

The Habit of Courage*

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The Current Crisis

We are hosting this extraordinary event in place of what is usually a purely academic departmental faculty colloquium series because we are worried sick about public education in California. We want to reach out to the public and to put the current crisis into its larger context and to clarify what it is that we, the faculty of one of the world's greatest public universities, are demanding of our students, of our colleagues, of the public, and of our UC administrators, and perhaps most of all what we are demanding of ourselves in order to preserve a grand institution that took one hundred years to build to its present preeminence and that could take just a few years to destroy.

We want to emphasize that this crisis is not about pay cuts. It is about the privatization and dismantling of a public treasure. It is about public secrets and public lies. Many of us will participate in a general one day walk out on September 24th during which time most of us will be involved in more teaching rather than less – through organized teach-ins and public outreach. We intend to be actively present at coming UC Regents Meetings, at Berkeley City Council

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**Author's Note:* This paper is a revision of two public talks given in the fall of 2009 in response to the university crisis: one on September 14th as the introduction to a special 290 [UCB Anthropology Department Fall Colloquium] Panel: The University in Crisis: *The Dismantling and Destruction of the University of California* given on September 24th at a panel on Direct Action, and as a talk entitled: "The Utopia of Reality" (with Dr. Roberto Mezzina, Trieste, Italy).

Meetings, at Public Libraries, and on public radio stations. Most of us will do several of these things while continuing to educate our students.

The crisis in public education in the United States is general, “like the snow in Dublin,” as James Joyce wrote in his masterpiece, “The Dead.”¹ We are a post 9/11 Nation in crisis – mired in a Great Recession. We are residents of a renegade state, more like a principality, comprised of citizens who have waged tax rebellions and refused to support public institutions that don’t immediately concern their private lives. Consequently, the University of California has been gradually and steadily de-funded. This is not only the result of an economic crises, it is also a political crisis. And, as such, it can be undone. The state of California and the UC System has suffered through many financial booms and busts and we have managed to survive them. We can survive this one.

Against the back-drop of a failing war in Afghanistan, another stalled attempt to overhaul American health care, the dismantling of our workforce following the shortsighted out-sourcing of industrial jobs that will never come back, why should a battered and beleaguered California public give a damn about the crisis in Public Higher Education? The tax rebellion that resulted in the passage of Proposition 13 in 1978 was fueled by the resentment of California homeowners and contributed to a cultural politics of public irresponsibility. Why should retirees pay for the education of other peoples’ children? The tax rebellion has become an entrenched part of California’s political landscape. Proposition 209 – the anti-affirmative action proposition of 1996 – was a second major blow to Public Education in this State.

The prospects are grim but UC Berkeley faculty are struggling to keep our promise to the people of California even while the public in this state have not kept their promise to us. Nothing good happens without struggle, without solidarity, without a readiness and a willingness to court controversy, to take risks, and to expect and to sustain retaliation, as the history of our university illustrates. The battle for shared governance at UC was not easy. It took a faculty rebellion in 1919-1920 to force the California legislature and the UC Regents to recognize the Academic Senate and its role in the shared governance of the university. The independence of the Academic Senate was officially recognized, including its right to chose its own committees and to oversee all tenure and promotion cases by an independent faculty run Budget Committee that was charged with maintaining excellence and stamping out the kind of private sweet deals that were standard at many if not most private institutions. These faculty rights were not freely given or awarded to UC faculty; the faculty took it upon themselves to

make it happen.

The same was true of the faculty battles against the loyalty oath in the 1950s, the struggles for Free Speech in the 1960s, against military recruitment on campus during the Vietnam War, the Third World Strike, the struggles against nuclear weapons research at Lawrence Livermore labs, the anti-apartheid divestment strikes, and the struggle for affirmative action. Even the struggle for University-supported child daycare for students, faculty and staff came through concerted direct action – through sit-ins, walk-outs, and the occupation of buildings, including California Hall. I know, because I was one of the organizers of the struggle for university day care in 1970-1971 when Girton Hall, founded and run as a parent-student cooperative, proved too small to accommodate the needs of low income and single parent student families. A small vanguard of daycare teachers and parents occupied the basement of a student dorm on Durant Avenue where we set up shop, eventually forcing the university administration to either resort to forcibly removing the thirty-some babies and toddlers, teachers and student-parents or to recognize child daycare as a necessary component of public higher education. The University acquiesced and in 1973 developed more appropriate sites at the Ana Head School and the Congregational Church.

