



DRSEA INFORMER

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Nueva Era En Béisbol (New Era In Baseball) – The new year is starting with something that hasn't happened in more than a quarter-century; a new union boss at the Major League Baseball Players Association. Michael Weiner has succeeded Don Fehr who led the union since 1983. From all indications, there is definitely a new sheriff in town.

I always liked Fehr. He always answered my calls, was always accommodating when I asked him for something, and I know he is definitely responsible for the labor-management peace that exists in baseball today. He took the association through the 1980 fights over collusion and the strike of 1985, the lockout in 1990, the work stoppage in 1994-95, and into the steroid era when the union agreed to testing players for performance enhancing drugs.

In between, he made players filthy rich. When he took over, the minimum salary for players was \$30,000 and the average was \$289,000; today, the minimum is \$400,000 and the average is \$2.9 million. Owners came to understand that they had nothing to fear but Fehr himself, who for years received a pro sports pittance of \$1 million a year, on a one-year contract, rejecting more money and longer terms, believing the money could be better spent. He did get an \$11 million retirement payout.



Don Fehr

Weiner is Fehr's handpicked successor as executive director and from what I understand, he will continue to be a peacekeeper when the current contract ends in 2011. The 47-year-old Harvard graduate was hired by the union as a staff lawyer in 1988 and was promoted to general counsel in 2004. During bargaining in 2002 and 2006, Weiner was among the union's chief negotiators.



Michael Weiner

Now, among his other duties, he must deal with the continuing fallout of baseball's steroid scandals that are undermining the integrity of America's pastime, and address the continuing call for an international draft, both of which have major implications on the Dominican Republic. Major League Baseball was rocked in 2009 by the leaking of names of drug users from a 2003 drug survey, including Alex Rodriguez, Sammy Sosa, David Ortiz and Manny Ramirez, all Dominicans. Add to that the fact that of 68 minor leaguers issued suspensions for drug use during the 2009, 31 were Dominican Summer Leaguers. Much of the war on steroids in baseball will have to be fought on a Dominican beachfront.

There is also talk among baseball owners about subjecting Dominican players to an international draft, something Weiner has indicated his union is willing to support. "There was plenty of sentiment for saying that players from Texas should be subject to the same rules as players from the Dominican Republic," he said shortly after his appointment was announced.

I am certain the Dominican Republic will resist such a draft. Currently, any team can go after any player in the Dominican Republic, so it becomes a bidding war that has increased the average signing bonus, which is good for the players. Entering Dominicans into an international draft might mean that a top Dominican prospect would only be in the top 100 in such a draft, seriously reducing initial earning potential, and diminishing the signing power of all Dominican prospects.

Weiner has said he will reject any attempts to fix salaries according to draft positions as is done in the National Basketball Association. "This union has always stood for the proposition that players should have the right to bargain individually for their compensation," he said. That still might not appease those in the Dominican Republic who have benefited from having a separate development system, even though that system is rife with problems that will take more than a new union boss to fix.

But hopefully Weiner will call more attention to the problems and urge Major League Baseball to be more aggressive in fixing them, with union support. With about 30 percent of MLB players coming from Latin America, and most of them from the Dominican Republic, it will be in the best interest of the association's membership to do so.

Fuera De La Noche Que Me Cubre (Out Of The Night That Covers Me) –

Franklin D. Roosevelt once remarked that the only thing to fear is fear itself. It was 1933 and the United States was in the grips of the Great Depression, a period of grave uncertainty and Roosevelt wanted to reassure people that the country would endure, would revive and would prosper.

We find our country and our world back in similar circumstances of financial distress, with the added burden of the threat of terrorism, the dangers of global warming, and the possibility of massive pandemics. Fear is no longer as simplistic as Roosevelt wanted people to believe. Today, fear captivates, motivates, and debilitates in ways Roosevelt couldn't have

conceptualized. In essence, we live in a dangerous world full of a myriad of fears, real and imagined.

I struggle with my own fears. Fear of failure. Fear of letting people down. Fear of becoming a drunk again. My fears are often unreasoning and unjustified, but real nonetheless in my mind's eye, and I have to summon courage to face my fears, convert retreat into advance.

