 'transition from below', we conducted qualitative interviews supported by participant observation, based on questions and contacts from previous fieldwork.¹⁰ We collected 76 testimonies (from 33 subjects self-identified as female, 43 as male) in five provinces (Havana, Mayabeque, Pinar del Río, Camagüey and Matanzas) over 15 months of non-continuous fieldwork between 2017 and 2021. The sample prominently includes persons between 30–59 years of age, residing and working in (sub-/inter-)urban areas, with both state and non-state work experience in their respective sectors. Given the legal and ethical sensitivities of the topics being discussed as well as the likelihood of data contamination due to self-censorship, we and a team of collaborators interviewed previous contacts in trusted, private environments, employing a semi-structured, conversational format. For the same reasons, we employed the technique of snowball sampling.¹¹

The second section outlines how shifts in Cuba's economy after the end of its Soviet period (1993–today) have led to the institution of 'conditional freedoms' for self-employment. In the third section, everyday negotiations of this subaltern condition are revisited as a form of everyday resistance, with important consequences for understanding the country's socio-cultural and political system. In the fourth and fifth sections, we analyse the Communist Party's mediatic response to the popular re-legitimation of self-employment. To do so, we complement our ethnographic data with critical discourse analysis of three key sources representing the party's position on autonomous work and the self-employed: speeches by the party leadership; the journalistic and graphic-humour discourse of the main party-controlled media outlets (*Juventud Rebelde*, *Bohemia*, *Granma*, *Cubadebate*, *Trabajadores* and regional newspapers like *Vanguardia*); and the prime-time television programme *Hacemos Cuba* ('We Make Cuba'), which in 2020–1 featured court cases of 'economic illegalities'. We identify patterns of 'othering', discursive criminalisation, and collective character assassination as a deliberate and sustained attempt to darken popular conceptions of the self-employed and the wider sphere of autonomous economic practices they represent.¹² The sixth section then focuses on how the self-employed perceive and counter these threats to their legitimacy and livelihoods, both in infra-political interactions and through the formation of self-employed workers' associations.

This article contributes to the transdisciplinary debate on autonomous employment, the evolution of which crystallises broader processes within Cuba's post-

¹⁰Thiemann and González Marrero, 'Multiple Economies'; Thiemann and Spoor, 'Beyond the "Special Period"'; Sergio Ángel Baquero, Claudia González Marrero *et al.*, *Formas de sobrevivencia en Cuba: "Resistencias cotidianas" en La Habana, Matanzas y Sagua La Grande* (Bogotá: Universidad Sergio Arboleda and Civil Rights Defenders, 2021).

¹¹Rowland Atkinson and John Flint, 'Accessing Hidden and Hard-to-Reach Populations: Snowball Research Strategies', *Social Research Update*, 28: 1 (2001), pp. 93–108.

¹²Sune Qvortrup Jensen, 'Othering, Identity Formation and Agency', *Qualitative Studies*, 2: 2 (2011), pp. 63–78; Sergei A. Samoilenko and Margarita Karnysheva, 'Character Assassination as Modus Operandi of Soviet Propaganda', in Paul Baines, Nicholas O'Shaughnessy and Nancy Now (eds.), *SAGE Handbook of Propaganda* (London: SAGE, 2019), pp. 189–93; Eric Shiraev, 'Character Assassination: How Political Psychologists Can Assist Historians', in Eric Shiraev and Martijn Icks (eds.), *Character Assassination throughout the Ages* (New York: Palgrave Macmillan, 2014), p. 18.

socialist transition: changing relations between state, economy and society; the emergence of autonomous spaces and new forms of agency; the individualisation of rights and responsibilities; and new forms of civic and associational solidarity. Our analysis builds on the literatures on the re-legitimisation of autonomous work and spaces in post-socialist and transition countries, on *everyday resistance* in peasant studies, and on *subalternity* in postcolonial studies – all of which speak to key dimensions of the experience of self-employment in contemporary Cuba.

The Subaltern Condition of Cuban Self-Employment

Despite their contributions to the national economy and household subsistence, the 1.01 million authorised self-employed workers¹³ operate in a subaltern environment, dependent on state agents and exposed to laws that obstruct and criminalise essential parts of their work.¹⁴ The party maintains a policy of ‘conditional freedom’ for self-employment, seeing it as a ‘necessary evil’ in an era of prolonged crisis. This subaltern condition is the result of three interlinked processes within Cuba’s post-socialist transition, debated in this section: (i) the recentralisation of the most profitable sectors of the economy around military consortia, (ii) the decline of the social economy, (iii) the legal limbo of non-state activities. This has led to widespread civic normalisation of economic illegality.

Power in most major supply chains, decentralised during the tumultuous 1990s, has consolidated around conglomerates owned by the leadership of the Fuerzas Armadas Revolucionarias (Revolutionary Armed Forces). Composed of military cadres, trusted foreign managers and entrepreneurs,¹⁵ this neo-patrimonial elite manages the most profitable state-owned companies which operate autonomously from the civil administration as a parallel entrepreneurial/rentier state.¹⁶ Most major state companies that supply products and tools (chains such as CIMEX, CARIBE, Oro Negro, Caracol, among others) have been (re-)created under a new ‘entrepreneurial spirit’ that replaces accessibility concerns with high capital margins, and domestic production with cheap imports. As of 2021, this network includes over 4,800 establishments. Many only accept payment in MLC (‘*moneda libremente convertible*’ or ‘freely convertible currency’), a token currency into which hard-currency remittances are converted.¹⁷

¹³We include two groups: TCPs active in non-agricultural activities (602,400) and small-scale farmers (404,445, including owners, usufructuaries, tenants and dispersed peasants). Both are subject to a similar legal framework. ONEI, *Anuario Estadístico 2020*, pp. 178, 251.

¹⁴In this sense, we can see licensed TCPs as the tip of the iceberg, representing a vast popular or ‘uncaptured’ economy of grey and black markets.

¹⁵Laura Tedesco, ‘De militares a gerentes: Las Fuerzas Armadas Revolucionarias en Cuba’, *Nueva Sociedad*, 278 (Nov.–Dec. 2018), pp. 111–18.

¹⁶Vegard Bye, ‘The Great Paradox: How Obama’s Opening to Cuba May Imperil the Country’s Reform Process’, *Third World Quarterly*, 37: 9 (2016), pp. 1698–712.

¹⁷Since a minority of the population receives most of the remittances, these measures created new social inequalities. The first nationally representative income inequality survey, conducted in 2017–18, found that 77.3 per cent of White Cubans vs. 28.5 per cent of Afro-Cubans receive remittances. Katrin Hansing and Bert Hoffmann, ‘When Racial Inequalities Return: Assessing the Re-stratification of Cuban Society 60 Years after Revolution’, *Latin American Politics and Society*, 62: 2 (2020), p. 36.

The redirection of state resources towards entrepreneurial ends has been accompanied by cuts to social programmes. By 2022, 35 per cent of the state's gross investment was dedicated to building hotels.¹⁸ The 'social contract' of state paternalism – low salaries and pensions, coupled with ample subsidies for essential products and services – ended in a series of budget cuts during Raúl Castro's government (2006–18), culminating in the 'cessation of subsidies' and dollarisation by the government of Miguel Díaz-Canel (2018–). With the growing gulf between formal incomes and purchasing power,¹⁹ more and more people came to depend on grey and black markets as well as remittances and the tourism parallel economy. Since salaries in the official sector are not given in \$US, dollarisation continues to fuel social stratification, widening the income gap between generations, neighbourhoods, races, nationalities and economic sectors.²⁰

While a significant minority of the self-employed have partially formalised their activities, this formal self-employment operates within a legal framework that grants it *de jure* legality but persists in imposing *de facto* conditions of illegality on its rational performance. Even when TCPs are licensed to work in a specific trade (as a shoemaker, for example), many of the necessary steps to, in this case, assemble and repair shoes cannot be performed without breaking the law. In most permitted occupations, key inputs are unprocurable through legally established channels (that is, the state as the only legal producer does not produce them, as the only legal seller does not sell them, and as the only legal importer does not import them). Nevertheless, frequent inspections²¹ require presenting legal purchase documents, creating a legal limbo that encourages the self-employed to naturalise the need to evade sanctions,²² as outlined in the Penal Code for the crimes of 'hoarding', '*receptación*' (acquiring products and services of illicit provenance), the 'acquisition of goods for the purpose of resale for profit' and 'the retention or transportation of goods in quantities obviously and unjustifiably in excess of those required for normal needs'.²³ On paper, self-employment is restricted to occupations that require few qualifications and with limited economic scope.²⁴ It

¹⁸José Luis Rodríguez, 'Cuba: Factores de la compleja coyuntura económica en el primer semestre del 2022 (I)', *Cubadebate*, 26 Aug. 2022, available at www.tinyurl.com/ns5k93x3, last access 12 June 2023.