Of course not all struggles were as successful as the battle for university-supported child daycare, but most were worthy and the call to direct action was not limited to ‘safely’ tenured faculty – but included undergraduate and graduate students, and untenured faculty, drawn into sometimes uncomfortable confrontations with the administration by their sense of integrity and drawing strength from what I am calling “the habit of courage.” While there are many models to follow, surely Henry David Thoreau’s statement of personal and political commitment resonates and rallies the most strongly: “to live deliberately, and to front only the essential facts of life...and not when I come to die, to discover that I had not lived... I wish to live deep and suck out all of the marrow of life.² For Thoreau – as for all those who followed in his footsteps – from Martin Luther King to Mahatma Gandhi to Nelson Mandela to William Sloane Coffin to Berkeley’s Father Bill O’Donnell, civil disobedience was the defining moment of political transformation and self-discipline.

The first act of civil disobedience doesn’t come easily to most people of good conscience. We are raised, with good reason, to be obedient; it requires a great deal of discernment to decide what matters enough to justify going against our more sociable inclinations to conform, to not make waves, as my dear Dad always put it. The phone or the doorbell rings, and we answer it. The star

spangled banner strikes up at a baseball game and we rise to salute the flag and strain to reach the impossible notes of a ghastly anthem with its “bombs bursting in air,” its references to fire, destruction, blood and the “pollution” of our enemies, the “terror of flight and the gloom of the grave.” But sing it we do, on cue. Then, suddenly, there is a tipping point that brings one to his or her senses.

During the height of the Vietnam War, in 1968, the ‘Charley Company,’ led by a boyish 24-year-old Lieutenant named William Calley led a slaughter of some 300 to 500 unarmed civilians, most of them old men, women, and young children, women with babies strapped to their backs were suspect of hiding hand grenades in their baby-carriers. They set huts on fire to flush the villagers into a hail of machine gun fire. Following revelations of the My Lai Massacre, something snapped back home in the U.S.A. Some ordinary people began to sit tight during the singing of the national anthem in ballparks, under circus tents, at rodeos and at county fairs. It was new and it was scary. The bench sitters were pelted with hot dogs and mustard, with snow cones and soft ice cream. They were told to stand up like men, even if they were women. They were called ‘traitors,’ ‘scum’, cowards, Communist-faggots, and dope-fiends and told to get out of America. But, like Horton the Elephant, they sat and they sat. They refused to remove their baseball caps or to place their right hand over their heart in a display of patriotic loyalty. It took moral courage.

There were also a few dissidents among the boy-soldiers of Charley Company, one of them, Harry Stanley, from Birmingham, Alabama, was brought to Berkeley to be given a medal of honor by the Berkeley City Council in October 1989, an event that coincided with the Loma Prieta earthquake. Stanley told the small Berkeley audience, tough enough to come out to meet him after the disaster, that he did not consider himself a hero. He said that he just could not imagine facing his Grandmamma back home if he had followed Calley’s orders. “You grow up knowing right from wrong,” he said, and even under extreme stress, you try to follow your heart and do what's right.”

The effects of My Lai still reverberate today. When our troops marched into Iraq, they adopted the slogan: “No More My Lais.” The army has created a doctrine called the Medina Standard, responding to Lt. Calley defense that he had been following orders. Captain Earnest Medina was present during the massacre and did nothing to interrupt the mass murders. The Medina Standard, proclaiming that superiors be held accountable for the behavior of their subordinates, is being applied today to marines accused of having killed more than two dozen Iraq

citizens in Haditha, Iraq in Nov, 2005, as well as in cases involving the soldiers charged with torture at Abu Ghraib.

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While living in self-imposed isolation at Walden Pond, Thoreau asked himself two questions: Did he want to pay for an unjust war? Did he want to pay for a government that allowed slavery? He did not and he refused to pay his taxes. In July 1846, Thoreau ran into a local tax collector who demanded that six years of delinquent taxes be paid. Thoreau refused, citing his objections to the Mexican American War and to slavery: “I could not recognize the authority of a state which buys and sells men, women and children, like cattle at the door of its senate-house.”³ Then, one afternoon, while going into town to retrieve his shoes from a cobbler, Thoreau was seized and put into jail. He faced arrest calmly and intentionally: “Under a government which imprisons unjustly, the true place for a just man is also a prison.”⁴ He also wrote in *Walden* that: “It is true, I might have resisted forcibly to more or less effect, might have run amok against society; but I preferred that society should run amok against me, it being the more desperate party.”⁵

This habit of courage and willingness to engage in ‘non-violent resistance’ has weakened in recent decades, replaced by a self-interested and protectionist academic ethos. A more politically cautious faculty have followed a neoliberal notion of decorous and quiet civility, and with it a tendency to accommodate, and to avoid any hint of populism by attempting to reach out to the popular classes, or cutting down difficult concepts and theory to bite-sized pieces.

