

Introduction

THEY DON'T CARE IF WE DIE

ON THE MORNING OF JANUARY 31, 2012, I met with local activist Giovanni Roberto at La Chiwinha, a small café a few blocks away from the University of Puerto Rico's (UPR's) main campus in the Río Piedras area of San Juan. Over a few cups of tea, he told me about his role in the student mobilizations that had shut down the university system for much of the 2010 and 2011 academic years. He explained the social, political, and economic contexts that drove students to strike for a more equitable and accessible educational system, as well as the incredible violence that students experienced at the hands of police and private security forces determined to "restore order" to the campus. Eventually our conversation turned to the question of self-defense. Toward the end of the strikes, students were increasingly criticized in the media for fighting back against the police. Images of students aggressively engaging law enforcement officials and committing acts of vandalism circulated widely, souring some Puerto Ricans' perceptions of the student movement. When I asked Roberto about this, without hesitation he said, "I believe in self defense. I believe that students have the right to defend themselves if they feel threatened by cops."¹ He paused before adding, "And with what is recently approved, a cop can kill you if he or she has the perception that you are dangerous or are going to put their life in danger."²

Shaping Roberto's response that afternoon were the recently announced changes to the guidelines concerning lethal force for the Puerto Rico Police Department (PRPD). On September 5, 2011, the Civil Rights Division of the US Department of Justice (DOJ) issued a damning report that declared the PRPD "broken in a number of fundamental and critical respects."³ According to the DOJ report, the PRPD regularly used excessive, and sometimes deadly, force during routine stops and arrests. To remedy the PRPD's unlawful use

of force and what it called a “deliberate indifference to the public’s safety,” the DOJ recommended that the PRPD work toward general standards of accountability by establishing written guidance regarding use of force, making officers aware of effective alternatives to force, offering ongoing professional training, and conducting thorough investigations when force is deployed.⁴ Promising to drastically overhaul police procedure regarding the use of force in the wake of the DOJ’s findings and recommendations, the PRPD had finally unveiled its response on January 30, 2012, the day before my meeting with Roberto.

In a perverse twist, the PRPD addressed the DOJ’s concerns over a lack of standardized protocols regarding the use of force by issuing a general order that allowed the use of lethal force if an officer had a “reasonable perception” that his or her life or the life of another was threatened.⁵ William Ramírez, director of the local chapter of the American Civil Liberties Union (ACLU), noted that this ambiguously framed order was troubling because an individual officer’s “reasonable perception” of threat is often informed by bias and prejudice. According to Ramírez, “An officer can think that a young, Black man coming out of public housing with his hand in his pocket is dangerous. It could be a cell phone or a weapon [in his pocket], but after the officer can say: I shot him because I perceived that I was in danger.”⁶

Roberto expressed a similar sentiment during our conversation in La Chiwinha. He said that police officers, like many other Puerto Ricans, have been conditioned to associate poverty, Blackness, and spatial location with criminality and danger. Indeed, more than two decades of violent police incursions into low-income and Black communities had helped to shape such popular conceptions of danger while seemingly justifying the need for more and more punitive measures to manage Puerto Rico’s “dangerous classes.” For Roberto, the previous day’s announcement that a police officer could justifiably kill someone if he or she believed that person posed some sort of danger merely formalized what had already been long-standing police practice, especially toward low-income and Black people living in Puerto Rico.

Roberto connected both the recent changes to the PRPD’s lethal force regulations and the deadly racialization of crime to *mano dura contra el crimen* (iron fist against crime), an anticrime measure that deployed police and military forces in public housing and other low-income spaces around the archipelago during the 1990s in an effort to eliminate drug trafficking.⁷ He explained: “And that’s what we see, the consequences of wrong politics, of *mano dura*. It’s not the solution. At the same time, what they’re doing now is

increasing [mano dura], because they want to gain more social control. They don't fucking care if we die or experience violence. They feel secure because they live apart, they don't hang out in the same spaces that we hang out or live in the same spaces."⁸ With this, Roberto articulated the very central role that policing plays in distributing harm and death according to hierarchies of difference and belonging. His comments also pointed to the segregation of Puerto Rican society and the idea that some Puerto Ricans may tolerate high levels of police violence because it is seen as being exercised somewhere else, against others who need to be contained and controlled in order to keep everyone else safe. As we spoke, I wondered exactly what role *mano dura contra el crimen* played in producing and justifying the notion that harm and death were natural, and in some cases desirable, outcomes of police work. In other words, how did policing initiatives like *mano dura* help bring us to the point where some Puerto Ricans, in Roberto's words, "don't fucking care" if their fellow citizens "die or experience violence?"