¹⁹Mayra Espina Prieto and Dayma Echevarría León, 'El cuadro socioestructural emergente de la "actualización" en Cuba: Retos a la equidad social', *International Journal of Cuban Studies*, 12: 1 (2020), pp. 29–52.

²⁰Hansing and Hoffmann, 'When Racial Inequalities Return', pp. 29–52.

²¹Cuba's road network is dotted with control points where cargo is inspected. In urban areas, police frequently raid markets and informal trading areas.

²²Mesa-Lago, Veiga *et al.*, *Voices of Change*, pp. 117–42; Henken and Ritter, *Cuba empresarial*, pp. 402–38.

²³Chapter X, 'Especulación y Acaparamiento', art. 230, and 'Receptación', art. 338, in 'Ley No. 62, Código Penal, del 29 de diciembre del 1989', *Gaceta Oficial Especial*, 3 (Dec. 1989).

²⁴Between 1993 and 2021, this was encapsulated in a short list of (low-skilled) activities in which self-employment was permitted (the last variation with 127 such occupations being Resolution 104 (2019) of the Ministry of Labour and Social Security). The list included activities such as 'clown' and 'magician', 'water carrier', 'palm-leaf harvester', 'fruit peeler', 'public-toilet caretaker' and 'muscle-powered freight transport'. It also contained a series of licences for individuals operating in Old Havana's tourist microcosm: 'living statues', the 'exhibition of trained dogs', and members of specific street folklore groups. The list served to (legally) relegate TCPs to the socio-economic sidelines. Those working in the professions were barred from self-employment, although they overwhelmingly provide their services illegally. Some

is prohibited for professionals (e.g., doctors, architects, engineers, journalists) and in sectors of military strategic interest. Given the impossibility of following the letter of the law and selective access to bureaucratic favours, many TCPs labour under a regime of ‘tolerated illegality’. While the *de jure* order is not applied directly, it underpins a set of *de facto* power relations that cement the lack of rights and security for TCPs.²⁵ Although the state tolerates self-employment to ensure the provision of basic services and to alleviate crises of social reproduction, it maintains the power to grant, prohibit and condition access to each individual or trade. Claudia Baez-Camargo and Alena Ledeneva study this arbitrary coercion and ‘selective application of the law’ through the lens of ‘normative ambivalence’,²⁶ which suggests that governments have an interest in perpetuating significant levels/relations of informality, intentionally blurring the lines between informal and illegal practices and spaces. In this literature, informal relations are seen primarily as the result (rather than the unintended consequence) of the legal and governance framework, enacted around a double standard that favours those in power and whose implied contracts place social groups in a space of liminal and ambiguous subordination.²⁷

Given the imbalance between retreating public services and the state’s heavy-handed protectionism of its business monopolies, Cubans have systematically shifted their labour and exchanges into the informal economy. The volume, composition and breadth of these daily transgressions have allowed black and grey markets to become veritable social institutions: from their beginnings as supplementary channels for scarce goods in the socialist economy to the main source of income and labour in post-socialist society.²⁸ A multitude of opaque exchanges are now necessary to access many goods and services, both basic and non-basic. Informality governs the purchase of essential groceries, hygiene products and clothing, payment for public services such as electricity and transportation, the construction and repair of homes, the provision of medical treatment and medicines, labour allocation within the state, evasion of (parts of) the mandatory 1–2 year military service, among many others.²⁹ For the self-employed, the granting of licences

have left their sectors for lucrative unskilled self-employment: many medical professionals, for example, have become private taxi drivers. The Feb. 2021 reform of the legal framework led to a new list of 124 *non-permitted* sectors including the professions, the sciences, the arts and journalism. See ‘Actividades donde no se permite el ejercicio del trabajo por cuenta propia según el Clasificador Nacional de Actividades Económicas’, *Cubadebate*, 10 Feb. 2021.

²⁵Vincent Bloch, *La lutte: Cuba après l’effondrement de l’URSS* (Paris: Vendémiaire, 2018).

²⁶Claudia Baez-Camargo and Alena Ledeneva, ‘Where Does Informality Stop and Corruption Begin? Informal Governance and the Public/Private Crossover in Mexico, Russia and Tanzania’, *Slavonic & East European Review*, 95: 1 (2017), pp. 62–5.

²⁷A similar argument about the informalisation of the Venezuelan economy is presented by Benedicte Bull and Antulio Rosales, ‘Into the Shadows: Sanctions, Rentierism, and Economic Informalization in Venezuela’, *European Review of Latin American and Caribbean Studies*, 109 (Jan.–June 2020), pp. 107–33.

²⁸Archibald Ritter, ‘Economic Illegalities and the Underground Economy in Cuba’, in Philip Brenner, Marguerite Rose Jiménez *et al.* (eds.), *A Contemporary Cuba Reader: The Revolution under Raúl Castro* (New York: Rowman & Littlefield, 2014), pp. 203–13.

²⁹Thiemann and González Marrero, ‘Multiple Economies’; Katherine Hirschfeld, ‘Socialismo and the Underground Clinic: The Informal Economy and Health Services in Cuba’, *Cuba in Transition*, 16 (2006), pp. 335–50.

and workspaces is conditional and personalised, often entailing informal obligations to those who grant or inspect them. This leads to everyday practices of domination where every act of appropriation generates a ritual of subordination.³⁰

Since 1989, post-socialist transitions in Eastern Europe and Central Asia have spawned extensive literatures on the socio-economic weight of informal and illegal markets and their role in the re-signification of economic and legal relations after state paternalism.³¹ In these studies, informality is associated with experiences that not only coexist, but penetrate, divert and exploit formal institutions. Practices within the informal economy thus function as everyday resistance mechanisms: a fledging, contradictory ‘politics from below’ constituted by black and grey markets, prebendary incomes and bribes, and other semi-legal and illegal practices.³² These social-economic relations unfold as a perpetual ‘struggle for autonomy [...] in a context characterized by dependency relations, marginalization and deprivation’.³³

The micro-dynamics of everyday resistance are omnipresent in the economy and broadly legitimised in popular culture – illegality and informality thus became a shared experience constitutive of post-socialist society. The Cuban state drives a policy of ‘normative ambivalence’ and conditional toleration towards TCPs. Besides the already discussed legal framework, the party’s power over discursive and public spaces, from political oratory to state-controlled, modulates how illegality is negotiated between state and society, between norms instituted and enforced ‘from above’ and popular conventions ‘from below’. As we show below, the Cuban state condemns everyday forms of resistance as isolated, criminal and illegitimate while seeking to taint or downplay the necessity of informal activities within social imaginaries, destabilising their *de facto* normalisation in popular consciousness. As subaltern subjects pursuing informal practices, the TCPs remain in a constant state of legal insecurity from which they cannot escape (unless they migrate).

For Michael Brie and Erhard Stölting, regulations that promote dependency through conditional access to material (privileges, market spaces, loans) or symbolic (access to decision-makers) resources constitute practices of domination,³⁴ with the legal apparatus perpetuating uncertainty and the anticipation of punishment. While the system can punish citizens informally and selectively, it uses formal institutions (legal prosecution, ‘anti-corruption’ campaigns) to do so.³⁵ This

³⁰James Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven, CT: Yale University Press, 1990), p. 188.

³¹Jeremy Morris and Abel Polese (eds.), *The Informal Post-Socialist Economy: Embedded Practices and Livelihoods* (Oxford: Routledge, 2014); Bernard Chavance, ‘Formal and Informal Institutional Change: The Experience of Postsocialist Transformation’, *European Journal of Comparative Economics*, 5: 1 (2008), pp. 57–71.

³²James Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven, CT: Yale University Press, 1985); Benedict Tria Kerkvliet, ‘Everyday Politics in Peasant Societies (and Ours)’, *Journal of Peasant Studies*, 36: 1 (2009), pp. 227–43.

³³Jan Douwe van der Ploeg, *The New Peasantries: Struggles for Autonomy and Sustainability in an Era of Empire and Globalization* (London: Routledge, 2008), p. 23.

³⁴Michael Brie and Erhard Stölting, ‘Formal Institutions and Informal Institutional Arrangements’, in Thomas Christiansen and Christine Neuhold (eds.), *International Handbook on Informal Governance* (Cheltenham: Edward Elgar, 2012), pp. 19–39.

