

Peace, justice, and solid institutions (Ep.9)

Locutor Víctor Ramos [00:00:07]

Moving toward a sustainable and inclusive Puerto Rico. A special series from En Puerto Rico and GFR Media, sponsored by the Puerto Rico Community Foundation.

Luis A. Ferré Rangel [00:00:15]

Welcome to the ninth episode of the series Moving toward a sustainable and inclusive Puerto Rico, sponsored by the Puerto Rico Community Foundation, in collaboration with GFR Media. I'm Luis Alberto Ferré Rangel and in this episode, we're going to discuss SDG #16: Peace, justice, and solid institutions. We're going to approach it from the perspective of human rights, open government, and the fight against corruption. And to begin the discussion, I will introduce our guests, starting with Senator and attorney Ana Irma Rivera Lassén. Welcome.

Sen. Ana I. Rivera Lassén [00:00:50]

Thank you for the invitation.

Luis A. Ferré Rangel [00:00:51]

Vivian Neptune, dean of the University of Puerto Rico Law School.

Lcda. Vivian Neptune [00:00:55]

Thank you very much, it's a pleasure to be here with you.

Luis A. Ferré Rangel [00:00:57]

And Coral Aponte, director of the Puerto Rico Court System's Education and Community Relations Office.

Lcda. Coral Aponte [00:01:04]

Thank you very much for this invitation.

Luis A. Ferré Rangel [00:01:06]

We also welcome Dr. Nelson Colón, president of the Puerto Rico Community Foundation.

Dr. Nelson Colón [00:01:10]

Hello and thanks for the invitation.

Luis A. Ferré Rangel [00:01:12]

We're seeing that in Puerto Rico there has been a very significant erosion of public trust in our institutions. I would like to start with you, Senator Rivera Lassén, how is each one of you working to help increase that public trust?

Sen. Ana I. Rivera Lassén [00:01:29]

Well, as a novice senator who is just starting, and was in the citizen society demanding transparency from the people in the Legislature, I think that's precisely one of the important issues. The erosion in this institution, specifically in the Legislature, has to do with a lack of trust and people tend to see the legislature as the formulation of public policies is going to solve the problems and we know that that, the Laws in and of themselves don't solve problems. But that's a conversation that needs to be had. What I think is most important is that people don't feel represented by those who are supposed to represent them with the direct vote of the people. And

I believe that the issue of transparency and corruption, without a doubt, is part of the erosion of the institution of the Legislature.

Luis A. Ferré Rangel [00:02:15]

And from the point of view of nonprofit and community-based institutions, they've also suffered, like all other institutions, some erosion in their public trust.

Dr. Nelson Colón [00:02:28]

Certainly. From the community sector, when you look at what happens with public institutions in the way you see it, it's the issue of the double standard, how services are administered, how justice is administered, how a person with resources receives services and government support, and how a person without resources receives those same services. So, the issue of double standards is the issue, I would say, that's most persistent, that most impacts people in our communities. And people perceive it, people see it and then you have another factor there that has to do with participation. If they aren't going to take me into account, if it has no impact on my daily life, why participate? So, the issue of participation must be approached without fear, without problems, recognizing that this double standard exists. Covering it up with a little paint doesn't solve it.

Luis A. Ferré Rangel [00:03:35]

Speaking of participation, Ms. Aponte, how are you working with this issue from the point of view of the Court System?

Lcda. Coral Aponte [00:03:40]

Well, we obviously recognize the inequality that exists in Puerto Rico. We're in one of the territories with the highest Gini index. So, definitely, starting from the point that we're in an unequal place, the Court System recognizes the importance of involving the community and promoting access to justice, promoting equity, establishing the conditions so that these people in unequal condition, the system procedurally, but also at the level of knowledge and other aspects, puts them in the position of being able to enter the court, to access the court to resolve their conflicts. Additionally, we're working actively from the Office of Education and Community Relations to play that listening role. Usually, the courts are seen as this closed institution where I go to decide about my life, about a problem that I have. It's necessary because it establishes the rule of law and ensures that conflicts are resolved legitimately. But in addition to that, there's suspicion in how that decision is made. So (you must) be sensitive, do this process quickly and listen to people. How they were treated, what could improve the system is super important. That's why community participation programs have been established in recent years.

Luis A. Ferré Rangel [00:04:56]

Fine, we've talked about transparency, we've talked about participation, we've talked about representativeness. Ms. Neptune, from your work as dean, how do you move these goals forward?

Lcda. Vivian Neptune [00:05:08]