Policing Life and Death: Race, Violence, and Resistance in Puerto Rico answers that question by tracing the rise of punitive governance in contemporary Puerto Rico. By *punitive governance* I mean the ways in which the Puerto Rican state has reasserted itself in the lives of Puerto Ricans through technologies of punishment such as policing and incarceration, as well as the violence (state sanctioned and other) they often provoke.⁹ Punitive governance also refers to the ideological work undertaken by the state to promote an understanding that punishment, justice, and safety are intrinsically linked.¹⁰ In this book I demonstrate that punitive governance has left an indelible mark on how life and death are understood and experienced in Puerto Rico and has done so in a way that reinforces societal inequality along lines of race, class, spatial location, gender, sexuality, and citizenship status.

Punitive governance functions through an unequal distribution of resources and life chances that affects those populations occupying some of the most tenuous positions in Puerto Rican society.¹¹ It has hardened existing discriminatory attitudes and structures that target low-income, Black, queer, and residually marginalized Puerto Ricans living in Puerto Rico in ways that have normalized and in some instances increased their vulnerability to harm at the hands of the state and their fellow citizens. As ethnic studies scholar Lisa Marie Cacho argues, the practices of criminalization that animate punitive governance make structures of human value "intelligible through racialized, sexualized, spatialized, and state-sanctioned violences" that target the most vulnerable, especially those who experience overlapping

forms of marginalization.¹² Within punitive regimes, vulnerable populations experience a form of “social death” that renders them “targets of regulation and containment,” subject to the law’s discipline but excluded from its protection when confronted with violence.¹³

Yet Puerto Ricans also challenge deadly punitive logics and practices by working toward alternative understandings of justice, safety, and accountability in ways that are both spectacular and quotidian. This book follows a range of efforts by Puerto Ricans to critique punitive governance and imagine new ways of living in Puerto Rico. From public housing residents strategically using the press to provide their own accounts of the havoc policing has caused in their communities, to underground rappers skewering the absurdities of the war on drugs, to university students trying to build social movements across racial and class differences, to community activists implementing local solutions to violence that decenter policing, the story about punitive governance told in this book is as much one of resilience and resistance as it is one of repression.

I situate the growth of punitive governance in Puerto Rico within the ongoing colonization of the archipelago by the United States. Over the course of the late twentieth century and into the present, the Puerto Rican state has strengthened its security apparatus in an attempt to manage a range of social, economic, and political crises stemming from its continued incorporation into the United States as a commonwealth territory. By the late 1970s the once unprecedented levels of social and economic improvement experienced by Puerto Ricans were in steady decline, and personal insecurity increased as US-led development strategies had seemingly run their course. As the limitations of the commonwealth arrangement between the United States and Puerto Rico made themselves more intensely felt on Puerto Ricans, policing emerged as the state’s primary means of responding to an array of resultant social problems such as high unemployment, chronic poverty, and a growing drug-based, informal economy. I demonstrate how a refusal on the part of both the US and Puerto Rican political establishments to fundamentally alter Puerto Rico’s colonial status, which prevents Puerto Rico from meaningfully shaping its own policy, helps us understand why it is in the realm of biopolitical calculation—the policing of life and death—that we encounter the contemporary Puerto Rican state at its most robust.

While Puerto Rican elites and technocrats have conceptualized and implemented a range of punitive solutions to societal problems from the late-twentieth century to the present, this book focuses on the emergence and

legacies of *mano dura contra el crimen* to explore Puerto Rico's punitive turn. *Mano dura contra el crimen* was a series of crime-reduction measures introduced by Governor Pedro Rosselló in 1993, which deployed police and military forces within public housing and other low-income spaces around the archipelago, but primarily across the big island, during the 1990s in an effort to eliminate drug trafficking. Although *mano dura* was short-lived, lasting from approximately 1993 to 2000, for many Puerto Ricans with whom I spoke, it marked a turning point when the state increasingly relied on punitive power to demonstrate its capacity and maintain social control. This is not to imply that punitive power had previously played no role in how either the US or the Puerto Rican state maintained social control, but it is to note that for many Puerto Ricans, *mano dura* fundamentally altered public discourse and attitudes around issues of crime, violence, victimhood, and the responsibility of the state—and continues to do so more than twenty years later.

