

The Ché Café Collective Struggle in the Broader Context

by Davide Carpano and Andrea Carter

As the students involved in the 2009 UC protests remind us: “Though we denounce the privatization of the university and its authoritarian system of governance, we do not seek structural reforms. We demand not a free university but a free society. A free university in the midst of a capitalist society is like a reading room in a prison; it serves only as a distraction from the misery of daily life.”¹ While it is important that we recognize the interconnectedness of our struggle here at the University of California, San Diego (UCSD) with wider struggles against capitalism, it is nevertheless vital that we continue to fight for autonomous spaces on campus from which we can launch our fight against the privatization of the university. The struggle that the Ché Café experiences today is a familiar one; one which has precedent at UCSD with the students who were involved with the UCSD Craft Center, which the University closed in 2012 on the same stated reason of lacking a fire sprinkler system despite students and supporters fundraising enough money to cover the upgrades.² This is also related and germane to the efforts of UCSD students who fought for the integrity of the fair trade policy they created to be enforced, in the face of administrators unsuccessfully trying to bring Starbucks onto campus. And recently, this struggle is strikingly similar to Portland State University administration closing a vegan cafe there in retaliation for successful student organizing and solidarity efforts with faculty for concessions on faculty contract benefits.³

In her book, *The Shock Doctrine: The Rise of Disaster Capitalism*,⁴ Naomi Klein succinctly describes the way in which neoliberal capitalism functions in crisis to cement itself as the hegemonic economic ideology: “...waiting for a major crisis, then selling off pieces of the state to private players while citizens were still reeling from the shock, then quickly making the ‘reforms’ permanent.” Likewise, there are parallels between the University Centers Advisory Board’s (hereinafter UCAB) permanent budget crisis and the corporatization of UCSD.

In Fiscal Year (FY)08/09, the UCAB,⁵ experiencing a budget crisis, brought in multiple corporate vendors; most prominently Burger King. For the following two years, the UCAB practically subsidized these corporate interests by precluding competitor businesses from opening. FY11/12 and 12/13 saw the UCAB adopt a slew of ‘revenue increasing’ measures along with simultaneous cuts to vital student services, the most contentious of which was the line item cut of the Craft Center from their budget (with the promise to reinstate funding once revenue was increased). The Craft Center has been closed ever since and the issue has not been revisited. In this past year, the UCAB chose not to

¹ *Research & Destroy*, October 11, 2009,

<http://researchanddestroy.wordpress.com/2009/10/04/communiquedfromanabsentfuture/>

² <http://crafts.ucsd.edu/>

³ <http://zcomm.org/zmagazine/portland-student-union-plays-key-role-in-faculty-union-win/>

⁴ Klein, Naomi. *The Shock Doctrine: The Rise of Disaster Capitalism*, Picador, New York. 2008.

⁵ <http://ucab.ucsd.edu/>

reinstate funding for the Craft Center; “quickly making the ‘reforms’ permanent.”⁶ In the same year, the UCAB, despite large student resistance, also undemocratically ‘edited’ UCSD’s fair trade policy in order to allow Starbucks to enter.

After all of this one would think that the UCAB had finally managed to correct their budget. But they have not. So now who else is left to be put on the chopping block? The Ché Café! Administration and UCAB are going line by line or searching for any minutia or possible violation they can, or try to instigate one, in order to close The Che ala the Craft Center. The Che occupies some prime real estate and, as indicated by UCAB Chair Sammy Chang during an interview by the Guardian Newspaper regarding the decision to allow Starbucks on campus. UCAB has been inclined to value profit motives over honoring past agreements and commitments that stand in the way of the bottom line. As Chang’s comments indicated he and other UCAB members are swayed by the offer that Starbucks will give back student sustainability scholarships (to make up for their lack of fair trade practices) and UCEN will receive additional profits by Starbucks being a licensed cafe rather than outright vendor.⁷ In April 2014, the UCSD Guardian newspaper reported Chang asserting: “We ultimately voted that Starbucks was according to the UCSD fair trade policy, and that it could alleviate the budget crisis that the University Centers is facing right now.” The Guardian goes on to state “UCAB was assured that Starbucks will directly provide scholarships to students to support sustainability. If negotiations with Starbucks proceed favorably, it will be the first time University Center is doing a site license. Starbucks will not be a third party vendor renting space; rather, Starbucks will allow UCSD to utilize the Starbucks name but own the space itself. This allows all purchases to be at the same quality of a regular Starbucks cafe. According to Chang, UCAB felt that Starbucks was a good decision: “This higher return of money, because the third party isn’t just keeping all the money, means that the University Centers can keep all the profits to itself and resolve the budget deficit.”⁸