I believe that there's a complete disconnect between the needs of citizens, of the average person — as we say — of the people who are victims of this inequality. A total disconnection of the values and priorities with those who are making decisions in the island, who are in political positions, some of them, or who are in the judiciary system or in other institutions. And that disconnection, that breakup is what, in my opinion, creates that distrust, because they don't see themselves represented. When, for example, the phrase that there are too many lawyers is used a lot, I always refute it because I say: as long as there are people without shelter, without food, without

education, without access to health, there will be a need for lawyers or all the people who want to come together to give a voice to those who don't have one. So, what are we doing? I believe that the development of empathy, solidarity, reconnecting, that these people — whether they cast a vote or who go to court or who go to another government level — get what they really need. And then we see how excessive consumerism, capitalism, getting rich and thinking that being in these management positions gives them power to benefit those who have always been there, a group that has been in power, which is has the means to produce. They completely disconnect from the population that has the real need. So, from an educational standpoint, our metric, what do we do at the Law School? We have the largest clinical program of all the schools accredited by the American Bar Association, with 15 clinics that serve people who have no way to get legal representation, so that access to justice is a reality. And what do we have? We're running 22 pro bono programs, which is a voluntary service that students from first year, and now even high school, are allowed to participate. In my case, I teach a class on Race, Gender and Law, at the School of General (Studies), bachelor's degree students, but I teach it at the Law School so they can see that they're welcome there, and as part of this bachelor's degree, we're accepting them to do voluntary work, without pay, without credit, visiting the communities, visiting the centers, now after the natural disasters. They're going to those municipalities that no one has looked at and there's that connection, there's that empathy, that solidarity that those lawyers, when they're in an agency or aspire to a political position don't lose that essential link representing the island's real needs when they are before the court, like many graduates have done.

Luis A. Ferré Rangel [00:07:25]

And I take advantage and ask you, dean, the Commonwealth's Constitution is and has been ahead of the curve, one of the first to adopt the principles of the Universal Declaration of Human Rights. It would seem that we've fallen short in the execution of those aspirations. Do you all agree? Starting with you.

Lcda. Vivian Neptune [00:07:45]

Well, we have the law, we have the aspirations. We have people here who have done extraordinary work in the legislature. Precisely in the last class we talked about Act 100, our Constitution, all the anti-discrimination laws, up to Act 22 in employment, which is (anti-discrimination based on) sexual orientation and identity, that this didn't exist in any jurisdiction and Puerto Rico is ahead, but then we see how it isn't being executed. How then, is it not incorporated into the training of those who have the power to recruit, to educate, to be the ones who put government agencies to work? So, how do we touch that fiber of that human being who has the potential to make a right or wrong decision, that does not deviate from the ethical values of our Constitution, from the aspirations that we have as an island? Education is the foundation. So as an educator I must go back to basics. And that's why it's so important that from the preschool stage, early childhood, the educational system, that we know that there has been what, in my opinion, is a concerted dismantling of the public education system in this island. I'm a product of the public education system, a proud "caridura" from Fajardo. Seeing those schools — and now I find out that they continue to close schools where I had the privilege of growing up and studying with all kinds of people — where there wasn't that social difference that we see rooted, and how then that educational model which, from elementary school we must talk about the Bill of Rights, we have to be talking about civil rights, equality, access to a decent job, to shelter, to housing. And then we see how the curriculum continues to be eliminated, it continues to be diminished, how the teaching profession continues to be subjected to conditions that aren't adequate. And then, as a society, what are we going to do? I firmly believe that the power of education and support from the communities — because in those public schools we had that network that supported those boys and girls until they graduated and returned to their towns — I

think we can. It's what's in the Magna Carta, in the Constitution, in the laws, that we can plant that early seed in that new generation.

Luis A. Ferré Rangel [00:09:38]

Ms. Aponte, you're working on that issue.

Lcda. Coral Aponte [00:09:40]

That's precisely one of the issues we're working on, because we recognize that misinformation is a barrier to access to justice. If people don't know that Bill of Rights, they don't know what they're going to appeal. And the court system is almost always seen as negative, in the part of holding the person responsible, but we don't see it as that place where we claim our rights. The Office of Education and Community Relations has been working on a module, some modules for teachers specifically, seeking that. We identify and study the Social Studies books, the curricula. We identified that this educational content isn't there. So, if the teacher doesn't have it, how are they going to teach it to their students? I also, a product of public schools, the daughter of teachers, feel responsible for, now that we're in this role, being able to carry that information. So right now, we have on the Judiciary's website — so I invite you to look for it — a new book on Civics and literacy for children from preschool to third grade, which speaks precisely about rights, duties and how to comply with our rights and our obligations. It promotes a civic culture. And we believe it's important that it be done from the earliest age. From the fourth (grade) on to twelfth grade in high school, we're working to get them to know the court system. We believe that legal representation is important, but also that everyone must have a minimum legal knowledge about how the court works because, if not, they will come to court afraid of what's happening. They must have a minimum of information and we're working on that with the teachers and with the Department of Education to meet that need that, as the dean, we also identified.

Luis A. Ferré Rangel [00:11:16]

Senator, you nodded a little while ago when the dean spoke about the issue of execution, would you like to elaborate?

Sen. Ana I. Rivera Lassén [00:11:23]

