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A vote for sovereignty

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Since the triumph of the Cuban Revolution in 1959, Cuba has been striving to develop a socialist constitutional foundation. The evolving Cuban constitutionality includes: reformulations of liberal bourgeois concepts of political and civil rights, including the development of popular democracy; universal protection of social and economic rights; proclamation of the rights of nations to sovereignty and to control of their natural resources, in opposition to imperialism; and definition of the necessary role of the state in the protection of the rights of the people and the nation. Cuban socialist constitutionality has been developed on a foundation of extensive popular participation. And it has been developed with consciousness of its historic antecedents: The Constitution of Guáimaro of April 10, 1869, which created the Republic of Cuba in Arms; and the Constitution of 1940, an advanced and progressive constitution, not implemented by “democratic” governments and set aside by the Batista dictatorship.

The revolutionary socialist constitutionality was announced on September 2, 1960, when the National General Assembly of the People of Cuba emitted the Declaration of Havana. It affirmed the right of peasants to the land and the rights of the people to a just wage, free education, and medical attention. And it declared full political, civil, and social rights for blacks, indigenous persons, and women. The National General Assembly of the People of Cuba was a mass meeting of one million, constituting 20% of the Cuban adult population. Along with the mass organizations of workers, peasants, students, women, and neighborhoods, the National General Assembly of the People was an early step in the development of “direct democracy.”

The evolving structures of popular democracy were provided a constitutional foundation by the Constitution of 1976, developed through popular consultation and approved in referendum by 95% of the people. The Constitution of 1976 established 169 municipal assemblies, whose delegates are elected by the people in small voting districts, in secret and direct elections involving two or three candidates nominated in neighborhood assemblies by the people, without the participation of political parties. Subsequently, the 169 municipal assemblies elect the deputies of the National Assembly of Popular Power, the highest authority in the nation, responsible for the election of the highest members of the executive and judicial branches of the State.

The Constitution of 1976 also assigns a pivotal role to the mass organizations of workers, farmers, women, students, and neighborhoods in the elections conducted by the municipal assemblies and in the legislative committees of the National Assembly. In addition, the Constitution of 1976 establishes the Communist Party of Cuba as highest teaching and moral authority. Unlike political parties in representative democracies, the Party leads through education and example, without administrative and legislative authority, and without electoral functions. Moreover, like the 1960 Declaration of Havana, the Constitution of 1976 affirms the social and economic rights of the people, and it declares the right of Cuba and all nations to sovereignty.

A constitutional reform in 1992, developed on the basis of a popular consultation, declared state ownership over the principal means of production, thus permitting private property, including foreign property, in accordance with a development plan directed by the state. The modification gave constitutional foundation to economic policies made necessary by the collapse of the socialist bloc.

A further constitutional reform in 2002 declared the irrevocable character of Cuban socialism, responding to the Bush Plan to reestablish capitalism in Cuba. The National Assembly of Popular Power approved the constitutional amendment following the signing of its ratification by virtually all citizens.

Based on its belief that the 1976 Constitution no longer corresponds to Cuban reality, the Party proposed the development of a new constitution. The National Assembly of Popular Power appointed a Constitutional Commission, which developed a draft and presented it to the Assembly, which made modifications and approved a draft for presentation to the people. An extensive popular consultation concerning the draft was conducted from August 13 to November 15, 2018. Some 133,680 meetings were held in neighborhoods and places of work and study.

There were 8,945,521 participants, with an estimated two million attending more than one, so that the participation rate was approximately three-quarters of the population. There were 1,706,872 commentaries by the people, with 783,174 proposed modifications, additions, or eliminations.

The extensive, vibrant, high-quality, and dignified participation in the popular consultation inspired a Cuban daily newspaper to describe the process as “an entire people constructing their constitution,” with a constitutional assembly of the people.

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