The Idea of the University

There are two views of the university. The first is the university as a critical institution actively engaged in the political and social transformations of the society of which it is a part. The second, and opposing view – is of the university as a cloister, a secular monastery of reclusive scribes and writers, safely cordoned off from, and closed to, influence from larger society and the world. This is the clichéd “Ivory Tower” metaphor. The latter derives from Cardinal Newman’s famous monograph, “The Idea of the University,” published in 1852 in which he saw the university as a place for teaching “universal knowledge“ having as its goal the diffusion of knowledge rather than knowledge production (or research).⁶ But in truth the university has never been isolated from the society of which it is a part. It always responds to powerful external interests – sometimes for patronage and gain, and sometimes for power and political clout.⁷

Higher education has the responsibility to serve and drive economic growth as it has so predominantly in the history of our state. For better or worse, during WWII the University served the war effort in ways that today make many of us cringe. There are shades of President Eisenhower's Military-Industrial Complex. In the post war years the US State Department as well as the state of California considered UC both a weapon and an engine for fueling economic and political prowess through technological dominance – fashioning better planes and war heads and developing Area Studies: Latin American, European, Middle Eastern, Asian and African Studies – to keep us up to date and to protect American global dominance.

Today, the threats to academic freedom are coming from both inside and outside the gates of the academy. The remilitarization of public universities and the wars in Afghanistan and Iraq has deeply eroded the “scared space” of academic life. In the name of ‘homeland security’ the current administration has erected new barriers to the admission of foreign graduate students. Visiting professors and scholars from other countries now face longer screening and background checks, and many are denied entry. This is a reversal of what was a fifty-year trend of increasing enrollments and diminishes our capacity to understand other societies and cultures and to see ourselves in relation to the rest of the world. The obtrusiveness of the new policies is endangering the North American academic tradition of opening our gates to some of the world's most gifted professors and students, a tradition that has served as well, enriching intellectual exchange and dialogue on our campuses.

Meanwhile, there is a resurgence of anti-intellectualism, the infiltration of corporate business models to every aspect of academic and university life, the devaluation of the arts, humanities and the social sciences, increasingly seen either as a luxury or as intellectual enemies of the global economy. The Enlightenment idea of the university as a voluntary community of teachers, researchers, and students dedicated to the open and disinterested pursuit of knowledge and learning is being rapidly replaced by the idea of the university as a corporate enterprise whose primary functions are to provide a skilled workforce and to generate profitable and usable research for industry and global commerce.

In a much cited article in the *New York Review of Books*, Harvard University President Drew Faust noted the growing dominance of economic justifications for the existence of universities to the exclusion of the other missions of the university: “fostering a broad and liberal education, disinterested scholarship – research not for the sake of personal or political gain -- and

promoting social citizenship.” Higher education, she wrote, is not about delivering a commodity, a B.A., M.A. or a Ph.D but fostering a public good. Universities are meant to be producers not only of knowledge but also of doubt. In other words, universities should not simply give comfort to the comfortable assumptions that people take for granted but should strive to afflict the comfortable commonsense wisdom that is so often dangerous to a democratic society. Drew Faust describes universities as “creative and unruly places, safe spaces for dissent, allowing for a polyphony of disparate voices.”⁸ Following Faust’s argument we can ask ourselves if we at UC Berkeley are playing our necessary roles as the critics and the conscience of our society?

And why am I citing President Faust and not President Yudof? What is wrong with this picture? Why are we at the University of California being led by corporate lawyers and business professionals rather than by educators? Where are the voices of our Chancellors and Vice Chancellors and Vice Vice Chancellors? We are expecting much more from our UC administrators. UC Berkeley has had a history of Chancellors who were educators and visionaries and some of them, like Clark Kerr, went on to become presidents of the entire system that we now know as UCOP. As Berkeley Chancellor (1952-1958) Kerr repaired the damage inflicted on faculty by the California loyalty oath. He threw his energies into expanding the faculty in the mid 20th century and planned for the tidal wave of new students – the first generation of “baby boomers” –who were clamoring at the gates of UC beginning in the early 1960s.