³⁵Alena Ledeneva, ‘Domination’, in *Global Encyclopaedia of Informality*, vol. 2 (London: University College London Press, 2018), p. 344.

has significant consequences for vulnerable groups, particularly when a state's efforts to find and eradicate informal activities are interspersed with periods of readjustment and toleration, as has been the case in the Cuban post-revolutionary economy.³⁶ We argue that the evolution of this societal contract and its civic everyday practice has systematically de-coordinated the development motives and efforts of the various groups that make up Cuban society. Mutual evasion rather than co-creation, as well as a surprising level of individualism, characterise this fragmented society. We therefore consider it essential to study both labour and occupations in the informal economy and the *Kulturkampf* over their legitimacy. This requires immersion in the mixed context of the Cuban economy, the daily practices of a society unfolding on the margins of legality, and the official discourses that interpret and (de-)stabilise it.

The Limits and Consequences of Ubiquitous Everyday Resistance

Informal mechanisms and structures comprise all those relationships that are not formalised or that resist the articulation of dominant discourses; they include unwritten rules and vernacular or hidden practices which interact to form a variety of complex social and cultural systems and phenomena.³⁷ For James Scott, these disorganised, covert and generally depoliticised acts constitute a realm of everyday resistance that begins where compliance with established norms ends, and where every action against or outside the system is seen as an act of rectification in the face of its (material or symbolic) violence.³⁸ Asef Bayat similarly speaks of a 'quiet encroachment of the ordinary': the 'silent, protracted, but pervasive advancement of ordinary people in relation to the propertied and powerful in order to survive and improve their lives'.³⁹ Like Scott, Bayat finds that ordinary people are not motivated by a 'politics of protest' but by a 'politics of redress' through direct action that avoids open collective demands and large-scale mobilisation.⁴⁰

Compared to cotermporal processes of informalisation in Venezuela and Nicaragua,⁴¹ the Cuban economy's 'transition from below' features relatively horizontal spaces and exchanges in the informal economy, with a lower degree of

³⁶See similar findings in Deborah Potts, 'The Urban Informal Sector in Sub-Saharan Africa: From Bad to Good (and Back Again?)', *Development Southern Africa*, 25: 2 (2008), pp. 151–67; Michal Lyons, Alison Brown and Colman Msoka, 'Do Micro Enterprises Benefit from the "Doing Business" Reforms? The Case of Street-Vending in Tanzania', *Urban Studies*, 51: 8 (2014), pp. 1593–612.

³⁷Scott, *Weapons of the Weak*, pp. 255–73; Tria Kerkvliet, 'Everyday Politics'; Theodor Shanin, 'Expoliatory Economies: A Political Economy of Margins Agenda for the Study of Modes of Non-Incorporation as Parallel Forms of Social Economy', *Journal of Historical Sociology*, 1: 1 (1988), pp. 107–15.

³⁸See also Jan Douwe van der Ploeg, 'Resistance of the Third Kind and the Construction of Sustainability', European Society of Rural Sociologists Conference, Wageningen, 23 Aug. 2007.

³⁹Asef Bayat, 'From "Dangerous Classes" to "Quiet Rebels": Politics of the Urban Subaltern in the Global South', *International Sociology*, 15: 3 (2000), pp. 533–57, quotation p. 545.

⁴⁰*Ibid.*, p. 548. The social explosion of July 2021 revealed both the scope of alternative social legitimacies, constituted from informal processes of work and exchange, and their limits in the face of established power.

⁴¹Bull and Rosales, 'Into the Shadows'; Enrique Alaniz, Thomas Gindling *et al.*, 'Heterogeneous Informality in Costa Rica and Nicaragua', World Institute for Development Economics Research (WIDER), Working Paper 50, 2021.

interpersonal violence. Gang violence, in particular, is almost absent from Cuba's black and informal markets. Rather than creating a space for violence, the 'lawlessness' of Cuba's popular economy is an evolutionary space in which missing freedoms are taken by the subaltern. Indeed, many of our interviewees voiced an ethical conception of informality as 'non-violent resistance' to structural violence. This also establishes the wider cultural significance of self-employment: As the most visible actors in the underground economy, the self-employed are caught amid a post-socialist *Kulturkampf* between the Communist Party's transition 'from above' towards corporate capitalism and the transition 'from below' towards a more horizontal economy based on the association of small businesses. While *Kulturkampf* originally referred to the struggle between state and church in nineteenth-century Germany, the concept today more broadly refers to the moral, cultural and identity conflicts between established and emerging political forces, with political communication harnessing the specific resentments of the two sides, nurtured through antagonistic experience.⁴² Cuba's self-employed have become both actors and staging within the country's evolving *Kulturkampf* between competing visions and realities of post-socialism.

For Bayat, relations between informal workers and the state are buffeted by contradictory processes, constant redefinition, and intense negotiation.⁴³ In his understanding of 'un-civil society', Bayat notes that informality is not a preference but primarily an alternative to the constraints of formal structures. For the Cuban case, Vincent Bloch analyses power and subalternity in the realm of action denoted by the popular term '*la lucha*' ('the struggle'), which refers to all practices that subvert the prohibitions and obstacles imposed by the state. *La lucha*, in this case, is not limited to the black market; legal businesses – be they state-run, cooperative or private – as well as natural persons engage in *la lucha* through opaque transactions, the illegal procurement of goods and services, and the evasion of obligations.⁴⁴ Those with state jobs also often refer to '*la búsqueda*' – 'the search' for additional income within positions that pay only a token wage or salary.

In ethnographic studies of corruption and illegality in post-communist societies, interviewees often claim that 'the system made me do it'.⁴⁵ Analysis generally uncovers a series of conditions that precede the actions of the subaltern, justifying, sanitising and legitimising their conduct: the legal limbo surrounding the pursuit of basic livelihoods, pervasive precariousness, the state monopoly on legitimate business opportunities, and inflated bureaucracies. Although this normative literature on 'corruption' attaches negative connotations to informal practices, it traces them to formal economic and political systems that shield an elite's excessive discretionary powers, monopoly decision-making, and the absence of accountability.⁴⁶

⁴²Balázs Kiss, 'Double *Ressentiment*: The Political Communication of *Kulturkampf* in Hungary', *Politics and Governance*, 9: 3 (2021), pp. 227–36.

⁴³Asef Bayat, 'Un-Civil Society: The Politics of the "Informal People"', *Third World Quarterly*, 18: 1 (1997), pp. 53–72.

⁴⁴Bloch, *La Lutte*, pp. 303–10.

⁴⁵Rasma Karaklins, *The System Made Me Do It: Corruption in Post-Communist Societies* (New York: M. E. Sharpe, 2005), p. 79.

⁴⁶*Ibid.*, p. 123.

Ted Henken and Archibald Ritter argue that Cuba's overbearing legal-administrative system creates chronic bottlenecks, uncertainties and perverse incentives, the perfect environment for rent-seeking, theft and private use of scarce state resources, and for the underground economy to flourish.⁴⁷ We can add to this list 'prebendary incomes' – the search for personal gain derived from access to state assets (e.g. vehicles, machinery), to state-distributed goods and services, as well as to privileged information and administrative powers.⁴⁸ To reverse these synergies, institutionalists such as Douglass North posit the necessity of institutions that reduce uncertainty and foster decision-making based on common expectations and mutual trust.⁴⁹ We argue that everyday resistance – be it legal, semi-legal or illegal – should not be viewed through the lens of isolated 'corruption' or malpractice, but as the very substance, nature and consequence of the functioning of official governance. Our reading thus differs from official Cuban discourses that identify informal practices as deliberate acts of speculation in the singular pursuit of selfish interests.

In our fieldwork, the self-employed presented and justified their daily economic behaviour by referring to the state, tying their informal transactions to the precarious circumstances that forced them to engage in this type of exchange. They framed their involvement in informal activities as legitimate transgressions of dysfunctional laws, onerous bureaucracy, and the lack of state-societal consensus. Two themes recurred in our conversations: First, workers' low identification with state policies and their sense that their interests were not represented reinforced each other to fuel a vicious cycle of dis-connection. Second, the informal practices of the self-employed have created a more broad-based, plural and interconnected economy than the state-promoted 'official economy' and a more widely diffused and accepted socio-economic culture that, in its political reasoning, evokes more participation and association than the party's mobilisations 'from above'.

Time and again, our interviewees pointed to the insecurity they felt on a daily basis despite having licences, tax accounts and, in most cases, a clear desire not to have to resort to illegalities. Most felt squeezed between the government's encouraging of the non-state sector as legitimate work and the regulations criminalising its practice, and complained about the limited scope and vague descriptions in their licences. One interviewee, licensed as a buyer-seller of CDs, admitted to undeclared extra activities such as formatting storage devices and digitising documents, making use of equipment that, according to his licence, he can possess to design and print (obsolete) CD covers.⁵⁰ The owner of a cafeteria reported trading in products outside of his licence such as homemade bread and carbonated soft drinks.⁵¹ Many TCPs thus have a colloquial understanding of regulatory ambivalence. They describe the incomplete legalisation of their activities as arbitrary, particularly when work processes that are closely intertwined in practice are partly prohibited, for example permitting a product's manufacturing but not the sale or

⁴⁷Henken and Ritter, *Cuba empresarial*, pp. 270–305.