In addition to charting the rise of *mano dura contra el crimen*, I am also interested in what has recently come to be discussed as *el fracaso de la mano dura*, or the failure of *mano dura*, which has encouraged some activists to seek out and attempt to implement nonpunitive solutions to social problems. Many Puerto Ricans, especially those who have borne the brunt of punitive policy in their communities, will point out that *mano dura* did not succeed in reducing drug-related crime and violence, but it did succeed in strengthening existing patterns of race- and class-based segregation. In addition, through both rhetoric and practice, *mano dura* normalized violent, premature death as an acceptable punishment for criminal behavior or social transgression. The emergence and implementation of *mano dura contra el crimen* illuminates how punitive measures became some of the few state-sanctioned solutions on offer to Puerto Ricans dealing with a wide range of social problems. Activists and ordinary Puerto Ricans are now pushing against punitive governance and the normalization of *mano dura* in order to build communities that are safe and secure for everyone in a meaningful way.

What has occurred in Puerto Rico over the past thirty years mirrors the growth of carceral and neoliberal regimes of dispossession both in the United States and globally. Although its status as a colonial possession of the United States played a central role in how and when punitive governance developed there, Puerto Rico nonetheless provides a clear example of much larger global trends. The growth of punitive governance in Puerto Rico demonstrates the ways in which governments have increasingly come to rely on policing, incarceration, and enclosure to manage the populations most affected by racist

and capitalist inequality. This is a crucial point to underscore, as I work throughout the book to avoid either exceptionalizing Puerto Rico or denying it any specificity. Puerto Rico is not an isolated archipelago divorced from the rest of the world. Instead, what has occurred and is occurring in Puerto Rico both reflects and has implications for larger global processes that are both taking root and unfolding all around us. In other words, while this book acknowledges and engages the apparent peculiarities of Puerto Rico as a colonial site, examining the growth of punitive governance in Puerto Rico helps to expand our understanding of existing and emerging structures of domination throughout the Americas and beyond. In Puerto Rico, as in other sites, the consolidation of punitive solutions to social problems has hardened inequality while simultaneously inciting marginalized populations into forms of creative and sustained resistance against the vulnerability that shapes their lives. In this way, *Policing Life and Death* turns to Puerto Rico not only to understand punitive governance and its effects on vulnerable populations, but also to trace how those very communities are reimagining their own futures in ways that expand the meanings of safety and justice in the contemporary period.

COLONIAL CRISIS MANAGEMENT

In Puerto Rico as elsewhere, punitive governance functions as a form of crisis management that masks an inability or unwillingness to radically transform social relations and institutions in order to address pressing societal problems. Critical geographer Ruth Wilson Gilmore makes this point clear: “Crisis means instability that can be fixed only through radical measures, which include developing new relationships and new or renovated institutions out of what already exists.”¹⁴ In Puerto Rico the strictures of colonial rule explicitly prevented radical transformations within the official political or economic realms. As a result the Puerto Rican state turned to punitive governance to manage how structural instabilities were felt at the population level and promote the image of a strong and active state.

The crises that prompted Puerto Rico’s punitive turn during the late twentieth century have their roots in the US-led development efforts that accelerated following World War II. During the postwar period, the United States responded to international calls for decolonization, as well as political unrest, in the archipelago by putting into place measures that would extend a limited

self-governance to Puerto Rico while preserving US military and capitalist interests. In 1948 Luis Muñoz Marín of the Partido Popular Democrático (PPD), or Popular Democratic Party, became Puerto Rico's first democratically elected governor. According to geographer Déborah Berman Santana, by the time Muñoz Marín assumed the governorship there was already an overwhelming sense of Puerto Rico's "nonviability" as a sovereign nation. As Berman Santana notes, "Puerto Rico was seen as too small, too overpopulated, and too lacking in natural resources to survive as an independent country. It followed, therefore, that there was no option but to continue economic and political dependence on the United States."¹⁵ Since many political elites perceived independence as unfavorable and statehood unlikely, Muñoz Marín promoted a seemingly third way forward for Puerto Rico, which would allow local politicians to govern local affairs while keeping the territory politically and economically incorporated within the United States.

In 1950 the US Congress enacted legislation that allowed Puerto Rico to draft its own constitution. The new constitution, of which Muñoz Marín was a chief architect, identified Puerto Rico as an *Estado Libre Asociado* (Associated Free State), or commonwealth of the United States, which would grant the latter ultimate authority over the archipelago but would give the local government a greater degree of autonomy in local affairs. The commonwealth constitution was enacted on July 25, 1952, the anniversary of the landing of US troops in Puerto Rico in 1898, signifying the endurance of American rule. To complement Puerto Rico's new political status, Muñoz Marín strategically utilized close ties with the United States to reinvigorate the local economy.