Most important, as President of UC from 1958-1967, Kerr was the chief architect of the California Master Plan that guided this state’s higher education system for almost 50 years. The Master Plan assured access and affordability to higher education for all California students through the interlocking and complementary roles of the UC campuses, the California State University system, and the community colleges. Hardly radical, the Master Plan was a traditional meritocracy with, however, a dedication to serving the state’s ethnic, racial and class diversity based on a very American ideal of the “second chance” for mediocre graduating seniors who could still pick themselves up, dust themselves off, and retool in the community colleges with a view towards proving their mettle and transferring as upperclassmen into the prized UC system, grabbing for the gold ring on the university merry-go round. The California Master Plan has been used as a model in education planning around the world.

Clark Kerr was tested, like almost every chancellor since his time, with campus unrest, in his case with the burgeoning Free Speech Movement that

rocked the Berkeley campus in 1964. Because Kerr was seen as soft toward Mario Savio and the Free Speech Movement then governor Ronald Regan pressured the UC Regents to fire Kerr in 1967. Kerr liked to say that he came into the job as UC president "fired with enthusiasm" and left the same way fired with the enthusiasm of the Governor and Regents. Kerr survived nasty political attacks and the humiliation of his abrupt dismissal from office and left behind a robust world-famous public university, one that is admired and envied throughout the world. UC has opened innumerable doors for me. That blue and gold University of California logo on my university business card make educated people around the world smile as they say some version of "UC Berkeley, how wonderful!"

Clark Kerr like all the truly great UC administrators was an educator, researcher and writer, an academic who understood the difference between higher education as a commodity to be bought and sold on the market, and higher education as a public good and as an engine behind this once great state's enormous ingenuity, and creativity – in the arts, the sciences, media and communications, technology and bioscience.

In recent history Chancellor Chang-Lin Tien was another visionary chancellor who brought both a human touch and a global vision to his understanding of California as part of the Pacific Rim. Tien put his energies into making sure that UC Berkeley was a leader in diversifying the campus with under-represented minorities of all stripes. As the first Asian-American Chancellor Chang-Lin Tien fought with all his might for affirmative action before and after the UC regents voted to dismantle affirmative action in 1995. Born in China, in 1949, Tien's family fled Communist rule to live in Taiwan. He came to the US to study engineering (and to play basketball) at the University of Louisville in the 1950s. Like Gandhi in South Africa, Tien never forgot his first encounter with US apartheid, he often recounted his feelings of utter perplexity when he had to choose between two water fountains – one white, one 'colored' – not knowing where he fit into the racial hierarchy. After getting his doctorate from Princeton University (1959), Tien joined the UC Berkeley faculty, becoming chancellor in 1990. He was an educator to the core and a fervent believer in free speech.

Although his own family had escaped the Communist revolution in China in 1949 to live in Taiwan, Chancellor Tien helped me override the US State Department's hostility to Communist Cuba, by giving his personal support to my invitation to Dr. Jorge Perez, Director of the Cuban AIDS sanatorium and two of his HIV+ patients to visit and to address the doctoral program in Medical

Anthropology. I warned the Chancellor that the visit would be controversial to which he replied: "Do you think we could get Fidel Castro to come to speak at Berkeley?"

One of the other major challenges Tien faced was financial, as the California recession of the early 1990s shrank state education funding. In the beginning of the 1990s when California's economy went into crisis, state funding to the campus dropped by \$70 million, or 18 percent, within four years. A misguided UCOP plan to cut back on faculty salaries through a 'golden handshake' enticed 27% of senior active faculty into early retirement. The university has never fully covered from that program. Some of our most renowned and world famous scholars left the campus, some taking academic positions in the Ivy League and other strong public and private universities. Tien retaliated by pursuing top young professors from elsewhere and doing everything in his power to prevent a brain drain from UC Berkeley. "It's not a matter of whether we can survive," he said in a speech in 1993 in which he begged California residents to lobby their legislators, "It's a matter of being excellent or mediocre." His fundraising drive in 1996 – the largest of its kind at the time for a public university – "The Promise of Berkeley – Campaign for the New Century gala in April 2001 to celebrate the end of the campaign, ultimately raised \$1.44 billion, dollars from alumni and friends of the UC Berkeley (some of them in Asia), and that money was directly plowed back into student diversity scholarships, professorships, research funds.

