

Days of reckoning for the University of Puerto Rico: the struggle to maintain the Cultural Autonomy of a Caribbean public university

ALICIA POUSADA

Abstract

Pousada's commentary points to how Cultural Autonomy is being threatened by efforts to privatize education and run public schools as though they were businesses. She uses the case of Puerto Rico and describes the battle to retain a viable public university system within the larger struggle to maintain a uniquely Puerto Rican culture under the aegis of the United States within the ambiguous status of Commonwealth or Estado Libre Asociado 'Free Associated State'. Pousada points to the anachronistic and colonized nature of a "free associated state" and, contrary to Fishman, argues that the Puerto Rican case is in no way a model for Cultural Autonomy.

Keywords: public higher education; Puerto Rico; privatization of education; University of Puerto Rico; National Congress for Puerto Rican Rights (NCPRR).

1. Introduction

A robust public education system maintains, shapes, transmits and celebrates the cultural values of its society, yet around the world, this basic tenet of Cultural Autonomy is threatened by efforts to privatize education and run public schools as though they were businesses. The "bottom line", rather than the cultivation of the mind, is rapidly becoming the measure of success. This is most significant at the post-secondary level, since public universities are the primary vehicle of social ascent for working class and immigrant youths, as well as the basic training grounds for the critical thinkers needed in a progressive society.

The year 2010 was marked by numerous struggles in defense of accessible public higher education internationally (e.g., Italy, England, France, Ireland, Greece, the Philippines, etc.) and, to a lesser extent, in the U.S. (e.g., Univer-

sity of California, Berkeley and Santa Clara, and State University New York, Albany). The year 2011 promises more campus activism as tuition and student loan debts soar to new highs and corporate models displace academic ones.

2. The case of Puerto Rico

In the U.S. territory of Puerto Rico, the battle to retain a viable public university system is waged within the larger struggle to maintain a uniquely Puerto Rican culture under the aegis of the United States within the ambiguous status of Commonwealth or *Estado Libre Asociado* 'Free Associated State'. Puerto Ricans are U.S. citizens, serve in the military, contribute to Social Security and celebrate U.S. holidays but cannot vote for the president, do not pay federal income tax and lack real representation in Congress. On the surface, the Commonwealth seems to be a "success story" in terms of preserving Cultural Autonomy (Puerto Ricans speak Spanish, maintain many Latin American customs, have a strong ethnic identity and perceive of themselves as a "nation"). However, the toleration of this Cultural Autonomy is due more to inertia and reluctance on the part of the U.S. government to authorize a definitive and binding resolution to the island's status (Hassell 2002) than to any embracing of cultural plurality or yielding to the will of the people.¹ The ambiguities and contradictions implicit in the Commonwealth status have perpetuated a constant and rancorous public debate that generates more heat than light. Since the military occupation of 1898, the Puerto Rican people have been made dependent on the United States via concerted Americanization efforts (like the obligatory teaching of English) and the destruction of the agricultural base of the island produced by intensive industrialization (Ayala and Bernabé 2007: 184–194).² As a result, they are unanimous in their wish to sustain a relationship with the U.S. Nevertheless, they are split almost evenly between those who desire a more autonomous Commonwealth (Popular Democratic Party) and those who aspire to statehood (New Progressive Party), with 2–4% seeking independence (with dual citizenship and favored nation status).³ Since 1968, the PDP and NPP have alternated in controlling the government, with the *independentistas* serving mainly as the highly vocal collective conscience of the people. Cultural nationalism cuts across partisan political lines,⁴ and all three parties stand firm on the non-negotiability of Puerto Rico's cultural distinctiveness, regardless of political status (Oquendo 2004).

Puerto Rico's economy is tightly linked to that of the U.S., and the current Great Recession has hit islanders very hard. Unemployment is officially at 17%,⁵ not counting the thousands who are permanently discouraged or have lived on public assistance for generations. In 2009, the government of Luis Fortuño (the NPP candidate who promised not to lay off anyone if elected)

fired 20,000 public employees under Law #7 in order to improve the island's poor credit standing and nullified all public sector labor contracts for three years.