⁴⁸Fred W. Riggs, 'Bureaucratic Links between Administration and Politics', in Ali Farazmand, *Handbook of Comparative and Development Public Administration* (New York: Marcel Dekker, 2001), pp. 817–18.

⁴⁹Douglass North, 'Institutions', *Journal of Economic Perspectives*, 5: 1 (1991), p. 97.

⁵⁰Interview 65, Camagüey, 28 Oct. 2019.

⁵¹Interview 69, Camagüey, 12 Dec. 2019.

import of the attendant raw materials. The regulations are often unworkable, as when a carpenter in Havana can have his assets confiscated if upon inspection he cannot show the tree-felling licences (*guías*) that authorised a lumberjack, at the other end of the value chain, to harvest the corresponding amount of timber. Another pattern is illustrated by the IT worker above, who admitted to marketing the *paquete semanal* ('weekly package') under the same obsolete CD sales licence.⁵² *El paquete* is a collection of (typically one terabyte of) digital material distributed throughout the country via a network of hard-drive-carrying couriers. In operation since at least 2015, it is the primary way for Cubans to access both global and national/local movies, series, documentaries, software, YouTube tutorials and classified ads. All activities related to *el paquete* unfold in a legal grey space: while its contents are sourced from international media piracy channels, the practice is tolerated so long as the material does not run afoul of the party's limits on political expression.⁵³

Most of our interviewees were resigned about the micro-clientelist structures associated with their 'conditional freedoms' as TCPs.⁵⁴ Communication between informal market actors and local bureaucrats, for example, is often based on oral agreements and notions of reciprocity between parties: an economy of favours based on the 'instrumentality of sociability'.⁵⁵ A university graduate working as an unlicensed hairdresser told us that avoiding sanctions begins with cutting the municipal TCP inspector's hair for free: 'And I understand, she does that job, which may not be the best paid, but it gives her a kind of income. With me she has a guaranteed haircut; with the cafeteria she has a snack for her two children. It's a chain, the chain of opportunities.'⁵⁶ Another interviewee, an IT worker, preferred to pay fines rather than 'solve' them by entering into uncertain personal relationships with local powerholders: 'Once you give in, it becomes a habit, a dependency. Nonetheless, when the fine is significant, I turn to a contact I have at the Fines Office [Oficina de Multas]. Depending on the amount of the fine, you pay an amount to that person, and your sanction is eliminated. It is a mutually beneficial relationship.'⁵⁷

The quotidian realm of illegalities, fines, inspections and personal relationships is an arena where laws and institutions are (re-/de-)legitimised, where laws and policies can be annulled through bottom-up negotiations. Another interviewee, a cafeteria owner, justified his incursion into informality by declaring that he feels disadvantaged vis-à-vis the state sector and that reaching agreements with inspectors can help to even the playing field: '[I]n short, the public health inspectors demand conditions of us that state-owned establishments openly

⁵²Interview 65, Camagüey, 28 Oct. 2019.

⁵³See the special edition of *Cuban Studies*, 50 (April 2021), pp. 99–204.

⁵⁴Elco Jacobs, 'Basic Public Services and Informal Power: An Analytical Framework for Sector Governance', in Christoph Stefes (ed.), *Understanding Post-Soviet Transitions: Corruption, Collusion and Clientelism* (London: Palgrave Macmillan, 2006), p. 29.

⁵⁵Nicolette Makovicky and David Henig, 'Neither Gift nor Commodity: The Instrumentality of Sociability. Introduction: Economies of Favours', in Alena Ledeneva (ed.), *Global Encyclopaedia of Informality*, vol. 1 (London: University College London Press, 2018), p. 35.

⁵⁶Interview 70, Camagüey, 22 Feb. 2020.

⁵⁷Interview 65, Camagüey, 28 Oct. 2019.

violate.⁵⁸ Since state-owned businesses frequently break the law, in many cases making labour retention in these businesses possible in the first place, many TCPs see skirting the law as legitimate competition with the ‘real state’ (i.e., partially privatised state firms and agencies): ‘Obviously, self-employment is more profitable in itself than a state job – unless you work in a place where, in addition to your salary, you have other opportunities for *búsqueda*. In fact, there are many people who survive like this. And in the end, isn’t that also illegal?’⁵⁹

Several of our interviewees who hired waged workers reported under-declaring to the Oficina Nacional de Administración Tributaria (National Tax Administration Office, ONAT) to avoid incurring payroll taxes. In many cases, they were ‘prepared to argue that they are part of the family, that they just stopped by and started to help’ spontaneously.⁶⁰ Such illegal arrangements reveal the insecurity and lack of protection for private-sector workers, particularly those who work as unlicensed waiters, maids, babysitters, etc. While their bosses have clear interests in avoiding payroll taxes, workers are likewise much more likely to negotiate for higher under-the-table payments and guarantees from their bosses than to ask for formalisation.

Within the moral economy of Cuba’s bottom-up transition, the self-employed navigate between subsistence (re-)production (a ‘democratic’ necessity for all Cubans) and the aspiration to ‘get rich’ (which lacks wider civic legitimacy). There is an unspoken distinction in Cuban everyday language between the use of harsh terms such as ‘corruption’ and ‘enrichment’, and reconciliatory terms such as ‘solving’ problems and ‘subsistence’. In this sense, informal activities do not necessarily contain anti-hegemonic ideological motives involving collective goals or sacrifice, but a breaching of norms and hierarchies deemed hypocritical.⁶¹ In most circumstances, *la lucha* is not seen as corruption but as a channel to assert individual rights vis-à-vis an overbearing state and to assert greater equality before (or beyond) the law. Despite the invisibility and anonymity of these practices, the empowerment they bring creates security and enables social interactions between equals. For some of our interviewees, these motives combined in genuine identification with the mundane ‘breaking of the law’ and the co-creation of *free spaces* – similar in many ways to the anti-authoritarian subcultures in ‘capitalist’ societies.

In the everyday lives and workflows of most TCPs, black and grey markets are not sites for accumulating capital or sustaining conspicuous consumption. Rather, they serve subsistence motives under conditions where proper formalisation is impossible or undesirable. In Theodor Shanin’s terms, these markets primarily exert a *centrifugal* force: re-distributing access, goods and opportunities among the population. At the same time, yet to a lesser extent, they exert a *centripetal* force through which certain actors accumulate and hoard goods and access.⁶²

⁵⁸Interview 69, Camagüey, 13 Dec. 2019.

⁵⁹Interview 67, Camagüey, 22 Jan. 2020. Despite the perception of greater risk, income differences between state and private work played a determining role for most interviewees.

⁶⁰Interview 50, Havana, 19 June 2019.

⁶¹See a similar approach in Justin W. Webb, Laszlo Tihanyi *et al.*, ‘You Say Illegal, I Say Legitimate: Entrepreneurship in the Informal Economy’, *Academy of Management Review*, 34: 3 (2009), pp. 492–510.

⁶²Theodor Shanin, *Defining Peasants: Essays Concerning Rural Societies, Expolary Economies, and Learning from Them in the Contemporary World* (Oxford: Basil Blackwell, 1990).

Scott similarly presents informal practices as ‘weapons of the weak’ to be studied in the context of their subalternity. Many of our interviewees agreed. A social-media producer in Camagüey argued that:

When there are so many obstacles, everyone looks for their own ways to overcome them, because laws are generally unclear or even unknown, since they are often vague or arbitrary and are therefore interpreted as people see fit. And fundamentally, because without an economy there is no development, and I’m not talking about the economy of a whole country, I’m talking about the economy of each individual. When what you earn from your work doesn’t even cover half of your needs, either you have to put your wits to work, or you become a ‘freeloader’.⁶³

Informal and illegal practices are not exclusive to TCPs, but intricately entwined with the *lucha/búsqueda* of state workers who use assets or access from their companies or institutions to supplement insufficient wages. A dollar-store employee told us: ‘The biggest income that people have in the shops is that of fake mark-downs. Legally, shops must reduce the prices of products that sell too slowly. In accounting we do that, but we don’t change the prices for the customer.’⁶⁴ We corroborated this practice in a later interview with the representative of a Spanish food-importing company:

The TRDs [the main, military-run, chain of foreign-currency supermarkets] inform us about the prices at which our products will be sold in their supermarkets. These are already quite high, but the managers of these markets often add a margin for themselves and their workers, which for us means fewer sales. So, in our free time, we visit different supermarkets in Havana to take photos of our products’ prices and report our findings to TRD headquarters.⁶⁵

Informal practices between state workers result in a network of loyalties so dense that it guides social conventions. For example, a high-school Spanish-literature teacher with a home-tutor licence admitted that she privately teaches afternoon classes taken by a majority of her regular students rather than tutoring individual students as permitted by her licence: ‘It is a risk that one takes out of necessity, other teachers know about it, but there are so many of us who do it that no one betrays the other.’⁶⁶

Many of our interviewees justified procuring supplies on the black market by pointing to the unbalanced import policy, an inefficient distribution network, or a lack of political will. Studies of legitimacy and informal institutions indeed show that when governments are unable or unwilling to provide basic goods and services, this is often experienced as a breach of the implied social contract.⁶⁷ A

⁶³Interview 71, Camagüey, 11 March 2020.