What happens is that our Bill of Rights, our Constitution, specifically the Bill of Rights, did use the then recently inaugurated United Nations Bill of Rights as a model. They're certainly ethical principles. This Constitution of ours has principles that, for example, the U.S. Constitution doesn't have. But, above all, it has a human rights perspective. Although we hardly talk about human rights in Puerto Rico when we talk about our Constitution, we talk about the civil rights part, but it's about human rights. It has civil rights, it has political rights, it has economic, social, cultural, and environmental rights. It has everything. So, the issue is that the execution in many places, the United Nations Charter of Human Rights is executed through other instruments that are also approved by the different states. In our case, well, we have legislation, etc. But I believe that the most important thing that's needed is to look at how to incorporate these mandates into our lives. How to make it alive and how to remember that interpretation be current and advanced. For example, our Charter says that there's no discrimination based on sex; today, where it states that gender, it should also be interpreted as sexual orientation, gender identity. Any gender identity should be included in that interpretation, which is the direction it has been moving. Where it says that you cannot discriminate based on race, it must be interpreted in every sense of race, ethnicity, etc. So, our Constitution must be seen as a living entity. If not, it will be left behind because, if not, we will have an interpretation like the one they're giving in the U.S. Supreme Court, as if it must be what the letter of the law says, nothing more. Well, look, it can't just be what the letter of the law says, because things must be looked at in their context and progressively. Because as it happens in the United States, if it were only by the letter of the law,

that Constitution was made by white men who were property owners. So, if you're not a man, you aren't white or a property owner, you would be outside the constitutional rights that were later added with amendments. But our Constitution has many more... the recognition of inequality, the recognition that what are human rights must be guaranteed as essential services, turned into essential services, a guarantee of essential services, health, education, housing and even work, work conditions, which is in our Constitution, which isn't in many other places. The dignity of the human being, privacy, freedom of the press, all the things that our Constitution says, the implementation of that costs the State. And that's where the problem is because the State has to invest. I also add, as human rights, access to information and communication technologies these days, and without a doubt, all the environmental issues that have to be addressed in terms of the climate crisis and that exist. We also must be considering them.

Luis A. Ferré Rangel [00:14:16]

Dr. Colón, the Community Foundation has also worked a lot from the point of view of rights and duties, in community capitals. I would like you to explain further there.

Dr. Nelson Colón [00:14:26]

Yes, there's an issue between the aspiration in the Puerto Rico Constitution, as the dean and the senator proposed, in the execution. There is a significant gap between one and the other. Thus, the citizen, when they face that gap, what they perceive is a government in constant survival mode. That's to say, there isn't much space to inhale, because what you're really doing is barely breathing. So, what the Community Foundation has done is say, well, since the government is in constant survival mode, what can we do from the communities to close those gaps. From what I can control, because the other requires political structures that are often not controlled from here. So, what can I do from here? And so, we've developed this operational framework that really targets — and we've called it the community capitals framework — six types of resources in the community. In all communities there are environmental and ecological resources, that's there. It includes beaches, forests, open spaces. They are resources that are there. There are other resources that have to do with people, people's ability to produce, to educate themselves, to be healthy. There are other resources, and in other languages we call them capitals, but they are resources that people have. There are other resources that have to do with our ability to relate. In theory, this is included as social capital, but there's an extraordinary richness in this relationship process. How people relate to each other, how people relate to each other in communities, how they relate to other communities, and, in the case of the Puerto Rico Community Foundation, we are establishing meaningful bridges between local communities and organizations in the United States and internationally. That is an important relationship bridge. There's another element of resources or capital, that's the infrastructure in which we live: houses, buildings, schools. To the extent that communities can have control and access to those resources, they're more prosperous communities. And finally, our culture. Everyone, when they look at Puerto Rico's cultural aspect, what they see is wealth. So, what it comes down to is how we cultivate, how we concretely invest in those six types of resources simultaneously. The magic is there. And that's what the SDGs are trying to do, by the way. The magic is there. How to do it simultaneously. Unfortunately, in Puerto Rico we've wanted to work on it... The educational aspect goes in one direction and that's disconnected from ecology. And that's disconnected from financial capital, which I didn't include: our ability to produce companies, to produce jobs. And then that's disconnected from our ability to relate. These interruptions in that basic human activity really, at the end of the day, decapitalize communities. So, the Foundation's approach is let's see how we can recapitalize, how we can strengthen what we have in such a way that human rights become a reality, a living thing. That people can say every day 'I have the right to a job because there are jobs in my community;' 'I have the right to education, because there's a good educational offer in my community;' 'I have

the right to health because there are good health centers.’ That’s kind of the vision. And we’re getting concrete examples of how this can be achieved.

Luis A. Ferré Rangel [00:18:38]

Could there be the case that this lack of credibility in our institutions or this erosion that has occurred in our institutions has been because there has been, perhaps, an excessive delegation of citizens in our institutions. Because when it comes to defending our rights and our duties, each one of us must assume our part. From the point of view of the court system, Ms. Aponte, how are you advancing the values of equity with the community and the values of combating inequality?

Lcda. Coral Aponte [00:19:08]