3. The battle over the public university

The NPP-dominated legislature also dramatically reduced the University of Puerto Rico's budget in 2010 (normally 9.6% of the general fund), resulting in a \$240 million deficit. The UPR Central Administration and Board of Trustees (both packed with NPP supporters) responded by instituting layoffs and retirement incentives, freezing vacant positions, canceling sabbaticals and promotions, reducing course sections, increasing students per section and imposing an \$800 annual "economic stabilization" fee on students in addition to regular tuition and fees.⁶ Such a fee could potentially bar 10,000 low-income students from attending (even with federal Pell Grant aid), and the move is widely regarded as a step toward eventually privatizing the public university.⁷

The UPR students roundly rejected the fee, along with the administration's lack of fiscal transparency and consultation, and their efforts to defend an affordable public education (supported by many professors, community members and unions) resulted in a 62-day strike / student takeover / administrative lockdown involving 10 of the 11 campuses in the Spring of 2010. The conflict was temporarily resolved when the Board of Trustees promised to examine the long-term impact of the fee before proceeding further. The UPR was subsequently placed on probation by the U.S. accrediting agency, the Middle States Commission on Higher Education, due to poor governance, lack of administrative openness, and dubious fiscal viability.

The Central Administration's response was to remove campus gates in the name of "openness", assume an "iron hand" stance with regard to protests and seek funds without disrupting the political *status quo*. Instead of studying the fee's impact, they used the anticipated monies (\$30 million) as collateral for a \$100 million loan from the government bank to offset operating costs, ignoring proposals by students and professors for reducing administrative positions and outside consultancies, calling in government debts, and compelling the legislature to return federal American Recovery and Reinvestment Act (ARRA) monies originally intended for the UPR. The administration engaged in an expensive media campaign characterized by a virulent rhetoric of discrediting those who protested as "terrorists" and threatening the loss of U.S. federal funding (Pell and research grants).

The students responded with their own rhetoric in the form of rhythmic picket line chants accompanied by traditional Puerto Rican percussion instruments, among them: *Lucha sí, entrega no* 'Struggle yes, surrender no'; *No nos pararán* 'We shall not be stopped'; *Once recintos, una universidad* 'Eleven

campuses, one university'; *Nos tiegen miedo porque no tenemos miedo* 'They're afraid of us because we're not afraid'; *Policía fuera!* 'Out with the police!'; *No le digan iupi*,⁸ *diganle candela* 'Don't call it the U.P.; call it fire'; *La iupi ya llegó* 'The U.P. has arrived'; and *Somos estudiantes, no somos criminales* 'We're students, not criminals'.

As the date for paying the fee approached, a second wave of protests began with a two-day stoppage and student take-over of the Río Piedras campus on December 7 and 8 which resulted in violent clashes between masked students and untrained private security guards. The administration then requested state police intervention in violation of a 30-year old policy of university autonomy and "non-confrontation" which had kept police off campus in order to avoid the fatalities of the past. After all attempts to negotiate had been rebuffed, students in Río Piedras, the flagship campus of the UPR, declared an indefinite strike on December 14.⁹ The campus became an armed camp occupied by more than 400 police on horseback, motorcycles, bicycles, cars and on foot, including the SWAT team, tactical forces, and snipers. A mobile police headquarters was set up on campus, usually done only in areas of gang warfare.¹⁰

Many professors and students refused to enter a militarized campus because of their fear that the excessive display of force would augment the tension and expose everyone to violence and bloodshed, yet the administration insisted that all was "normal". Public meetings on campus were prohibited for 30 days, further infuriating the university community and bringing criticism from the Puerto Rico Commission on Civil Rights and the American Civil Liberties Union (Stanchich 2010). Police set up white signs on the street labeled: *Zona de expresión pública* 'free speech zone', and the students defiantly seized the signs and marched around with them. There were daily pickets, protests, marches, teach-ins, newspaper articles, online blogs, radio and TV interviews, and cultural performances. Heavily armed police with tear gas and pepper spray beat and arrested students on repeated occasions for protesting on campus. Numerous students were suspended for fighting back with stones and smoke bombs, and "disobedient" professors were threatened with economic sanctions. The President of the UPR and the Board of Trustees refused to rescind the fee and began "revising" university regulations to further restrict dissent.