With Puerto Rico widely regarded as the "poorhouse of the Caribbean," Muñoz Marín sought to improve economic conditions for Puerto Ricans by transforming the economy from one based primarily on sugar production to an industrial one based on manufacturing. Muñoz Marín and his team of New Deal-trained technocrats, with the support of the US government, initiated Operación Manos a la Obra (Operation Bootstrap), which promoted rapid development and modernization through export-led industrialization. This strategy, which would come to be dubbed "industrialization through invitation," relied heavily on US capital to invest in labor-intensive manufacturing. The commonwealth government stimulated investment in the archipelago's new economy by providing tax holidays, subsidies, loans, and a guaranteed pool of low-wage workers to US corporations.¹⁶ While the commonwealth government boasted of new factories opening almost daily

during the early years of Operation Bootstrap, it was clear that the number of jobs generated through manufacturing was not sufficient for the local population.

This transformation of Puerto Rico's economy displaced rural workers and spurred a massive migration to the United States. Migration functioned as a "safety valve" for a development program that even in its early stages was already proving unable to generate sufficient employment. As political economist Emilio Pantojas-García notes, "The colonial relation that allowed Puerto Ricans to enter freely into the United States thus provided an artificial source of stability to a structurally unbalanced economic strategy; migration became an escape valve for employment pressures."¹⁷ The migration of these surplus laborers also crucially helped to squelch political dissent as the commonwealth arrangement was consolidated during the mid-twentieth century. Scholars have noted that the economic achievements of Operation Bootstrap and the commonwealth arrangement would have been much less impressive than they appeared without Puerto Rico's ability to exile its surplus laborers and political dissidents.¹⁸

Massive out-migration and the neutralization of political dissidents through repression paved the way for Operation Bootstrap's "golden era" during the 1950s and 1960s. Puerto Rico was internationally celebrated as a modern miracle state, and many Puerto Ricans experienced improved living standards in the two decades following the program's implementation. However, unemployment, particularly among working-aged men, remained a recurrent problem. Although the Puerto Rican and US governments undertook well-documented efforts to enact population controls through migration and sterilization campaigns, large numbers of Puerto Ricans were still rendered redundant by the strategies and calculations of colonial capitalism.¹⁹ During the heyday of Operation Bootstrap, unemployment never fell below 10 percent, while labor force participation numbers never rose above 50 percent. The displacement of workers, persistently high levels of unemployment, entrenched poverty, and an overdependence on US capital investment were thus central facets of Puerto Rico's "great transformation" and "modernization" efforts.

The 1970s marked the first significant moment of crisis for the commonwealth and US-led development in Puerto Rico. Starting in 1965, the Puerto Rican government stimulated the development of the petrochemical industry in order to take advantage of US oil import quotas, which gave special concessions to American oil refineries operating in Puerto Rico. In April

1973, however, US president Richard Nixon eliminated the oil import quotas, effectively ending the favorable conditions for the petrochemical industry in Puerto Rico. This situation was made worse by the 1973 OPEC oil embargo and subsequent price increases.²⁰ The blow to the economy represented by the oil crisis was compounded by the devaluation of the dollar and the spread of the US recession to Puerto Rico, both of which also occurred in 1973. In many ways the Puerto Rican economy was unable to recover from the numerous hits to its economy that struck in 1973. The economy stagnated, with annual economic growth rates slowing to an average of only 1.7 percent from 1974 to 1984.²¹ As the economy faltered, unemployment levels steadily increased. Following the events of 1973, unemployment rose to 18.1 percent in 1975. This upward trend continued until 1985, when unemployment increased to a startling 21.8 percent.²²

Puerto Rican and US officials scrambled to halt the economic crisis threatening to engulf the archipelago. The federal government responded with two policies in 1976. First, Congress increased federal transfer payments, for instance, increasing Puerto Rico's share in the US food stamps program. Second, Congress enacted Section 936 of the Internal Revenue Code, which provided attractive tax incentives for US corporations operating in Puerto Rico. Section 936 regulations shifted the economy once again, attracting capital-intensive, high-tech industries such as pharmaceuticals, precision instruments, and electronics.²³ The growth of this knowledge-intensive sector, however, failed to generate many new jobs. Puerto Ricans were faced with fewer and fewer options in the formal labor economy following the collapse of the agricultural, manufacturing, and petrochemical sectors.