We have, as you know, the Judiciary’s educational program. And the educational program is not thought of as educating the community. It’s thought of as establishing a relationship with the whole community, which is bidirectional and that the judges can learn from the communities, as well as the officials who work in the court, and that the communities learn from us. And that’s where I highlight the importance that I mentioned that people own their rights and their duties. The court is a place where we go to get a decision when there’s a conflict and it isn’t necessary. If we can have an alternative method to resolve conflicts, a mediation center, a community leader who can mediate that situation and transform that conflict, so much the better. The important thing is that we promote the peaceful resolution of these conflicts. To some extent, people may be delegating those rights and duties because they feel they are in a disadvantaged position. Because if I’m next to a lawyer who speaks the complicated legal language, well, I’m not going to say anything, I’m going to say yes to everything they tell me. So, the Judiciary is very aware of that. We educate about what equity is, not equality. Equality is giving the same to all the people who need it. Equity is giving to each person, identifying that vulnerability, and working sensitively to put that person in the same position as the other person or in a more similar position. How do you do that, in specific terms? We have a person who is a victim of gender violence in a disadvantaged relationship, in a cycle of power and control, as we call it. So, there’s already a vulnerability there. There’s an emotional relationship that oppresses this person. So, what do we do? Create specialized gender violence rooms, because a regular courtroom cannot put that person in the same position as their aggressor. Their attacker is already in a position of power. So, if we provide them with a social worker, an intercessor, a psychologist to support them, to accompany them, we’re sensitively treating that person’s vulnerability. So, we treat them fairly. I recently read — and this may resonate with people — that equity also includes the issue of diversity, being able to identify people. For example, if you have fruits, instead of wanting to make a fruit juice in which all the fruits will get a new color and a new flavor, you want to make a fruit salad so that the fruit in the salad each retains its own flavor, its own color. So, it’s identifying within the context of Puerto Rico population, who are the people in vulnerable conditions? Who are the people in power, in that disadvantaged position? And as a justice system, look for alternatives and ways for them to access it. Whether it’s physically, a ramp, a sign, a sign language interpreter; or whether it’s in the judicial process, referring them to the clinic for legal representation or in some other way. So, a little bit of education, but also practice, execution, which was what we were talking about.

Luis A. Ferré Rangel [00:22:19]

Ms. Neptune, how has the school’s curriculum changed, adapting it to these Sustainable Development Goals and all the rights that this implies?

Lcda. Vivian Neptune [00:22:27]

I wanted to comment in that area that I fully trust this new generation that we’re seeing, who have a special spark. I think they have a special chip. Many years ago, when I started working on curricula, I opened the doors: whoever has a suggestion for a course with a particular topic, works

on it, writes it up and will be given a place within the Academy. And that has been very effective. Different topics, some concerns. For example, older adults. There was no senior course. A group organized itself and looked for a mentor with collaboration, with different people who are experts on these topics. The class was offered, the clinic was offered, a pro bono was offered and now we have a comprehensive victim support center with VOCA (Victims of Crimes Act) funds that serves the elderly, as well as human trafficking and victims of gender violence. But that arose from the same student initiative. So that open door policy... There is a curriculum, yes, based on some required courses, that even those required courses must be looked at in a new light. Today's constitutional law cannot be the same as when we studied or when the teachers who taught that curriculum were trained. I teach evidentiary law, right to proof and evidence. And I must incorporate what implicit bias is, what discrimination is, how law adjudicators aren't impartial, neutral and have their echoes and discrimination. What proof do they admit? How much weight do they give the evidence, depending on who is testifying and the particular controversies? So, even with the required courses, the door has been opened to modify them, to adapt them to the conditions and realities they're experiencing, above all, based on this inequality. And, above all, because of the federal jurisprudence that governs us, which goes in a direction that's totally contrary to what human and civil rights are that so many struggles have taken place to keep them firm. On the other hand, elective courses. We opened that door for those concerns to be brought to them and it has evolved to impact the curriculum with service projects, with specific classes and with pro bono. The pro bono is the same: anyone who has a topic that isn't covered by some class, I look for a mentor, many are graduates, and then they work with those communities, with that sensitivity. There are even animal rights, right to art, environmental law. But there are others who are working on community development, who are working on post-disaster recovery with the UPR Resiliency Law Center. So, for topics that aren't in the curriculum, we have to keep our ears to the ground, giving them the opportunity to evolve. And that this new generation... Because when we're even talking about making an impact with anti-racism courses, that didn't exist. Colleague Mayra Santos-Febres, precisely from a Mellon Foundation grant, finally landed courses on Afro-descent and racial issues in the island's foremost teaching center. And there we collaborate to create this course that we teach at the school. Courses like that are responding to a reality of that violence, of that disconnection, that there is so much, both at the federal level and at the local level, that we don't want to recognize the problem of racism, of discrimination, how to work on that. And it's a good example that the curriculum must evolve. It must respond to social need and make room for new interpretations.

Luis A. Ferré Rangel [00:25:26]

Senator, before the program... I was mentioning these trends of neo-Nazism that are happening around the world. I also wanted to go back to Dr. Colón's comment regarding an island that is breathing in a constant emergency versus aspiring, where we want to be, do we have the time to be able to aspire, the conditions to aspire to those rights in full?

Sen. Ana I. Rivera Lassén [00:25:52]

Well, I think that all of that — and going back a little to the question you asked about whether people have delegated to the State — I think that there's a kind of idea in Puerto Rico, which many people still have, that the State should respond. And it should be that way. The State must respond, it must guarantee people's rights and essential services. And that was also sold to the people of Puerto Rico. We're in a situation where much of what the State is has been dismantled. We have a Fiscal Control Board that simply controls and doesn't even allow the most basic things to be guaranteed. So, that must be said also. And people in Puerto Rico are being confronted with an economic and political reality that blurs what they thought was true. And so, we now have a very broad situation, without a doubt, of human rights violations. And on top of that, a very big