⁶⁴Interview 7, Havana, 16 Jan. 2018.

⁶⁵Interview 8, Havana, 2 Feb. 2018.

⁶⁶Interview 51, Havana, 9 April 2019.

⁶⁷Jacobs, ‘Basic Public Services’, pp. 21–35.

2016 survey of 120 small private businesses in Cuba found that failures of governance are intimately reflected in TCP workflows.⁶⁸ Many respondents mistrusted state entities due to histories of late payment, and complained of a lack of inputs, high taxes, excessive regulations, and an absence of credit; only 4 per cent said they experienced no such problems. A similar survey of 80 respondents traced the emergence of underground marketing networks to failures of governance; its authors found that the freezing of new licences, price-fixing, raised taxes, and increasing inspections and fines in the mid- to late 2010s aimed to control the growth of self-employment rather than to limit its ties to the black market.⁶⁹

The Self-Employed in State Media: Representing the Other

The official discourse has long narrated the selective opening of Cuba's economy and its negative and unequal consequences through a semantics of necessary sacrifices and temporal compromises. Structural crises are deemed short-term, externally imposed limitations – to be surmounted through greater sacrifice, control and loyalty to the party rather than through structural reforms and individual rights and autonomy. Since the first opening to non-state work during the so-called 'Special Period' (1993–2000), the official media's narrative pendulum has swung between justifying the 'necessary' compromises and declaring these same compromises and their outcomes as 'undesirable'. In restricting the symbolic or political representation of self-employment, the party leadership acts on its fears that the seeds of a wider shift in allegiances and dependencies may be planted. In 1996, Raúl Castro had already lashed out against self-employment as a basis for 'enrichment' in the face of misery and scarcity, which he labelled 'opportunistic'; both terms have since dangled menacingly over the self-employed.⁷⁰ During the short-lived 'Obama thaw' (2014–17), political oratory shifted significantly, with Raúl Castro asking cadres to focus on the positive aspects of self-employment and to avoid stigmatising the sector.⁷¹ The party-controlled press followed suit: *Granma*, the national Communist Party newspaper, argued: '[We must] move away from conceptions that, in the nineties, condemned self-employment almost to extinction and stigmatised those who decided to join it legally.'⁷²

The apparent acceptance of self-employment, however, was accompanied by new efforts to control its development under the party's quest for 'historical continuity' in power. The rhetorical trope of 'savage self-employment', for example, captured the tone of this evolving narrative.⁷³ Referring to agricultural cooperatives, Raúl Castro opined on the need to 'confront a group of crooks who are getting richer every day'.⁷⁴ Likewise, newspaper articles evaluating the management and performance of the private sector often emphasise the social responsibility

⁶⁸Pavel Vidal, 'La hora de la pequeña y la mediana empresa privada', *OnCuba*, 23 June 2016.

⁶⁹Mesa-Lago, Veiga *et al.*, *Voices of Change*, p. 32.

⁷⁰In Carmelo Mesa-Lago, 'Assessing Economic and Social Performance in the Cuban Transition of the 1990s', *World Development*, 26: 5 (1998), p. 873.

⁷¹'Asegura Raúl que continuarán nuevas formas de gestión en Cuba', *Granma*, 14 July 2017.

⁷²'Amplían en Cuba trabajo por cuenta propia', *Cubadebate*, 24 Sept. 2010.

⁷³'El cuentapropismo salvaje', *Granma*, 10 March 2014.

⁷⁴'Un intercambio imprescindible', *Granma*, 30 Dec. 2015.

(among the citizenry) and political responsibility (of the state) to control and strictly regulate the sector. This is contained in the omnipresent trope ‘confronting illegalities’ and the idea that a ‘combative attitude towards illegalities’ should be shown.⁷⁵ On numerous occasions, journalistic texts have been accompanied by graphic parodies or caricatures of the sector – representations aimed to fuel collective suspicions and blur the carefully erected popular lines between economic and criminal activity.⁷⁶ Partly due to these media campaigns, the Cuban social imaginary associates self-employment with illicit profits and moral ‘vices’ such as prostitution – all of which the party has traditionally sought to associate with the capitalist ‘other’.⁷⁷ Previously contained within Cuba’s past and external trade, these ‘others’ are now living among ‘good Cubans’ as neighbours and colleagues working in black and grey markets. The successful among the self-employed, in particular, are restrained from showing pride in their skill, professionalism and civil purpose as they would tread on a minefield of narratives about ‘hoarding’, ‘illicit enrichment’ and ‘proto-capitalism’.⁷⁸

Criticisms of everyday resistance in and around self-employment tend to be populist in tone, insinuating that the locutor has the support of citizens,⁷⁹ even when the proposed restrictions undermine services for the public. Three examples reflect this contradiction. In 2019, the Transport Ministry required self-employed drivers to choose between working specific shared-taxi routes for fixed prices or driving door-to-door for individual clients. The common practice had been to alternate between (several) routes and individual rides depending on demand. Out of 1,582 drivers in Havana, only 7.7 per cent chose to restrict their work to a specific route, ‘contrary to the expectations of the authorities in charge of the experiment’. All others were thus barred from servicing any route.⁸⁰ Facing fuel shortages and high taxes, the few carriers that remained on high-demand routes opted to divide their routes into smaller sections, making the service more expensive overnight. Due to these restrictions, the shared taxi – an important mid-level transport system in the capital during the 1990s–2010s – has all but disappeared, further segregating population strata.

Also in 2019, a non-consensual price cap was imposed on pork. The rising cost of (imported) feed, whose purchase was gradually dollarised in 2018–20, created disincentives to raise pigs, resulting in a 95 per cent decline in private-sector pork production between 2018 and 2020.⁸¹ Finally, low salaries (and little *búsqüeda*) in the education sector led many teachers to move to semi-legal

⁷⁵‘Debatén sobre trabajo por cuenta propia en Asamblea del Poder Popular en Matanzas’, *Bohemia*, 19 Oct. 2019.

⁷⁶Caricatures in state newspapers illustrate this trend. An extensive literature studies humour’s potential as a political device (*‘el choteo cubano’*) in the cultural institution of power and in daily resistance. Claudia González Marrero, ‘Memes, sátiras y tropos en Cuba’, *Revista Foro Cubano*, 1: 1 (2020), pp. 3–22.

⁷⁷Mayra Espina and Dayma Echevarría, *Los correlatos socioculturales del cambio económico* (Havana: Editorial de Ciencias Sociales, 2015), pp. 105–6.

⁷⁸See, for example, ‘¿“Cuentapropistas” con tanto desarrollo industrial?’, *Bohemia*, 10 May 2017; ‘Enriquecimiento ilícito: Un mal que debe arrancarse de raíz’, *CubaSí*, 7 Aug. 2018; ‘Organización, un remedio contra el acaparamiento’, *Granma*, 7 Aug. 2019.

⁷⁹‘Cubanos apoyan nuevas medidas para el trabajo por cuenta propia’, *Bohemia*, 9 Dec. 2019.

⁸⁰Priorizarán reordenamiento del trabajo por cuenta propia en el transporte’, *Bohemia*, 12 April 2019.

