

Sent via E-mail and Certified Mail

December 16, 2010

Honorable Eric H. Holder, Jr.
Attorney General of the United States
The United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Holder:

As Puerto Rican scholars teaching in the United States we have decided to write to you in order to express our deep concern with regard to recent developments at the University of Puerto Rico (UPR). For the past months, the University has experienced a continuing conflict that began last semester with a call for a strike by the students in response to an increase in academic tuition and related to fears about the future of public higher education on the island. Unfortunately, university administrators, professors, and students have not been able to negotiate a satisfactory agreement. The whole process has recently culminated in the intervention of Governor Luis Fortuño and the deployment of a massive police presence on the main university campus at Río Piedras and on other campuses in the system, including a private security contractor and fully armed SWAT units.

On December 13, Chancellor Ana R. Guadalupe banned all meetings, festivals, manifestations, and all other so-called large activities on the Río Piedras campus for a period of thirty days. In our view, this represents a clear breach of fundamental constitutional rights. The justifications given by the Chancellor are that this measure is required in order to keep the campus open and to return it to normal operations. Furthermore, professors and workers are being asked (under the threat of punishment) to continue working despite the intense volatility caused by the police presence on campus.

We remain very concerned that such use of force may in fact increase the potential for violence and continued tension, especially if the guarantees of freedom of speech, association, and assembly have been revoked. Both the United States Constitution and the Constitution of the Commonwealth of Puerto Rico guarantee these rights. Moreover, this week the Supreme Court of Puerto Rico (which, without the opportunity for serious public debate, was recently restructured by the government of Luis Fortuño in order to ensure a clear majority of judges in his favor) declared, in a disturbing resolution, that strikes will be prohibited at all UPR campuses effective immediately.

We the undersigned write to you as scholars and citizens because of the potentially lethal conditions that we have described and that prevail at the UPR. That is why we urge you to intervene in order to:

1. Guarantee the constitutional rights of freedom of speech, association, and assembly as stipulated by both constitutions and to see that the conflict is conducted under the strictest observation of human and civil rights for all parties involved.
2. 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.
3. Call all parties to meet and have a truly productive dialogue.

Respectfully yours,

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