threat of neofascism. And when I say neofascism I'm referring to these ultraconservative ideas that some people, in Puerto Rico too, sell around the world with a very populist issue, taking advantage of the economic crises, even taking advantage of the issues of the pandemic, to say that the solutions have to be that people don't have rights, and that the rights are handed over. It isn't that the State guarantees your rights, it's that the State takes away your rights, and that's very dangerous. By looking at the things that, for example, we've been working on in these days or in these times, we're trying to strengthen rights, for example, recognizing inequality, as the colleague said. The rights that are in the Constitution are there because it's recognized that there are people who don't have the power to exercise them and need to be guaranteed. And that's one of the great dangers. It's no coincidence that I say that you cannot discriminate based on this or that thing. It's because, if it isn't said, those are exactly... the populations... the people who are vulnerable, whose rights cannot be guaranteed. And that's why it's so important to be aware of this. We got the approval of Act 24, for example, of 2021, which is to combat racism and the reaffirmation of African descent. We had to pass a law to remind the Department of Education and all government institutions that they must work — and everyone who wants to take it on — with the issue of racism, because it's the implementation of those guarantees. And as you said, there's a lot of discrimination, for example, against the LGBTTIQ community, with these neo-Nazi groups that exist now, this new fascist and anti-rights issue, because they don't want to hear anything about recognizing LGBTTIQ rights, recognizing the rights of women in all its diversities. It doesn't matter — force motherhood, take away many rights, which reminds me of what one reads about what happened in Nazi Germany, what happened in (the Italy of) Mussolini, at the time of his tenure and in the Spanish Falange. That's what we're talking about. That's the view of the world that I hope that people who listen to your program, who listen to this podcast, know that that is going around. The thing is these ideas don't come with evil faces — sometimes the wolf comes dressed as Little Red Riding Hood. And people have to listen to what's being said, because the last thing that should be given up is rights. But I also want to take the opportunity to tell you that part of my concerns in this world of Law is the issue of childhood. And we also managed to get the approval, which is starting now, of a multi-stakeholder law to lower, or rather, to raise the age before children are subjected to criminal procedures to 13 years old. Because there was no age, I would have liked it to be even higher, but at least 13 years old. Putting handcuffs, shackles, and things on children, that's not supposed to be done. I say supposedly because the implementation of the laws, what really makes them effective... It seems to me that we must be looking for issues there and with restorative justice. Move much more toward restorative justice because the island has to find solutions for its problems. And not all of them are in court. The courts sometimes, the processes in the courts, re-victimize. And sometimes things that can be solved somehow through mediation, even problems that are seen as criminal problems, we unnecessarily subject people to having to fight and wait for a court solution. And sometimes when it doesn't happen as expected, the person suffers disappointment or feels that justice was not done. And that's what we have learned in the community, a different view of justice. And we also have a lot to work on there. But inequality, the economic problem, the political problem that the island faces, I think it has us in a very difficult situation at this moment.

Luis A. Ferré Rangel [00:31:10]

We know that Puerto Rico has very difficult years ahead. We also know that there is, as Dr. Colón said, a lot of community capital on which to build. But we're having these discussions during an emergency, an emergency on top of structural emergencies that we've been dragging on and the manifestations are in inequality, in inequity. Dr. Colón, I wanted to ask you in this state of emergency, which apparently, we'll be in for many years, how does the Foundation continue to educate and work on the rights and duties of every single one of us?

Dr. Nelson Colón [00:31:48]

Yes, we must remember the issue of the constant. It's important. For perhaps more than half of Puerto Rico's population has already become used to living in a constant and consistent emergency, and then it gets worse at times. Suddenly you don't have water and that makes it worse. But at the same time, you have the community aqueducts that have been there providing and managing water for a long time. Electricity, well, it was enviable for many people in the metropolitan area to see how the Toro Negro community and the community in Juncos always had consistent electricity and continue to have it. So, there's an important issue of how at one point, this is almost like a pendulum, how at one point the citizen placed their trust in the State to solve those problems that I'm talking about. And then how that pendulum swings back and the citizen says 'well, if no one else here solves it and those people over there have a castaway logic, that's how they survive, I'll start to resolve it.' I begin to solve it with Alianza por la Paz, for example in Loíza, and I take on the issue of violence and human rights and begin to resolve it at the community level. So, I think that this assessment, that circumstances are forcing us... The issue of the Fiscal Control Board, people live it, they with live the lack of resources, that the Emiliano Figueroa school was closed. Then you have to walk a long way in Piñones so that your elementary school children can get to a school. People live with it. So, we began to see, in that return of the pendulum, emerging solutions. And we begin to see that this gap in basic human rights, life, health, education, begins to be resolved on a smaller scale. The aspiration is that these two points will at some point connect and that people can demand from the government what government is responsible for from their citizen perspective, but at the same time continue to support those solutions that are generated from the base. And I believe that, inevitably, we're going to get there. When we see, for example, a basic right such as access to electricity, that's already basic. And the technology. When we see that and we see these solutions on a smaller scale, I start to see a ray of hope out there. As LUMA and the Electric Power (Authority) and the government solve this and 50 years pass, as all this happens, I begin to see very concrete rays of hope. It has its other challenge, which is for the communities to learn how to manage and own that asset. This is no longer the government, now you are responsible. But for me they are very, very, very hopeful seeds for the Puerto Rico of the future.