⁸¹Calculated based on ONEL, *Anuario Estadístico 2020*, p. 261.

employment as private tutors, exacerbating the shortage of school teachers.⁸² While basic services grew more scarce in each case, the media continued to portray the self-employed as transgressors of an imagined social balance. The existence of self-employed workers in the post-socialist social fabric allows the government to tie scarcities to self-interest and profiteering, and to avoid broader discussion of low public-sector incomes and profit-making by the elite (via joint ventures, military corporations and corruption). The main weekly political magazine, *Bohemia*, affirmed that ‘a balance is sought where both the population, the self-employed and the government win’, possible only if the self-employed show ‘conscience, order, discipline, respect legality and comply with what is established’.⁸³

Othoring *la lucha* of underpaid state employees has been equally central within the party’s discourse, particularly as it portrays itself as the moral force capable of reigning in the ubiquitous corruption its rule has created. For Raúl Castro, corruption ‘is today one of the main enemies of the Revolution, much more damaging than the subversive and interventionist activities of the United States government and its allies inside and outside Cuba’.⁸⁴ In presenting the Plan Nacional de Desarrollo Económico y Social hasta el año 2030 (National Plan for Economic and Social Development until 2030), President Díaz-Canel identified corruption and ‘illegalities’ as the primary culprits behind lacklustre results in the planned sector and in economic growth, as well as in the deteriorating housing stock and lack of social assistance.⁸⁵

When the official media narrates responsibility by those in power, it accompanies a process of constructive self-critique by the powerful.⁸⁶ When it narrates responsibility by the subaltern, it affirms or tightens the discursive, and alas legislative and repressive, conditions of subalternity. A gulf remains between ‘social’ agency, represented by the state and claimed by party cadres, and the ‘private’ agency exercised primarily in self-employment and within the informal economy. In the speeches of party leaders and the narratives of official media, Cubans’ ubiquitous everyday resistance and the economic activities connecting formal and informal sectors are not integral to the economy’s legal-administrative design; rather, it is characterised as a massive case of social indiscipline. *Juventud Rebelde* affirmed that, ‘beyond the economic issue, this is above all an ideological issue’ which may ‘deteriorate the moral environment and the credibility of the state’.⁸⁷

References to national sovereignty constitute another key link between media narratives and the (re-)construction of subalternity. Fragmentation of economic power within the country is deemed to threaten national sovereignty. State enterprises (as well as the personal ventures of high-ranking cadres, armed-forces officers, the Castro dynasty and other centres of parallel power) use media narratives to justify disadvantages for the broader informal sector they asymmetrically

⁸²‘Los docentes prefieren trabajar como “reparadores privados” en Villa Clara’, *14ymedio*, 29 Jan. 2018.

⁸³‘Aplican contravenciones a transportistas privados’, *Bohemia*, 4 Feb. 2020.

⁸⁴‘Discurso de Raúl Castro: “Continuaremos haciendo realidad todo lo acordado”’, *Cubadebate*, 23 Dec. 2011.

⁸⁵‘Cumple Díaz-Canel primer año como presidente de Cuba’, *Granma*, 19 April 2019.

⁸⁶“Lo que hacemos debe ser sometido constantemente a la crítica constructiva ...”, Informes de Raúl Castro y Marino Murillo en la Reunión del Consejo de Ministros’, *Granma*, 31 May 2015.

⁸⁷‘Lo que no debe ocurrir’, *Juventud Rebelde*, 11 Feb. 2019.

compete with. Stylised as the main protagonists in Cuba's struggle for national sovereignty, this parallel elite's monopolies, high margins, worker exploitation and profit-orientation are portrayed as necessary to maintain a tax base for public services, a direct link between political decision-makers and economic capabilities, and thus loyalty to 'the Revolution'.⁸⁸

Collective Character Assassination: The Politics of Televised Court Cases

Under the mandate of Díaz-Canel (2018–), concerted efforts have been made to raise state wages relative to earnings from non-state work. This 're-ordering' in favour of state labour markets crystallised in salary and monetary reform, enacted on 1 January 2021, which raised state salaries by 321 per cent and the cost of state-provided services and products by around 500 per cent.⁸⁹ At the same time, price caps and similar restrictions were initiated (or maintained) to bar the self-employed from increasing their prices in parallel. Alongside the acute shortage of inputs due to strict measures against Covid-19 and its attendant inflation,⁹⁰ many informal workers were forced further into illegal spaces and markets. Although we lack reliable data on the socio-economic composition of Cuba's unprecedented emigration wave in 2021–2, our observation is that the self-employed are broadly over-represented and that many now leave the country because their hopes triggered by the temporary opening to self-employment in 2014–17 were thwarted. State media again sought to divert attention towards the 'abusive prices' of small-scale farmers, greengrocers and other small businesses, as military-run consortia made billions in profits and Cuban society had to adjust to the end of subsidies for electricity, water, gas, and further cuts to *la libreta* (the ubiquitous 'little booklet' through which many products available in Cuba were rationed in the 1960s to 2000s).⁹¹

The corrective discourse against informal practices tends to intensify in periods of crisis. During the first wave of Covid-19 between March and July 2020, the 'disloyalty' of the private sphere was instrumentalised to jettison government responsibility for mounting scarcities and the rapid spread of the virus due to continued tourist arrivals, particularly from Russia. In this context, televised show trials of private entrepreneurs and black-market vendors aimed to shift blame for scarcities away from the party and the military-run corporations. Of the 1,530 people prosecuted for the crimes of hoarding, contempt and spreading the pandemic between March and early June 2020, 1,516 were sanctioned, with 67 per cent receiving prison sentences.⁹²

⁸⁸Tedesco, 'De militares a gerentes'.

⁸⁹ONEI, 'Salario Medio en Cifras: 2021'.

⁹⁰Given the skyrocketing prices and the plummeting peso (1:40 in late 2020, 1:188 in Sept. 2022), we estimate real inflation to be significantly higher than the 321 per cent hike in state wages between 2020 and 2021. National distributable income has fallen significantly, and there is ample evidence of a crisis in access to food and basic goods, approaching the level of shortages (and inflation) in the 1990s.

⁹¹Jorge Domínguez, 'Las Fuerzas Armadas Revolucionarias y la gobernabilidad en Cuba: Después del derrumbe de la Unión Soviética', in Wolf Grabendorff (ed.), *Los militares y la gobernabilidad: ¿Cómo están cambiando las relaciones civiles-militares en América Latina?* (Bogotá: Friedrich Ebert Stiftung Colombia), pp. 71–85.

⁹²Maricela Sosa Ravelo, Vice-President of the People's Supreme Court, interviewed in *Hacemos Cuba*, 3 June 2020.

Building on Cuba's history of 'socialised trials', since 2020 many of these investigations, raids and criminal proceedings have been televised during prime time, mainly on the programme *Hacemos Cuba*, presented by Humberto López Suárez. In a similar style to its analogue *Con Filo*, which dissects the private life of political activists and public intellectuals in order to discredit them publicly, *Hacemos Cuba* features dramatised investigations and prosecutions of informal and illegal economic actors and spaces, from TCPs to 'corrupt' state workers and bureaucrats.⁹³ We understand this programme (and the wider tendency for public trials of the subaltern, also in Cuba's main news show *Noticiero Estelar*) as an effort of expiatory, collective character assassination, of channelling popular discontent away from the elite and using it to divide society.⁹⁴ The self-employed and the wider space of everyday resistance they figurehead became scapegoats for the failures of government. *Hacemos Cuba* employed all of the key methods identified in the literature on collective character assassination: the silencing of agency and the omission of factual information; anonymous, unverified accusations as well as misleading or ambiguous sources of information; misquotation, distortion and decontextualisation of testimonies; portrayal of a group as inherently evil (demonisation); and insults/pejorative labels such as Fidel Castro's term '*gusanos*' (worms) for individuals unworthy of membership in the Cuban nation.⁹⁵ Reminiscent of the centrally coordinated '*actos de repudio*' (acts of repudiation) organised in front of dissidents' and emigrants' homes since the 1980s, *Hacemos Cuba* always shared personal information about the accused. The legal proceedings showed judges and prosecutors following a prepared, uniform narrative, filled with ideological and political statements, and offering no chance for the accused to answer or provide counter-evidence, which undoubtedly contributed to the prosecution's almost 100 per cent 'success rate'.⁹⁶ In 2021, a similar programme (*Con Filo*) began airing, which focused on the character assassination of individual dissidents and uncomfortable intellectuals, whose symbolic work had in part inspired the country-wide protests of July 2021.

Media policy in the service of the party's continuity in power has intensified attempts to both *frame* the societal spaces in which alternatives to its reign have arisen, and to *spin* societal discontent.⁹⁷ Programmes such as *Hacemos Cuba* and *Con Filo* deliberately offer viewers the narratives and justifications to exercise parallel trials in their own lives and spheres of influence. Periods of crisis are a breeding ground for divide-and-rule strategies that instrumentalise growing public unrest

⁹³Mónica Rivero, 'Más de 1000 personas sancionadas por delitos asociados a la Covid-19', *El Toque*, 9 June 2020.

⁹⁴Robert Entman, 'Framing Bias: Media in the Distribution of Power', *Journal of Communication*, 57: 1 (2007), pp. 163–73.