Recently the Ché Café was ambushed at a meeting arranged to “discuss the future of the Che Cafe” but was instead given a 30 day notice to terminate possession on June 13, 2014. Vice Chancellor of Resource Management and Planning Gary Matthews unapologetically announced that the University had over \$350 million dollars in deferred maintenance. This was in response to Ché Café members asking the University to seek alternate funding or borrow from capital reserves. While there is money for new buildings, mandatory raises, administrative hiring growth, and other programming and upgrades which maximize profit for the University, there is simply no money for a historical building that doubles as a nationally and internationally renown music venue and culturally and artistically iconic space. The Ché Café does not make profit for the University, but does have enormous support across the current students, alumni and community members. In one weekend, the Ché Café received over 10,000

⁶ Klein, Naomi. *The Shock Doctrine: The Rise of Disaster Capitalism*, Picador, New York. 2008.

⁷ Justine Liang, *Starbucks, UCEN Continue Talks*, The Guardian [ITALICIZE THE GUARDIAN], April 3, 2014. <http://ucsdguardian.org/2014/04/03/starbucks-ucen-continue-talks/>

⁸ Ibid.

signatures of support on an online petition.⁹ This is an example of what Professor Charles Thorpe describes as, "...a corporate model of top-down management, at odds with the conception of the University as a public sphere."¹⁰ This is the shock doctrine, fueled by lies. The pretextual and distracting issue about health and safety and the need to close the Ché Facility because it needed fire code upgrades is a lie.

Many upgrades were recommended, but not made mandatory. The fire marshal never threatened to close the Ché Café. Also, a follow-up fire marshal inspection was performed on April 17, 2014. Afterwards, Assistant Facilities Director John Payne sent an email to the Ché Café Collective thanking them for all their efforts to keep a safe facility and signed off on any fire issues until next year's inspection. Less than a month later, all of a sudden, fire sprinklers and an alarm system were required or else the Facility was to be shut down, after operating without fire sprinklers for 30 years and without giving the Ché Café an opportunity to even make the upgrades themselves.

The UCAB was given drastically different budget numbers by the University Centers (UCEN) director Sharon Van Bruggen than what was really necessary to put the Ché Café in working order. The budget committee's presentation claimed that cutting the Ché Café expenditures from the budget would save the UCEN \$840,000.¹¹ But the University refuses to acknowledge that none of these expenditures are even mandatory for continued occupancy. That the fire upgrades could continue to be deferred some years and that it is creating an artificial problem and making a discretionary decision to close it on health and safety grounds are also not acknowledged. Not to mention, the numbers it gave the UCAB board are vastly different than those in their own 2010 facilities analysis report, which claims total renovations for the Ché Café, many of which are superfluous, amount to just over \$700,000. While these totals may seem very high, the reality is that they are the result of over a decade of neglect and fiscal mismanagement on the part of UCEN and UCAB. UCEN should have been performing these repairs year by year, not waiting until the last possible moment to fix everything at once. This is poor financial management.

This moves us on to another lie, the grander lie, which is that the University maintained for this entire time that it was the University's obligation to make the fire sprinkler and alarm upgrades and only recently switched X their position to claim, it was the tenant's obligation (the Ché Café) when the Ché Café was given its notice of termination on June 13, 2014. The termination notice also states the University's right to terminate the lease is based on the lack of GSA certification, thereby, giving the University the right to end the lease due to the inability of the Ché Café to obtain a lease extension, not

⁹ <http://www.change.org/petitions/assistant-vice-chancellor-gary-ratcliff-save-the-che-from-closing>

¹⁰ Thorpe, C. 2013, "Repression in the Neoliberal University," in *Managing Democracy Managing Dissent: Capitalism, Democracy and the Organization of Consent*, ed. R. Fisher, [IF THIS IS A BOOK, ITALICIZE IT] Corporate Watch, London, pp. 217-229.

