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Message from the President

Frank Flaherty, Esq., State Bar of Nevada President



ON THE ROAD FROM CUBA

“The Cubans we met did not try to lay the current state of their economy at the feet of any single nation and, indeed, most also spoke candidly about the need for internal reform.”

On September 30, 2012, I had the privilege to lead a diverse delegation of Nevada lawyers on a trip to Cuba for a professional exchange.* As many of you are undoubtedly aware, travel to Cuba is restricted and highly regulated; in fact, all of the delegates had to affirm that our trip was strictly for “noncommercial, academic research in [our] full-time professional area.”

I cannot say that our trip had an auspicious start. We first made the trip to Miami, the day prior – one of us traveling all the way from Moscow (no, not Moscow, Idaho; I asked too). We eagerly boarded our short, one-hour, Miami-Havana flight and then ... sat there, and sat there. It was getting a little toasty on the tarmac in Miami, so ultimately, the airline provided us with a drink and a small snack. I think we can thank the United States Congress for that. Finally, having first taken the precaution of feeding and watering us, the pilot sheepishly announced that the fuel leak, or perhaps just the sensor reporting a fuel leak, could not be repaired. Thus, we all de-planed and sat for several hours while the airline located another plane.

We finally left, two or three hours late, and arrived, close to sunset, at the small, somewhat rural Jose Marti International Airport. Cuba is a large island by the way – it takes 14 hours to drive from one end to the other, almost like driving across Texas. As we inexplicably boarded a bus for the mere 100-foot trip to the terminal, many of us snapped pictures of a beautiful Caribbean sunset. Hmmm, this might be some pretty nice “island time,” I thought.

About 30 minutes later, when I got to the immigration control officer, I realized this was not going to be anything like a Caribbean holiday. They do not stamp your passport upon arrival in Cuba. Instead, a very serious young woman, in what looked like a military uniform, instructed me to stand on two footprints in front of a small digital camera, whereupon she took my photo and visa. The visa was perforated, and the immigration officer told me in stern terms that I should NOT lose the half she gave back to me, because without it, I would NOT be leaving Cuba. And indeed, when I left Cuba five days later, another immigration officer closely scrutinized me and my photo to ensure that I was who I said I was

and not someone else, perhaps a Cuban national, attempting to leave the country.

Any remaining notion that we were visiting a tropical island paradise was further dispelled on the bus ride from the airport to the hotel. Many of you are aware that, in Cuba, one sees numerous vintage American cars cruising the roadway, but it may not have occurred to you that those classic cars, as well as a wide variety of decidedly less quaint soviet bloc cars and trucks, belch vast quantities of acrid exhaust onto the roadways. On the way to Havana, I first mistook the exhaust for a bit of enchanting evening fog, but soon the smell, and a mild burning sensation in my eyes, revealed the truth.

The hotel was clean, the air conditioning was adequate and I must say that the staff at the hotel, although a bit reserved at first, was actually quite pleasant and cordial; I did not detect any animosity based on the fact that we were “yankees.” The numerous Cuban professionals we met with were extremely polite and friendly and made us feel most welcome. We met with numerous lawyers, a former Supreme Court judge and an economist, with whom we discussed diverse aspects of the state of and practice of law in Cuba.

We spent most of our five days attending meetings and panel discussions at the National Association of Cuban Jurists (UCNJ). From the exterior, the building, indeed much of Havana, is reminiscent of the French Quarter in New Orleans, although severely distressed by time, tropical weather and neglect. The interior was in a state of serious disrepair; its 1960s and 70s vintage furniture and fixtures were embellished with a generous supplement of duct tape and other adhesives and patches. However, our hosts were distracted neither by the furniture, the fixtures nor the duct tape and we soon forgot about them as well as we engaged in lengthy discussions regarding the Cuban economy and legal system.

Although we were not overtly lobbied, a large part of the discussion did concern the impact of the U.S. embargo on the Cuban economy and, as a consequence, the practice of law. But perhaps of more interest was the part of the discussion surrounding the almost instantaneous collapse of the Cuban economy in the wake of the collapse of the Soviet Union. Thus, the Cubans we met did not try to lay the current state of their economy at the feet of any single nation and, indeed, most also spoke candidly about the need for internal reform.

Also remarkable was the fact that our hosts were in no sense self-conscious or embarrassed about the state of affairs in their country. One lawyer stated, almost in passing, that Cuba is a third-world country and went on to discuss the impact of that fact on her law practice. Another jurist mentioned, in passing, almost as if discussing the weather, coping with her dwindling ration of cooking oil.

I believe I can speak for the entire delegation when I state that the trip was fascinating and enjoyable. In one of my future columns, I will share some of the insights we gained about the “Cuban Bar,” the practice of law in Cuba and other interesting aspects of the trip. ■

** No funds from the State Bar of Nevada were expended for any aspect of the trip.*