During these periods I often take solace in "*Invictus*," a short poem by English poet William Ernest Henley (1849-1903). From the age of 12, Henley suffered from tuberculosis of the bone which required amputation of his left leg below the knee. Frequent illness often kept him from school. In 1867, Henley passed the Oxford Local Schools Examination and soon afterwards moved to London where he attempted to establish himself as a journalist.

His work over the next eight years was interrupted by long periods in hospitals because his right foot was also diseased. Henley rejected the diagnosis that a second amputation was the only way to save his life and became a patient of the pioneering surgeon Joseph Lister at the Royal Infirmary of Edinburgh. After three years in the hospital, Henley was discharged. Lister's treatment did not result in a complete cure but allowed Henley to have a relatively active life for nearly 30 years, though he suffered almost constant pain. He died at age 53.

The poem "*Invictus*," Latin for unconquered, was written by Henley in 1875 from his hospital bed. I was introduced to the poem during my pledge days at Lincoln University when I aspired for membership in the Omega Psi Phi Fraternity. Without revealing secrets of the fraternity, pledging was a series of challenges meant to prepare you for the responsibilities that come with membership, including its cardinal principles of manhood, scholarship, perseverance and uplift.

"*Invictus*" was one of many things we pledgees were given to memorize and to reflect on when we had doubts or fears, which were things that pledging was supposed to create. How we responded to those doubts and fears was in reality a test of worthiness for membership in the fraternity.

I survived the tests and my membership in Omega Psi Phi is one of my most cherished accomplishments as I am fortified almost daily by the things I learned and continue to learn about myself through the fraternity, including the importance of friendship; the fraternity motto is: Friendship Is Essential To The Soul. And I continue to recite "*Invictus*" on a frequent basis, reflecting on its message as I confront my doubts and fears of today.

The poem took on new relevance recently when a movie of the same title came out on the life of Nelson Mandela after the fall of apartheid in South Africa, during his term as president, when he campaigned to host the 1995 Rugby World Cup event as an opportunity to unite his countrymen. Turns out that Mandela had "*Invictus*" written on a scrap of paper in his prison cell while he was jailed for 27 years for fighting apartheid.



Nelson Mandela's prison cell

While I would never remotely compare my fears and doubts while pledging, or even the ones I have today, to Mandela's incarceration, I feel an even greater connection to the poem and to Mandela, who has been an inspiration since my childhood. I can remember my mother telling me about apartheid, about Mandela. When shopping, she would often ask the origin of foods or other items, and pass over them if they came from South Africa. It was her part in the struggle for freedom, long before divestment became popular.

I often wondered what Mandela was thinking in his tiny cell, day after day, night after night, year after year, never knowing if each day would be his last, and his captors no doubt hoping that his fears would break him. They never did, and now I know that "*Invictus*" helped him, as it has helped me over the years.

In the past year, I certainly have had doubts and fears about my experience and goals in the Dominican Republic. Did I make the right decision? Do I have the strength to succeed against the odds? In those moments, I recite the same poem in which Nelson Mandela found some of his strength and know once again that I too am the master of my fate, the captain of my soul.

INVICTUS

*Out of the night that covers me,
Black as the pit from pole to pole,
I thank whatever gods may be
For my unconquerable soul.*

*In the fell clutch of circumstance
I have not winced nor cried aloud.
Under the bludgeonings of chance
My head is bloody, but unbowed.*

*Beyond this place of wrath and tears
Looms but the Horror of the shade,
And yet the menace of the years
Finds and shall find me unafraid.*

*It matters not how strait the gate,
How charged with punishments the scroll,
I am the master of my fate:
I am the captain of my soul.*

Quemado (Up In Smoke) – One of my greatest joys living in the Dominican Republic is access to some of the best cigars the world has to offer, including Cuban cigars, which, of course, are banned in the U.S., thanks to a ridiculous and totally out-of-date embargo on Cuban products. Several Dominican cigar manufacturers took advantage of the embargo to produce and trademark cigars in the United States with the same names as Cuban brands and have enjoyed the marketing benefits those brands names engender while producing entirely different cigars.