There was one mortal blow Tien did not survive. In 1995, the UC system attracted national attention with the regents' tense 14-10 vote to drop affirmative action programs. Tien argued passionately against the governor and against the Regents in favor of keeping Berkeley's affirmative action program in place. He lost the fight. What followed was an immediate drop in the number of black, Latino, and Native American students at Berkeley following the vote and Tien grieved deeply and publicly. Despite conflicts with the administration, he never lost his love of UC or his loyalty to faculty and students – he maintained an open door for faculty most of whom he knew by name. In 1996 and under the pressure of the conservative legislature and UC Regents, Tien submitted his resignation as chancellor, saying he had done his best to accomplish his goals for an open, free, independent and diverse public institution.

In summary, we have had many recessions in California and the UC survived them before without disrupting the commitment to excellence and accessibility and transparency and shared governance that are the hallmarks of

this great public institution. In fact, UC Berkeley thrived despite opposition from the Regents. Berkeley is famous for its student – led movements – the Free Speech Movement, the Third Word Strike, People’s Park, and the anti-war movement.

The September 24th Walkout

Some senior faculty planned to join the walk-out on September 24th despite fears by many younger faculty of a negative public response from ‘the public’ who did not understand what public higher education is for and why it is worth saving. Much of the public sees UC faculty as prima donnas who are overpaid for minimum hours in the lecture hall and who get to pursue their “pet research” projects – perceived as intellectual ‘hobbies,’ yet this is not the case. We would not be teaching in a public university if we did not believe in public education. We would have taken higher paychecks at private institutions. The immediate issues that we who believe in public education face concern the following:

1. The consolidation of power and authority
2. The destruction of shared governance
3. The privatization of the University
4. The Elimination of departments and programs seen as weak, unessential, expensive especially within the College of Letters and Science
5. Tuition hikes that could reach 40 percent
6. The loss of our best faculty who leave for greener pastures

President Yudof and the Regents are not educators and they, along with our Governor, don’t understand that maintaining quality of public education at UC doesn’t mean bonuses to its top heavy administrators; it means protecting the security of its young scholars and assistant professors and preventing the raiding of key faculty at all levels.

What do we want?

1. We want an end to the declaration of an emergency to UC and the granting of emergency power to the President and his Regents who have jumped upon the crisis as an opportunity to downsize public education, ignore the university’s charter and the UC master plan.
2. We want a Vote of No-Confidence in President Yudof and the Regents, and the Governor of the State of California.
3. We demand sound administrative leadership: Our Chancellors and Vice Chancellors should follow the lead of Chancellor Clark Kerr and Chancellor

Tien and put themselves squarely on the side of the preservation of this University. Chancellor Tien declared that he would refuse another administrative request for a 'golden handshake' and he resigned when he could not stop the end of our university's Affirmative Action policy. Chancellor Birgeneau, do you want your legacy to be the dismantling of the world's greatest public university?

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- Thoreau, Henry David. 2003. *Walden and Civil Disobedience*. New York: Barnes and Noble Press.

NOTES

¹ Joyce, James. 2008. *The Dead*. Claremont, California: Coyote Canyon Press.

² Thoreau, Henry David. 2003. New York: Barnes and Noble Press, p. 74. In all, Thoreau only spent just one night in jail. Despite his objection, an aunt intervened to pay Thoreau's delinquent taxes. While his mother also intervened to wash her son's laundry during the two and a half years he lived, in self-imposed isolation, in the 10' x 15' cabin he built at Walden Pond, his words still hold inspiration for those stepping tentatively or confidently to protest peacefully and rely on the strength of their own beliefs.

³ Thoreau 2003: 137.

⁴ Thoreau 2003: 257.

⁵ Thoreau 2003: 137.

⁶ Newman, John Henry. 1999. *The Idea of the University*. Washington, D.C.: Regnery Press.

⁷ In this vein, David Graeber's *Fragments of an Anarchist Anthropology* (2004) describes university functions as a hierarchical disciplining device that places graduates in state and corporate bureaucracies, a view that has its origins in Dwight Eisenhower's "Military-Industrial Complex", CW Mills, "The Power Elite," and Paul Willis's "Learning to Labor."

⁸Drew Galpin Faust "The University's Crisis of Purpose," *The New York Times Sunday Book Review* September 1, 2009.