A number of petitions and open letters were circulated, demanding the withdrawal of the police and the rescinding of the prohibition of free speech and assembly on campus. On Christmas Eve, a massive march around the campus was held by a broad spectrum of community, religious, trade union, and educator forces, followed by a concert in front of the main entrance. Striking students also carried out *parrandas navideñas* (spirited Christmas caroling) in shopping malls and collected books for poor children, as part of their campaign to take the university to the people.

The reaction from U.S. Latino organizations was swift and solidary. On December 16, a group of 74 distinguished U.S. Latino professors sent a letter to the U.S. Attorney General, calling his attention to the civil rights violations on the UPR campuses and asking him to "procure the immediate withdrawal of all state and city police, private contractors, and other non-UPR security personnel from the University of Puerto Rico system currently under occupation" and require all parties "to meet and have a truly productive dialogue".

On December 22, the National Congress for Puerto Rican Rights (NCPRR), a civil rights group that defends racial and economic equality for Puerto Ricans in the U.S., sent out an open letter supporting the UPR students, their families and professors, and condemning the police occupation as an attack on the constitutional rights of the people by the Puerto Rican government and the UPR administration. NCPRR President Víctor Vázquez (2010) wrote: "As Puerto Ricans in the United States, we must voice our concerns on issues that affect our communities, wherever we reside. The increased tuition at the UPR matches rising tuition costs in New York and other US cities, which adversely affects Puerto Rican students' ability to access higher education, where knowledge is the only means for our people to escape poverty."

On December 29, an apparent breakthrough occurred. Governor Fortuño met with student representatives and ordered the removal of the police tactical forces. However, regular police continued guarding all campus gates to "maintain security". The administration launched another expensive multi-media publicity campaign to convince the students of the many ways in which they could pay the fee (including loans and scholarship funds "miraculously" discovered in the legislature and UPR budgets). The rhetorical strategy this time was the employment of the slogan: "*La Universidad de Puerto Rico es de todos. Todos debemos aportar*" 'The UPR belongs to us all. We should all contribute'.

The UPR reopened on January 11 to complete the Fall semester. A rally was organized, with participation by more than a dozen unions and other organizations, to commemorate the birthday of 19th century educator, Eugenio María de Hostos, traditionally celebrated every year around his statue on campus.¹¹ The rally was peaceful but transformed into a march around campus which ended with a small group of masked students throwing smoke bombs into classrooms and vandalizing the student center cafeteria. The violent actions of these individuals were immediately repudiated by the student leadership and the professors' association, but the damage was done. The administration called in the police tactical forces again, and the campus was once more occupied by hundreds of police. The prohibition of free speech and assembly on campus was extended another 30 days. More protests ensued with further violence and arrests and no end in sight.

As of the date of this writing, many students have made a first installment on the \$800 fee because otherwise they would lose their student status. Others are

sitting out the semester due to insufficient funds. The strikers have vowed to continue their militancy, although what form it will take is unclear. What is certain is that the conflict is far from over.

4. The media's role

Virtually no attention was paid by the U.S. media to this struggle (except for a cursory piece by Associated Press on December 21, based solely on police reports), and the fight to maintain the oldest and finest university on the island (part of the "cultural patrimony" of the people) did not even register as a blip on their radar. This reflects the customary neocolonialist mentality with regard to the island. Preserving a culturally-distinct public university system in Puerto Rico is not a priority in the U.S., nor are its struggles considered newsworthy unless federal property is threatened.

