11 DAYS IN CUBA

Havana course, watershed moment
By Pamela Reynolds
Photography by Priscilla Guerrero JD’16
FOR JACOB MATHEWS JD ’15, it was the fact that when it rains in Cuba, all normal activity comes to a grinding halt. No taxis. No buses. “Everyone just sits and waits for the rain to end,” he says.

For Priscilla Guerrero JD ’16, it was the 1950s-era car that arrived to pick her up at the airport. That’s when she had what she calls her I-don’t-think-we’re-in-Kansas-anymore moment.

For Sara Frank JD ’15, it was squeezing into an almendron—a usually battered old car that serves multiple customers. For less than the equivalent of 40 cents, “you ride with as many people as [the driver] can squish into the car,” says Frank. “And you better close the door gently or you will get yelled at in Spanish—and the door might fall off!”

Utterly Cuban moments like these—at times charming, a bit gritty, occasionally surreal—remain with the 24 Suffolk Law students who journeyed to Cuba in January to participate in a first-of-its-kind intersession course on negotiation and mediation held at the University of Havana Law School. Organized by Suffolk Law Visiting Professor Isaac Borenstein, himself Cuban-born, the trip was designed as both a cultural and legal exchange to give Suffolk students the rare opportunity to experience firsthand a country that most know only through the dubious filter of media or political debate.

Cuban life, up close

Planning for the trip began last year, when Borenstein and Suffolk Law Dean Camille A. Nelson and Associate Dean Ilene Seidman participated in a two-day academic exchange at the University of Havana Law School. None of the trip organizers could anticipate just how significant the trip would become, falling as it did shortly after the historic announcement of U.S. and Cuban presidents Barack Obama and Raul Castro that diplomatic relations would be restored between the two countries after a 55-year embargo.

Other factors also made the trip groundbreaking. For one, Suffolk Law students were able to glimpse Cuban life up close in a way that few Americans ever do. The students stayed with Cuban families in homes scattered around the barrios of Havana. They traveled around town in rusted almendrones and attended classes each day on the well-groomed campus of the University of Havana, alongside Cuban law students—another first for such courses, which are usually held in hotel conference rooms. The classes were taught jointly by Suffolk and University of Havana law professors and mediators and teachers from The Mediation Group in Brookline.

When the school day was over, the Suffolk students would spend evenings eating ropa vieja or quaffing mojitos with their Cuban classmates in nightspots too hip for tourist guidebooks. In other words, this was not a view of Cuba glimpsed from behind a tourist bus window.

“We were learning right along with Cuban law students,” recalls Frank. “That meant that when a topic arose, a Cuban law student would lean over to a Suffolk student to ask ‘How do you handle this?’ or vice versa. Because our course was in mediation and negotiation, a topic that transcends different areas of law, we had the opportunity to get a crash course in topics like Cuban international law and family law.”

Una lección in better lawyering

Borenstein says that students visiting Cuba often have a picture of the country formed long before they ever set foot on the island. They expect to see only crumbling buildings and are surprised, he says, when they are greeted by a thriving metropolis of wide avenues and stately colonial buildings. They are prepared for nothing to work and yet discover that Cubans are extremely inventive.

Guerrero says one of her enduring memories is of seeing an old car outfitted with a cellphone flashlight in place of a headlight. The populace is highly educated. And, Borenstein says, when it comes to the law, the system is well codified and functional.

“So kids come back going, ‘Wow, we don’t get this view of Havana in the United States,’” says Borenstein, a former Superior Court judge.
“That’s a great lesson in what lawyers need to do—be open-minded. That’s my view of how people can lawyer better, can become better mediators and negotiators.”

Borenstein says that many have asked him what going to Cuba has to do with the law.

“Well, it has to do with understanding that the problems of the world, legal and otherwise, have multiple perspectives. A good mediator goes in to resolve a problem without being closed-minded and without an attitude of dominance.”

Going phone-free
The students were able to see many aspects of Cuba that remain unfamiliar to Americans. Frank says she was impressed by how the Cuban system has managed to provide basics—health care, education and housing—to its citizens that many Americans lack. “Indeed, the average Cuban’s standard of living is not the same as the average American’s, but the country’s provision of basic human needs for all citizens is something for which Cubans can be—and are—proud,” she says.

Guerrero says that oddly enough, a dearth of communication technology results in better communication in Cuba. “We ate dinner and talked to each other without the need to check our phones every few minutes,” she says. “I vividly remember coming back to Boston and thinking about this part of the trip and realizing how much I actually ‘listened’ to people rather than just ‘hearing’ what they were saying.”

Mathews says he was struck by the philosophical approach that many Cubans take to life. “They are much more accepting of what will be will be, and we just need to accept that and go with it, and it will all work out.”

A collision of contradictions
The students learned that life isn’t easy for Cubans. Professionals, doctors and lawyers, might expect to make only about $40 a month, and most Cubans earn about half that. Since housing, health care and education are provided by the government, a salary so small might just barely cover the basics, but it doesn’t allow for any extras—and certainly not for maintaining old homes or buying the luxuries that might be considered necessities in wealthier settings. For that reason, many Cubans, including the gastroenterologist that hosted Mathews and the physician who hosted Frank, have turned their large elegant homes into bed-and-breakfasts for visiting tourists.

What was quickly apparent to the Suffolk students is that Cuba hangs suspended between the past and present in a way that is unique and intriguing.

“Some say that visiting Cuba is a throwback in time, but it is not entirely,” says Frank. “You may be riding around in a 1950 Studebaker, but could be listening to a top-of-the-line car stereo that the driver received from a family member in the States.”

It was this very collision of so many eras, contradictions and cultural differences that resulted in what the students call a “transformative” experience. Trips such as these, they say, will improve not only their life skills but their skills as practicing lawyers.

“Both the law and the mix of various cultures within this field are constantly changing,” says Guerrero. “Cultural influences are oftentimes at the root of a case, and while they shouldn’t serve to excuse or exonerate, they should at least be understood. Efforts to do so begin with experiences such as this one.”

Mathews says he and the other students are grateful to Borenstein, Dean Nelson and Associate Dean Seidman for orchestrating the trip. “We’ve been harping on Suffolk to make sure the program doesn’t end,” he says. “I hope more students get the opportunity to experience what we have, because we’re definitely going to be better lawyers because of what we experienced.”