Luis A. Ferré Rangel [00:35:39]

We come from COVID and separation, from this physical separation, from this lack of communication, lack of communion with others. And I wanted to ask you, Ms. Neptune, you who have spent ten years at the school, when you see these students who are coming in, who are arriving amid the crisis, what are you seeing in them, compared to what you were seeing when you started ten years ago as dean?

Lcda. Vivian Neptune [00:36:09]

I think prior generations took for granted everything we had, the comforts. This is the generation that has had to, by sheer strength, rescue spaces, re-understand and value what those direct communications and those one-on-one connections that were lost with the pandemic, with the earthquakes, and with everything we've experienced. I was very satisfied when I welcomed this new class, which was the first that we were able to welcome in person, all in the same classroom, of course, with all the measures that were in force at that time, still wearing a mask, etc., because last year it had to be in small groups and the previous one was totally virtual. So, this year, when I had that conversation with them, that joy of seeing the campus, of arriving, of connecting, the most basic thing that we take for granted for them was a novelty and a joy. And when I talked about priorities — what you expect from the Law School and what the school expects from you — what they answered was: I love this island, I want to stay here and what I want is for it to give me the tools to close the inequality gap. And that shook us all, because we thought that they came

from being in isolation, from not knowing. And that's why I talked about that awareness, that chip. Before telling them that the curriculum now...the American Bar Association requires that all law schools have an anti-racist, equity and access curriculum, because there's a responsibility of what it is to be a lawyer and mind you, other professions should do the same, why just this one. But before I had to give a talk to the class on the subject, they were already talking about anti-racism, about how important anti-racist education was, about equity, about equality, about recognizing respect for identity, for sexual expression. And I said 'ah, well I'll close the Law School and leave, because you're already done.' We were very happy that we didn't even have to start the topic. So, it's a special generation. I had the privilege of sharing this with the honorable presiding judge, Senator Epsy Campbell, the vice president of Costa Rica, and she spoke about that spark, that chip of that generation. I fully agree. They do things differently. I believe that because of that same adversity, they value what previous generations took for granted more and they have that awareness that this inequality gap must be closed, that they expect the education system to give it to them and that they're going to be agents of change. And that's why, going back to how the state apparatus has continued to undermine the public education system, right now the working conditions of teachers without positions on campus, in all the campuses of the University of Puerto Rico, were talked about. How is it possible that there's no concerted movement to give the University all the necessary resources? The maintenance, how there's none for structures, infrastructure or to maintain what has been historical heritage for years, much less to pay the teachers what they deserve. And I fulfilled that challenge that the students gave me that I had to give them, and they aspired for me to give them those tools to stay in the island. I ended the talk saying, 'challenge accepted, we're going to give you the tools.' But it requires one to seek external funds, it requires collaboration with the Legislative Assembly, it requires priorities to give them the resources, because they're there. They're poorly distributed. We're going to concentrate on the institutions that work, because of the distrust we are talking about and corruption, the University of Puerto Rico is the only one that's doing what it's supposed to do, which is to train new generations. That social mobility of those people who achieved with their parents, with their grandparents, even great-grandparents, because time continues to pass, who were the first generation who are now at the University of Puerto Rico. That social change that they achieved, why aren't we betting on the only institution that isn't under the PROMESA act, but they wanted to put it into the regime anyway, obviously, of austerity, which is the one that is giving results, which is the one that is managing to graduate, and for these young people to have those tools for that social change that they want to promote.

Luis A. Ferré Rangel [00:39:47]

Ms. Aponte, you have also been in your community relations and education position for about eight years, seven. What change have you seen in citizen requests?

Lcda. Coral Aponte [00:39:58]

So, citizens' requests in the past seven years have really been based on the emergency. So, regarding mental health of the population in Puerto Rico, gender violence, those are the day to day of what we work in the courts and what we want is to educate people. I must say is that we've had many changes in the Judiciary's institutional mentality in terms of the relationship with the community and in terms of the role of exercising justice. We're extremely aware that the Judiciary must function because it's the guarantor of this legitimate way to resolve conflicts that can generate violence if the situation escalates and isn't addressed in time or through legitimate means. So, for this reason, in all emergencies the Judiciary has been always operating for emergency, urgent matters, in pandemics, in earthquakes. But in addition, we've integrated — through the office, which has been operational for seven years — the element of relationship with the community. For example, during the earthquakes we quickly moved to the shelters, to guide

those shelter leaders on what to do if someone had a protection order there. What did we find? That most shelter leaders didn't know what a protective order was, they didn't know what that entailed. And you can't have two people who have a protective order in the same shelter. So that's where we move to identify, within emergencies, the legal issues that become evident and that we must address quickly so that these conflicts don't escalate. Something that I think is important is to do this in a planned way despite the changes and despite all the situations we've had. I believe that the SDGs, the Goals, help us a little with that. In the Judiciary's strategic planning process that was carried out in 2019, we had already experienced María, we were about to have earthquakes and a pandemic. We had that strategic planning exercise process, and we used the Sustainable Development Goals as part of that, of that exercise. The groups were divided, and our six strategic imperatives largely responded to the Goals and especially to the 16 that we have in this podcast. We focus on having efficient administrative management. In other words, the court must function well, the case must be resolved quickly, the judge must deal with it with the sensitivity that the case requires and with the knowledge and skills that it requires. So judicial work is essential. But, at the same time, education and relationships with the community are also important. And this became a new strategic imperative for the Judiciary. And we seek it with this vision of establishing that relationship with the community, of empowering. We also have access to justice as another strategic imperative. And something very important, because the SDGs also tell us about open government, about open justice, something very important, the issue of judicial independence. The Judiciary is aware, and it's something that, if we aren't aware — the SDGs — we aren't going to be complying with them, we aren't going to achieve it. The thing is that the court must function independently, without the risk of giving in to pressures that can occur in times of emergency, as we've been talking about, due to changes in mentality. We must understand these changes in mentality cannot affect those rights that we all have. Although the word stays the same, the definition, that context changes and gives it that broader meaning. That's kind of what we've been working on over the last few years. Today, the Judiciary's Strategic Plan includes the Sustainable Development Goals and that's a good thing. Having made that very clear during the entire emergency, gives us a route to follow.