⁹⁵Sergei Samoilenko, Eric Shiraev *et al.*, 'Character Assassination', in Ledeneva (ed.), *Global Encyclopaedia of Informality*, pp. 439–43.

⁹⁶Eloy Viera, 'La prensa roja cubana y los juicios paralelos', *Periodismo de Barrio*, 7 May 2020.

⁹⁷Shiraev and Icks (eds.), *Character Assassination throughout the Ages*, pp. 4–6; Entman, 'Framing Bias'; Mike Conway, Maria Elizabeth Grabe and Kevin Grieves, 'Villains, Victims and the Virtuous in Bill O'Reilly's "No-Spin Zone": Revisiting World War Propaganda Techniques', *Journalism Studies*, 8: 2 (2007), pp. 197–223.

to target what the party identifies as threats to national sovereignty, in the process encouraging support for the patriotic ruling elite.⁹⁸

The party has offered glimpses into its rationale for creating *Hacemos Cuba* as a stage for public punishment and ridicule. While on the show, Prime Minister Manuel Marrero Cruz stated that economic crimes should be publicly exposed.⁹⁹ According to the presenter, López Suárez, the show trials 'become a preventive and protective message for society. By resorting to collective shame, we send a clear signal to those who fail to comply and put others at risk.'¹⁰⁰ This confirms Sergei Samoilenko and colleagues' finding that character assassination tends to proceed by appealing to 'peripheral values' (incorporating vague emotions and scandal).¹⁰¹ It is noteworthy that *Hacemos Cuba* and similar formats contribute to a broader media environment in which public attacks on targets previously identified by the party (counter-revolutionaries, dissidents and others who 'fail to comply') are naturalised.

The propensity of the Communist Party to periodically 'crack down' on informal sectors, combined with new mediatic means for collective criminalisation, has led to the suppression of open debate on the broader themes exposed by self-employment: individual rights and responsibilities, economic autonomy, horizontal association and practical solidarity. Propaganda and mass communication studies find that the social and political effects of collective criminalisation often go beyond the act of defamation – they change the tone of societal debate.¹⁰² So long as the practices of the self-employed and the wider informal economy are wedged between the revolutionary worldview and the need for daily subsistence, between the official discourse and the social imaginary, it will be difficult for Cuban society to heal the enormous contradictions of post-socialism.

Responses from the Margins: TCP Self-Perceptions, Agency, and Legitimation Strategies

Confronted by pervasive attempts to discredit and criminalise their activities, the self-employed have developed a complex web of signifiers to proclaim their own legitimacy. These signifiers can be studied as preservation methods for subaltern agency, which, according to Norman Long, 'attributes to the individual actor [but also to groups and organisations] the capacity to process social experience and to devise ways of coping with life, even under the most extreme forms of coercion'.¹⁰³ Informal, bottom-up discourses among the self-employed contain a sense of reparation that guides their agency and strengthens their identity.¹⁰⁴ In

⁹⁸Edward S. Herman and Noam Chomsky, *Manufacturing Consent: The Political Economy of the Mass Media* (New York: Pantheon, 1988).

⁹⁹Rivero, 'Más de 1000 personas sancionadas'.

¹⁰⁰Viera, 'La prensa roja'.

¹⁰¹Samoilenko *et al.*, 'Character Assassination', p. 37.

¹⁰²Marcus Daniel, *Scandal and Civility: Journalism and the Birth of American Democracy* (Oxford: Oxford University Press, 2009).

¹⁰³Norman Long, *Development Sociology: Actor Perspectives* (London: Routledge, 2003), p. 16.

¹⁰⁴Compare with a similar study that connects colloquial language, agency and identity within informal practices: Nicolette Makovicky, 'Kombinowanie: Agency, Informality, and the Poetics of Self in Highland Poland', *Journal of the Royal Anthropological Institute*, 24: 3 (2018), pp. 493–511.

the absence of a wider civic space, this symbolic projection takes place through semi-private channels such as conversations with clients and local bureaucrats, including the same police officers and inspectors with whom many maintain relations of mutuality and complicity. In such interactions, both sides are acutely aware of how unrealistic the state's norms and discourses surrounding self-employment truly are. A self-employed artisan with a handicrafts licence alluded to communal identity as he explained how he subverts the mediated image of his work:

So long as I work in the profession, I build relationships, establish links, become trustworthy. In this way you gain access and image, you gain a reputation: your colleagues recommend your work, always by word of mouth one gives the torch to the next. We have a common outlook because we all know that our enemy is the state, which is the force that does not allow us to move forward.¹⁰⁵

Others were more resigned (although not indifferent) about the extent of informality and illegality in their lives. A self-employed woman, a psychologist by profession but currently a maid in a hostel, confessed: 'It's frustrating, because sometimes when I see myself cleaning the baseboards on all fours, I wonder what I'm doing here, but you must know the answer.'¹⁰⁶ Another interviewee, a licensed pastry-baker, told us how his professional identity affects his private life:

I have two children and want to be an example to them and bring them up to be law-abiding. Also, because both my wife and I are professionals, she is a translator for an official news outlet. And what should I say about my parents? My father was a well-known man in this city, a journalist and writer, and my mother, a judge. Can you imagine that their son would commit illegalities? But thanks to that they survive today. My father died already, and I always remember that, even though he never questioned me, it hurt him that I had to leave my profession to be a peddler. Yet, when day after day you see that you have money in your pocket, when you must support a sick mother and two children, and when you know that there are so many people who do the same as you without papers ... no, there is no conflict.¹⁰⁷

Over the course of our many long-term stays in Cuba between 2012 and 2023, we witnessed such individual narratives evolving into communal, local and sectoral articulations aimed at understanding, justifying and emancipating the self-employed worker's subaltern experience.¹⁰⁸ Particularly since the wider availability of mobile-phone data in December 2018, new digital spaces, markets and routines have spread among the self-employed.¹⁰⁹ One interviewee explained:

¹⁰⁵Interview 72, Havana, 7 Dec. 2020.

¹⁰⁶Interview 55, Havana, 10 Oct. 2019.

¹⁰⁷Interview 67, Camagüey, 22 Jan. 2020.

¹⁰⁸Thiemann and González Marrero, 'Multiple Economies', pp. 192–3.

¹⁰⁹By mid-2020, more than 4 million Cubans had some degree of mobile-phone-based internet access that informed their daily activities: Telegram groups to locate scarce goods, Zaps to transfer information,

Today, the development of social networks, the Internet and so on has meant that entrepreneurs have organically joined together through networks, Telegram [messaging app] groups and so on, and have created other initiatives in their localities. When a tornado passed through Havana in 2019, a group of entrepreneurs went to the affected areas to deliver donations that we had collected, and this was not organised by any institution, but via our own social networks.¹¹⁰

We see how these examples of *talkback* turn into concerted *pushback* actions. The last five years have seen wildcat strikes and attempts at unionisation, unthinkable in Cuba since the ‘unification’ of all trade unions in 1961. Self-employed transport workers went on strike on several occasions in 2018–19, protesting the price ceilings unilaterally declared by several provincial governments.¹¹¹ Some of these actions were accompanied by written demands, led by the Asociación Cubana de Transportistas Autónomos (Cuban Association of Autonomous Transport Workers). Private butchers in several provinces likewise closed their shops in protest against the price cap on pork, the confiscation of goods, and the government’s unwillingness to sell imported feed to private farmers.¹¹² Self-employed workers have expressed (and in some sectors rehearsed) their desire to unionise independently, although so far the government has been able to suppress these unions by targeting and exiling their leaders and threatening to revoke the TCP licences of all those who associate with them.¹¹³

Other groups of the self-employed have developed their demands within quasi-legal, tolerated initiatives set up outside the state, such as those initiated by foreign embassies. While some offer platforms for exchange with foreign SME experts seeking to strengthen the private sector on the island, participation in such platforms is closely monitored by state security agents.¹¹⁴ The most far-reaching initiative thus far has developed within the institutional safe haven of the Catholic Church. In 2012 the Archdiocese of Havana created the Cuba Emprende project to offer TCPs business training and advice.¹¹⁵ With its legal status, Cuba Emprende has representation in more than 12 provinces and has graduated more than 3,600 entrepreneurs. A telecommunications agent, specialised in home security systems, told us what this re-negotiation of professional identity means for his work:

Cuba Emprende is like a community, it offers you platforms, you feel that you belong to something [...] you satisfy this need for basic recognition, because

proxies and virtual private networks (VPNs) to circumvent censorship, among many others. ‘Eteca llega a los cuatro millones de clientes con acceso a Internet desde los celulares’, *Cubadebate*, 12 Aug. 2020.

¹¹⁰Interview 75, Havana, 3 Feb. 2021.