If it were not for Facebook, most U.S. residents would have heard nothing about the crisis at the UPR. Such media blackouts perpetuate the notion that the system in Puerto Rico, the vacation paradise, is working, when in fact it is seriously dysfunctional. Ironically, both of the UPR strikes of 2010–2011 received coverage in the international press, and messages of support came from many countries, reminiscent of the extensive international support for the decolonization proposals for Puerto Rico presented yearly before the United Nations (Trias Monge 1997: 138).

5. Conclusion

In sum, the UPR conflict highlights the essentially anachronistic and colonized nature of the "free associated state", which is neither free nor a state nor the ideal vessel for the notion of Cultural Autonomy. To propose it as a model for Cultural Autonomy in other societies would be to do them a disservice.

Universidad de Puerto Rico

Correspondence address: pousada.a@gmail.com

Notes

1. Lapidoth (1996: 261) documents that three U.S. presidents (Eisenhower, Carter, and Clinton) indicated a willingness to support whatever status the Puerto Rican people elected; however, Congress never enacted any legislation to that effect. Between 1989 and 1991, under the

- Bush administration, bills that would have established a binding plebiscite were debated but never approved by both houses of Congress (Rohter 1993).
2. While Puerto Rico was once financially advantageous to the U.S. because of its cheap labor force and corporate tax exemptions, many labor-intensive businesses have moved to South Asia for even greater profits. The island receives about \$13 billion in U.S. federal transfer funds annually yet is poorer than the poorest state (Mississippi), with a median annual per capita income of under \$18,000. As a state, it would be an even greater drain on the U.S. economy, hardly an attractive prospect in the eyes of Washington. Because of its large population, it would also have more representation in Congress than many other states. (Ayala and Bernabé 2007)
3. It should be noted that the Commonwealth option won in three plebiscites (1967, 1993 and 1998).
4. As PIP leader Rubén Berrios Martínez stated in 1997: "Puerto Rico's heart is not American. It is Puerto Rican. The national sentiment of Puerto Ricans is entirely devoted to our *patria*, as we call our homeland in Spanish, our language. We are Puerto Ricans in the same way that Mexicans are Mexicans and Japanese are Japanese. For us, 'we the people' means we Puerto Ricans" (Berrios Martínez 1997).
5. According to the American Labor Market Information System, 218,000 Puerto Ricans were unemployed in 2010. <http://www.net-empleopr.org/alms23/index.jsp>.
6. UPR undergraduate students pay \$40.00–\$47.00 per credit, depending on their majors. Thus, an 18-credit course load (five 3-credit courses) would cost \$720–\$846 per semester. Graduate students pay \$100.00–\$117.00 per credit and generally take three 3-credit courses per semester (\$900–\$1,053). Many, but not all, undergrads receive federal Pell grants which are used to pay tuition, books, housing, food, transportation, and the many fees imposed by the UPR, including a facilities fee of \$47.00, a technology fee of \$25.00, and lab fees of \$33.00 per lab each semester. Graduate students are not eligible for Pell grants, and they pay thesis fees of \$67.00–\$113.00. In addition, all students pay varying medical fees depending on their coverage. Foreign students pay higher fees and tuition, depending on place of origin. Many students work and end up taking 5–6 years to finish a B.A.
7. Other indicators are the hiring of non-unionized private security guards and technological services, private management of the newly renovated UPR theater, and private contractors to build Plaza Universitaria, the parking garage, and the biotechnology labs.
8. "La lupi" is the popular nickname for the UPR, taken from the English pronunciation of the first two letters of the abbreviation.
9. This was followed by stoppages or strikes at the Bayamón, Carolina, and Aguadilla campuses, but the major battle was waged in Río Piedras.
10. This exaggerated police response took place while crime ran rampant elsewhere on the island. According to TV station WKAQ, a total of 983 murders were committed in 2010 and 64 more occurred during the first 16 days of 2011. Puerto Rico's population of 3,967,288 represents less than 1% of the total U.S. population of 307,006,550 but accounts for 8% of the total U.S. murder rate.
11. The commemoration ceremony was initially canceled by the Río Piedras Chancellor, but she was overruled by the Governor who felt that the cultural event should be observed. No doubt, he had the next elections in mind when he made this decision.

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