But a recent court ruling may change all of that. Judge Robert W. Sweet of the Second District Court of New York has ruled in favor of the Cuban cigar industry, issuing an injunction for General Cigar Company to stop selling its Cohiba cigars in the United States and said that, "General Cigar selected Cohiba for a new product [in the early 1990's] in order to exploit the reputation and goodwill of the Cuban Cohiba" in the United States, and that General "continues to profit from the Cuban Cohiba's goodwill."

While General intends to appeal and has the right to continue to sell Dominican Cohiba cigars in the United States until the appeal is decided, "Judge Sweet's decision fully vindicates the fundamental principle that a company cannot be permitted to reap what it has not sowed, that it cannot be permitted to exploit the goodwill and reputation of another company's product," said Michael Krinsky and David Goldstein, the U.S. attorneys for Cubatabaco, the state-run Havana entity that owns Cuba's cigar brands.

Rulings have gone back and forth between the Cuban cigar industry and General Cigar over the past dozen years. Cubatabaco sued General in 1997 regarding the Cohiba brand, trying to cancel General's trademark in the United States. In March 2004, an American judge canceled General's trademark of Cohiba, ruling in favor of Cubatabaco. General appealed and continued to sell the cigars, which have a band featuring a red dot. In February 2005, General won its appeal. In 2008, the case was reopened in light of a new legal precedent—Cubatabaco appealed to the United States District Court, Southern District of New York, citing a prior ruling as a basis for its claim against General.



Several other cigars with names that originated in Cuba are produced in the Dominican Republic and trademarked for sale in the U.S. including Montecristo, Romeo and Juliet, Partegas and H. Upmann, and all await the outcome of the General appeal as it will have widespread implications on the ability to claim and use specific cigar names for U.S. consumption.

But even if the General's appeal fails *and* there is an end to the embargo, don't expect Cuban cigars to suddenly be available in the U.S. The trademark battles could continue for years, but more importantly, even if the U.S. market does open, Cuba is unable to keep up with world demand for its cigars. Sales in 2008 were \$394 million, down 8 percent in volume, 3 percent in revenue from the previous year. Add to that a devastating hurricane in 2008 that destroyed 5 percent of the total crop of Cuban cigar tobacco; it takes years to stockpile tobacco to produce quality cigars.

In the meantime, I will continue to enjoy the availability of great Dominican and Cuban cigars here in the Dominican Republic. While I think Cuba produces the best cigars in the world, given

more than three centuries of production, the Dominican Republic can and does compete with Havana's finest.

Cambio De Repuesto (Spare Change) – The late comedian Robin Harris had a funny bit about spare change and what an oxymoron it is. He may have been referring to the Dominican Republic, where I am discovering more and more that there is little change to spare, and I can't for the life of me figure out why. But, I am living in a foreign country; I observe, not criticize.

In my observations, I am often presented with having to pay an odd amount for purchases, which, of course, are made in pesos. Often an item is something like 32.95 pesos, and when several items are added up, and taxes calculated, the resulting tab can be like 232.68 pesos. Establishments round up when it is .50 pesos or more, round down when it is .50 pesos or less.

My conundrum comes when I present 300 pesos and expect back 67.32 pesos, understanding that they will round it down and hand me 67 pesos, right? But often I am handed a 50 peso bill, a 10 peso coin, and a 5 peso coin. Where are my 2 pesos? No change, I am told, and this happens frequently.

Now admittedly, 2 pesos are not much money, but remember, you can buy a banana or plantain for 5 pesos. Or an egg – yes, you can go into a corner store and buy a single egg. Some cashiers will tell you they will make up for the missing change the next time you come in, and, if you remind them, they often do, but I can't understand the absolute lack of single pesos. Maybe I am so used to pennies, which we all know are useless, but we expect them, right?

Now, here is something else that frequently takes place. Sometimes a business will be short on pesos and hand you a two-pack of Chiclets with your change, or a couple of Hall's cough drops. People often joke that the Chiclet is legal tender in the Dominican Republic. Spare gum?

"I learned that courage was not the absence of fear, but the triumph over it. The brave man is not he who does not feel afraid, but he who conquers that fear." – Nelson Mandela

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