¹¹ <http://bit.ly/UCENbudget> June 2014.

owing to health and safety or fire issues they specified to the public. The University continues to trade in falsehoods by issuing a press release stating that Interim Vice Chancellor Houston responds to all the complaint emails he receives with a standard line noting the facility is being closed and the lease terminated due to health and safety concerns related to the fire systems.

If the University knew the fire sprinklers and alarms were a tenant responsibility all along why did it only announce it on June 13, 2014? Why did the University not notify the Ché Café it needed to perform these upgrades or be held in default? Why did it never give the Ché Café the opportunity to make these upgrades and still will not? Why did the University lie and distract everyone from the true issue by focusing people on whether the University could and should pay for the fire systems as if it was maintenance? All the attention was put on UCAB and the University's obligation to repair and what it would cost. The University explicitly told everyone that the fire upgrades needed to be paid out of student fee funding controlled by UCAB, until they gave notice to terminate the lease. When the Ché Café did receive an independent outside estimate to install the fire sprinkler system from an independent contractor, COSCO Corporation, it came to approximately \$25,000.

Rather than assuming that the Ché Café Collective is comprised of leftist, offensive wackos that are irresponsible idiots who do not deserve the venue, mismanage it and have outlived their usefulness, people would be well advised to look closer and get all the facts. The Ché Café receives very disparate treatment from other student organizations and facilities at UCSD because it is counter-cultural. The annual UCSD Sun God festival can promote and allow the over consumption of alcohol to the point that student deaths and other non lethal injuries result and are tolerated. Yet, as to the Ché Café, there have been no injuries for as long as can be remembered, no fires in its history and yet X the University thinks the risk of not having fire sprinklers--which are not even mandatory--is such a high risk that the venue needs to be shut down immediately. The politics and subculture of the Ché Café are why its being shut down. When Fox News assails this entrepreneurial student-run nonprofit organization as "teaching a new generation of students about the failure of communism" then one can understand the divisive politics that drive certain individuals, administrators and students alike to oppose the Café's continued operation for reasons of political ideology and personal bias.¹²

While many students do not use the Ché Café, the reality is that there are many spaces on campus that the vast majority of students do not use. This does not take away from their importance. There ought to be space on this campus for every student from every background. Many of us do not

¹² Miller, Joshua Rhett, *California university, students revolt against failing cafe named for Che Guevara*, May 21, 2014.

<http://www.foxnews.com/us/2014/05/21/another-vote-postponed-on-future-ucsd-che-cafe-collective>.

feel that we fit into dominant consumer, hedonistic, and white-dominated, culture that festivals like Sun God promote. We too deserve a space on this campus.

The Ché Café does not take student fee money like other organizations do and is not operationally funded by the University like other venues such as The Loft and The Gameroom. These venues, more than the Ché Café, are in economic crisis, are losing money, and the University takes no issue with their operating losses. Please have a serious look at how UCEN policy systematically disfavors the student cooperatives while catering to the needs of campus corporate interests. Again, the Café takes no student fee money for operations and events. All the Ché Café expects from the University is what the University wrote up and agreed to in the Space Agreement lease: that as the landlord, it should pay for building maintenance and it should abide by the duty to deal in good faith with its tenants and not be discriminatory or act in sneaky and dishonest ways to disaffirm and escape its commitments when they prove too expensive or not convenient to honor.

The University sees the Ché Café as a portfolio obligation and financial risk. This was stated by UCEN marketing personnel turned Facilities Director, Sharon Van Bruggen in her powerpoint budget proposal to UCAB. UCAB accepted it virtually unquestioned. The Ché Café is a nonprofit. It exists to provide a public service not churn record profits. That is why it is loved by so many and why it is accessible to amateur musicians and all ages.

This is not only about the Ché Café but the future of all facilities at our public universities. We encourage each and every one of you, student or not, to think carefully about what you want UCSD, the University of California system and all public universities and public education to look like ten or fifty years down the road. Will the need for short-term quarterly profits and an escape from artificially created economic crisis erase and usurp all our history, culture, and public spaces? Will our campuses continue to morph into becoming an educational shopping mall? Will our affordable and world class public university system be transformed so completely into a privatized and profit-driven model and corporate training ground that we will not even recognize it? What does this mean for the United States and for our society? What does this mean for our culture, traditions, and the accessibility and ownership of them? What does this mean for our and our childrens' own human development, values and achieved human potential?