Luis A. Ferré Rangel [00:44:07]

And speaking of emergency, Ms. Rivera Lassén, again, we emphasize an island in emergency, which is interesting because the word emergency also comes from emerging. So, how has the concept of emergency been degrading toward that most negative part of the crisis and not as an opportunity. But going back to the question, how do we build peace and justice during a constant emergency?

Sen. Ana I. Rivera Lassén [00:44:33]

The thing about it degrading also has to do with what the powers are supposed to be, for example, Legislative. The Legislative power and listening to my colleague, is a delegated power, it belongs to the people. The people simply delegate to the people they choose, but the people always must be aware that this is their power and that's why they can remove people from there every four years. Some people think that there should even be some constitutional changes, to do it legally in a different way by the Constitution, but in any case, it's still a delegated power. And I'm very concerned that we cannot move the island forward, that we have a vision of an island, or rather, not only inclusive, but that we can build institutions that people believe in and feel that they can trust those institutions. The Legislature is in many ways trapped by partisanship. Unfortunately, there are many people who don't understand that power is delegated and has nothing to do with the party. Once you get there, the party to which you belong doesn't necessarily have to be the main principle, but rather the common good. That's part of what I think people are demanding of everyone. In fact, Puerto Rico's current reality in the legislature is that there's a very great

diversity. That's a message. The people sent a message. There's no majority. The other day, in a discussion, a well-known legislator was trying to say that they had the majority. I say: saying that you have the majority isn't true. There's no majority here in anything, neither in the Executive nor the Legislative Branch. The people of Puerto Rico sent a message of great diversity, and we must listen to that. It has to do with the fact that the people of Puerto Rico want changes. I'm very sure of that. But more than anything they want changes and were sending a message that they want to trust, that they are delegating their power with the vote to people who are going to think about the people and not about themselves. And that's why I believe that all the scandals that are created with the demand for transparency are also created every time all these issues of corruption come up and every time we're trapped as a people with the whole problem of the Fiscal Control Board, which at the end of the day is the consequence of a major problem of bad governance and inadequate use of funds, etc. But I don't justify the Board in Puerto Rico at all. There are some issues that, since I have been there, I believe are consistent and have occupied a lot of my time, which is labor reform. That has been going through my head a lot, because the Constitution of Puerto Rico recognizes labor rights that are not found anywhere else. It recognizes the right to organize in unions. It recognizes the right to strike. That's in the Constitution of Puerto Rico. It recognizes the time people are supposed to be able to work and the time they are off; that's in our Constitution. All of that, that part has been questioned by this other organization, super organization, which is the Fiscal Control Board when rights were taken away and they tried to give some back, a labor reform that gives back some and that right now is questioned in the courts by the Fiscal Control Board. That sends another message to the people of Puerto Rico. Really, what are the institutions we have here? Who are people voting for? You're not voting for the Board, but who are you voting for? Who are the people who represent them? I must repeat that we must work on that. But one of the things that's helping us now is the confidence that communities have to organize themselves too, because that delegated power always, as I say, belongs to the people. The people also must organize themselves in their communities. They have to exercise power from the communities, intra-communities, and outside the communities. Demand support for the communities. Communities can do many things; they don't have to sit and wait for the State. But the State must guarantee their rights. They're two different things. On the other hand, the communities — I believe that in Puerto Rico, as we're living from one emergency to another — know, the community itself knows what's needed. The problem is that sometimes they don't have the resources. So, it's important to support communities. Even for restorative justice, community support is important. But the community must understand that as a community we see how justice is done and where justice is. And we need a lot of education. We must also support this process in the communities from the Judiciary. So, I believe that what all this brings us is that there is a rethinking of what the delegation of the State is — you started with that in the first question you asked — to what extent do we delegate to the State and what are the duties of the State? I start from the premise that the State's duty is in everything. The rights of the people are in everything, and the State must guarantee the rights; One of them is that the communities also organize, but also that they must give them resources and they must support the communities.

Luis A. Ferré Rangel [00:49:47]

We're about to wrap up the podcast. All the learning of the last ten years, basically, a lot of knowledge is being transferred from the communities, from the individual, from the people. This erosion of the credibility of the institutions that has taken so long to adapt to the new reality has certainly accelerated. I wanted to ask each one of you, I'll start with Dr. Colón, what gives you hope about the work you're doing and the issue we're talking about today?