¹¹¹‘Boteros de toda la Isla se declaran en huelga como medida de presión’, *Diario de Cuba*, 14 Feb. 2020, available at www.tinyurl.com/2p8jkrra, last access 12 June 2023.

¹¹²‘Tope de precios quiebra a pequeños criaderos de cerdo en Cuba’, *Periódico Cubano*, 14 Aug. 2019, available at www.tinyurl.com/3chdbbc7, last access 12 June 2023; ‘Sancti Spiritus: Castrismo confirma que cedió a protesta de cuentapropistas’, *ADN Cuba*, 13 Jan. 2021, available at www.tinyurl.com/3ysprm6v, last access 12 June 2023.

¹¹³‘Cuentapropistas cubanos continúan exigiendo un sindicato independiente’, *CiberCuba*, 24 April 2019, available at www.tinyurl.com/yckrncb3, last access 12 June 2023.

¹¹⁴Interview 74, Havana, 3 Feb. 2021.

¹¹⁵For further information, see special issue of *Cuban Studies*, 50 (April 2021), pp. 30–95.

entrepreneurs don't just want to create a business, they have dreams, they want to promote their products or services, they want to provide solutions, even contribute to the economy of the community or the country. This vision that they only want to get rich, that they are 'peddlers', that everything is corruption and that everything is negative, is harmful. In this sense, Cuba *Emprende* has managed, within the entrepreneurial community and among those who have contact with this community, to create another image, a sense that we are not the ones who are normally seen on television, in the press and on official channels.¹¹⁶

Despite their many differences, the self-employed in their *Kulturkampf* with institutionalised power are increasingly identifying their work in associational, collective and political terms. They discuss and project possible futures, and are undoubtedly one of the driving forces behind the recent re-emergence of social and sectoral protest, although the unprecedented emigration wave that began in October 2021 is likely fraying this emerging civic fabric.

Conclusion

Self-employment in transition countries is often presented as a means for social mobility and a mechanism of class differentiation, the emergence of which may increase inequality in Cuba (for better or worse, depending on the observer). We instead study the non-state sector through the experience of the vast majority of its members: as a dynamic – albeit structurally limited – everyday resistance strategy for millions of families.¹¹⁷ Counterintuitively, the 'conditional freedoms' in the legal-administrative framework governing the informal sector often have the opposite effect: by forcing the self-employed to remain in a limbo of informality and, in most cases, illegality, the state has created new avenues for corruption and nepotism in the capture of more lucrative economic spaces. The crackdown on self-employment thus adds significant fuel to the rise of political and economic inequality in Cuba. Over the course of people's lives, the layered material outcomes of unequal persecution in the informal economy accumulate, slowly forming fundamental inequalities and patterns of stratification. In other words: the primary driver behind rising inequality in Cuba is not increasing private economic activity itself, but the everyday political dynamics of access that condition it in the current self-employment regime.

Whereas the state systematically blurs the lines between informality (destined for formalisation) and illegality (destined for prosecution), we have shown that self-employed workers want a legal and representational regime that clearly separates these two spheres. Positive and efficient informal relations are geared towards filling gaps in social capital, while negative or inefficient informal practices are based on inequities in the governance system (corruption and clientelism).¹¹⁸ The success of

¹¹⁶Interview 74, Havana, 3 Feb. 2021.

¹¹⁷Louis Thiemann, *The Third Class: Artisans of the World, Unite?* (The Hague: Institute of Social Studies, 2022).

¹¹⁸Heiko Pleines, 'Introduction', in Stefes (ed.), *Understanding Post-Soviet Transitions*, pp. 11–18.

the transition the Communist Party has tacitly undertaken over the last three decades will depend on finding measures that separate the two spheres of informality, formalising the former and criminalising the latter. While formalisation will create new spaces for small-scale production and investment, it will inevitably require giving greater voice and civic (including academic) agency to the co-creation of new symbols of (il-)legitimacy. These would help the population as well as public and civic actors to distinguish between practices they perceive as 'legitimate' and others they consider 'illegitimate'. Such symbols would grant permanent relevance to self-employment as part of a new 'social contract' that can fill the symbolic vacuum left by the communist vision, abandoned in the 1990s.

We do not see, however, the political will necessary to transform the top-down symbolic production of self-directed labour, or to grant new actors (including the self-employed) access to the discursive spaces (public media, legal and government institutions) where these symbols are shaped. The reforms that enabled the first wave(s) of autonomous workers to semi-formalise their occupational status in a fragile regime of 'conditional freedoms' were based on a framework that sees them as marginal producers, tolerated in order to maintain a basic level of subsistence for a population reeling from institutional and economic stagnation and crisis – not as agents of an inclusive development model that would likely end up threatening the monolithic power of party and armed-forces elites. These elites are likely right that self-employment – particularly where it does not result in a re-accumulation of capital in the hands of a small entrepreneurial elite that can be co-opted into the existing authoritarian system – presents a threat to the symbolic and material order their power relies on.

Counterintuitively, our research has thus shown that 'conditional freedoms' for the self-employed are not a 'socialist' policy. While the government claims that the current legal and symbolic framework works against the 'enrichment of a petit-bourgeois minority', it also undermines the vast majority of small family businesses that do not aspire to expand.¹¹⁹ Meanwhile, Cuba's largest corporations and their foreign suppliers and investors are taking over many of the same vacuums left by over-burdened domestic, small- and medium-scale producers. In a country highly dependent on imports and remittances, it is crucial to reconstitute autonomous employment around notions of inclusive, endogenous development – even if the party maintains prohibitions on large private companies.

Libertades condicionadas: El trabajo no estatal en Cuba entre la deslegitimación institucional y el reconocimiento cívico

Durante el apogeo de su poder sobre la vida cotidiana, entre 1968 y 1993, el Partido Comunista de Cuba prohibió prácticamente todos los trabajos e intercambios no estatales. Desde entonces, sin embargo, su continuidad en el poder ha dependido cada vez más de la devolución: transfiriendo la responsabilidad para la provisión de bienes y servicios básicos de empresas estatales fallidas a los cuentapropistas. Estos últimos ahora producen la mayoría de los alimentos y productos básicos; reciben la mayor parte del ingreso nacional del turismo, las remesas y la inversión extranjera; y generan la mayoría de los nuevos

¹¹⁹Georgina Gómez, *Do Micro-Enterprises Promote Equity or Growth?* (Gorinchem: Woord en Daad, 2008), pp. 6–15.

empleos. Sin embargo, ellos subsisten bajo un régimen subalterno de libertades frágiles y condicionadas. El artículo adapta la consideración de James Scott sobre los ‘discursos ocultos’ y agencias del subalterno en relación a la Cuba contemporánea. Analiza lo ineludible de las prácticas informales e ilegales para la subsistencia diaria; su naturalización en la sociedad en contraste con su deslegitimación como auto-enriquecimiento oportunista en la prensa autoritaria; y cómo los trabajadores informales resisten tales lecturas en favor de visiones cívicas más conciliadoras.

Palabras clave: informalidad; resistencia cotidiana; economía informal; ambivalencia normativa; prensa autoritaria; difamación colectiva

Liberdades condicionais: O trabalho não estatal em Cuba entre a deslegitimação institucional e o reconhecimento cívico

Durante o auge de seu poder sobre a vida cotidiana, entre 1968 e 1993, o Partido Comunista Cubano proibiu praticamente todo trabalho e troca não estatais. Desde então, no entanto, sua continuidade no poder tem dependido cada vez mais da devolução: transferindo a responsabilidade pelo fornecimento de bens e serviços básicos de empresas estatais falidas para os autônomos. Estes últimos agora produzem a maioria dos alimentos e produtos básicos; recebem a maior parte da renda nacional do turismo, as remessas e o investimento estrangeiro; e geram a maioria dos novos empregos. No entanto, subsistem sob um regime subalterno de libertades frágeis e condicionadas. O artigo adapta a consideração de James Scott sobre as ‘transcrições ocultas’ e agentes do subalterno à Cuba contemporânea. Analisa ainda a inevitabilidade das práticas informais e ilegais para a subsistência diária; a sua naturalização na sociedade em contraste com a sua deslegitimação como autoenriquecimento oportunista na mídia autoritária; e como os trabalhadores independentes resistem a tais julgamentos em prol de visões cívicas mais conciliatórias.

Palavras-chave: trabalho autônomo; resistência cotidiana; economia informal; ambivalência normativa; mídia autoritária; assassinato de caráter

Cite this article: Thiemann L, González Marrero C (2023). Conditional Freedoms: Non-State Labour in Cuba between Institutional Delegitimation and Civic Recognition. *Journal of Latin American Studies* 55, 599–622. <https://doi.org/10.1017/S0022216X2300069X>