Dr. Nelson Colón [00:50:21]

It gives me a lot of hope to see the solutions that are emerging in this emergency, emerging solutions. I've had conversations with government secretaries and the issue is that... the absence of resources. In Puerto Rico there are such a monumental number of resources for the communities, by the way. I mean, it's not that you must take it from here to put it here, it's billions of dollars. Now, when we look at that scenario, the government must take a very proactive role to make that money flow. If you follow the federal schemes and sit passively and watch to see how I comply, no. Doña Paquita in Adjuntas isn't going to get there and it's due to mere passivity. And then El Nuevo Día is going to publish a bunch of stories: At the end of the fiscal year, so many millions of dollars were left on the table. That's the traditional story as of July 1st. So those solutions that are emerging give me a lot of hope. It gives me a lot of hope, for example, the issue of water and how people have organized themselves to say not only are we going to learn to manage this resource, but we're also going to learn how to own it. And what's emerging with alternative schools gives me a lot of hope... So, there are solutions that are emerging. On the one hand, that the government can look at those solutions and see hope in those solutions, instead of the hopelessness, that occurs in the systems. The 330 Centers, for example. There's a health system in Puerto Rico that has a network of 68 clinics plus 12 or 15 satellites. Why don't we look at that? Why don't we invest there? High-performing schools in poor communities are there. And there is \$7 billion... for schools in Puerto Rico. So why don't we proactively create the bridge by addressing the requirements that need to be met but making it easier for those resources to reach the community. For me there's hope and even if the resources don't get there, we will see hope. Even without resources, we'll see solutions emerge. So, for me that is the seed of hope.

Lcda. Vivian Neptune [00:52:57]

For me, I think it's solidarity, the solidarity that I'm seeing in the communities, in this new generation. This same response to all these natural disasters has been the community that has identified, that has exposed it thanks to technology, to social networks. It has moved more toward transparency of who was in need in that community wasn't getting help. These networks of solidarity are what give me hope and that generations, not only the new ones, but also those who already have experience, are identifying common ground. So, I started with disconnection, so I'll close with connection. I'm seeing those connections that I have with these young people who now have this expectation that the Law School is going to give them these tools to close the gap of inequality. They see that the elderly, that animals, that the environment, that the human right to energy, that climate change are not being addressed. Well, that's where I want them to teach, that's where I want to do pro bono, I want to do a clinic, I want to give a voice to that person or that sector that it doesn't have one. That is what gives me hope, those bonds of solidarity, that empathy that has developed, I believe, due to precariousness, precisely because of having to subsist, survive. They have identified what's truly important and are forcing those networks that are the guide for us to continue in these institutions, giving them what they ask for, and at the same time, identifying what's necessary to anticipate the next challenges that we're going to face.

Luis A. Ferré Rangel [00:54:14]

Thank you. Ms. Aponte?

Lcda. Coral Aponte [00:54:15]

People, society itself, give me hope. Because when things get very difficult and you go back to the community and see how the community is managing and how, above all, they're curious to know more information about different things and you're in the position of being able to spread that information, to be able to create that content, being able to create and disseminate that information, one feels that hope that I'm doing something that's helping people to later defend

their rights, be aware of what their duties are and in this way promote social change. So, the people themselves are the ones who give me that hope and that desire to continue democratizing the Law. I believe that that's the most important mission and to be in this role within the Judiciary and to be able to push that information and that people can create that relationship and feel part of the Judiciary and the solution to their problems and the problems that everyone has.

Luis A. Ferré Rangel [00:55:19]

And Ms. Rivera Lassén, you've been working on this for a few years just like everyone else here, go ahead.

Sen. Ana I. Rivera Lassén [00:55:25]

It gives me a lot of hope every time I meet someone, no matter how old they are, they may be young or not so young, who assumes themselves as a person with rights and who is demanding their rights. We're talking about people sometimes not knowing that what they're saying is a right, but they demand it. I think that's important. Also seeing how we're building a more inclusive island, despite the attempts to draw back by anti-rights and neo-fascist forces. That gives me hope. It would seem strange for me to say that what I'm saying gives me hope, but it must be because to combat the forces that are so retrograde, the strength of the people who believe in an inclusive island and who believe there are rights and that everyone has rights as long as we're people. There will always be people whose rights have been denied and we're finding people who say 'ah, well, before maybe they didn't recognize this right for me, but I'm going to defend everything with all my strength, because I recognize that I always had that right.' Many people can find themselves there, from many discriminations, but I think that's what gives me hope: that there are people who believe that we have, we can build, that we must build and that we can build an inclusive Puerto Rico, with social justice and economic justice for everyone.

Luis A. Ferré Rangel [00:56:45]

Senator Ana Irma Rivera Lassén, thank you very much for being here with us. Ms. Vivian Neptune, dean of the University of Puerto Rico Law School, thank you very much for being here. Ms. Coral Aponte, director of the Office of Education and Community Relations, thank you very much for being here. And Dr. Nelson Colón, president of the Puerto Rico Community Foundation, delighted to be with everyone here. What gives me hope are these conversations with all of you.

Grupo [00:57:11] Thank you.

Luis A. Ferré Rangel [00:57:13]

Please stay tuned, dear audience, for the last chapter of this 10-episode series, when we'll be discussing Sustainable Development Goal #17: Partnerships. Until then.

Locutor Víctor Ramos [00:31:12]

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