It is within this context that we see the growth of Puerto Rico's informal economy. The informal or "underground" economy captures a range of semi-legal and illegal income-generating activities.²⁴ The informal economy can refer to street peddling, off-the-books construction work, and unlicensed childcare, as well as to illicit organizations dedicated to drugs, robbery, sex work, and gambling. Although extremely difficult to quantify, a number of economists and criminologists believe that the informal economy has played a key role in absorbing surplus laborers and stabilizing the Puerto Rican economy.²⁵ And while Puerto Ricans may be employed in a range of underground jobs, there is no denying that the traffic in illegal drugs provides a necessary source of income for a number of Puerto Ricans, particularly those in communities that have suffered significant economic disinvestment and neglect.

The rise of an explosive informal drug economy in Puerto Rico is intimately tied to the failures of US-led development, which had serious consequences for how Puerto Ricans came to understand what it meant to live (and die) in Puerto Rico. As the façade of the Puerto Rican miracle came crumbling down, Puerto Ricans found themselves in desperate need of solutions to the economic and social crises that they felt now shaped everyday life. The informal drug economy emerged as one response, particularly for young people from economically and racially marginalized communities who were confronted with dwindling opportunities for social and economic advancement. Punitive solutions promoted and enacted by the state emerged as another response, one that promised middle- and upper-class Puerto Ricans, in particular, relief from the vulnerability and insecurity that the informal economy, in their view, had ushered into their lives.

While Puerto Rico did witness elevated rates of violent crime over the course of the 1980s and 1990s, the expansion of punitive measures and logics over this period cannot be solely understood as a reaction to increased crime and violence. Indeed, as evidenced in other contexts, including the United States and England, punitive attitudes and policies have often proliferated in moments when crime rates were relatively stable or decreasing.²⁶ The rise of punitive governance in Puerto Rico has been less about halting high levels of crime (whether real or imagined) than it has been about shoring up political, economic, and social relations of power during moments of intense flux and crisis.

When existing political economic structures are faltering or being called into question, political elites have strategically mobilized fears about crime and violence to increase their reach and consolidate power. Stuart Hall and his colleagues outlined this process in the foundational text *Policing the Crisis: Mugging, the State, and Law and Order*, in which they noted that when society seems to be “slipping into a certain kind of crisis,” panic over crime and violence can “serve as the articulator of the crisis, as its ideological conductor.”²⁷ Panic about crime allows for the existing social order, and the unequal power dynamics that it produces, to be stabilized or strengthened through the “slow build-up to a ‘soft’ law-and-order society.”²⁸ Under the guise of public safety, political elites are able to promote repressive policies that would normally receive tremendous pushback from various sectors of society. The Puerto Rican state strengthened its security apparatus and promoted a punitive common sense that treated violent crime as the central problem confronting the archipelago in order to elide the role of colonial capitalism in producing the insecurity experienced by many Puerto Ricans.

Accepting the colonial lie of Puerto Rico's "nonviability," the Puerto Rican government did not challenge the model of continued incorporation within the United States. Rather, left with the ruins of a failed development model and few options to affect political and economic change, the Puerto Rican state turned to punitive governance to suture the ruptures of colonial capitalism. In particular, the state has turned its punitive apparatus against racially and economically marginalized Puerto Ricans, who are the most likely to suffer the effects of Puerto Rico's social and economic crises.

POLICING RACE, CLASS, AND SPACE

Under neoliberal and colonial capitalism, punitive governance functions to contain the effects of a social order that is marked by extreme racial and economic inequality. Literature on the intersections between neoliberal governance and carceral expansion has focused on the ways in which these regimes of accumulation and dispossession have intensified conditions of precarity, particularly for already marginalized subjects.²⁹ Puerto Rico is no exception to this trend. The rise and consolidation of punitive governance in Puerto Rico have reproduced hierarchies based on race, class, spatial location, gender, sexuality, and citizenship. In particular, the securitization of urban space and the proliferation of gated residential communities segregated along lines of race and class have resulted in the exposure of economically and racially marginalized communities to greater harm at the hands of the state and their fellow Puerto Ricans.³⁰

Punitive governance as a response to crisis has not led to greater public safety for many Puerto Ricans. Rather, it has only created the illusion of safety at the expense of low-income and racially marginalized populations, who experience elevated levels of insecurity, discrimination, violence, and death in their communities, much as Giovanni Roberto suggested during our conversation. The ways in which punitive governance targets the most vulnerable populations in Puerto Rico are of central concern to this work. Throughout this book I detail how punitive governance functions through the reification of already existing hierarchies of value at work in the archipelago, which largely target those Puerto Ricans who find themselves at the margins. In particular, this book demonstrates the ways in which punitive governance plays a central role in producing and reinforcing discriminatory understandings of race, which associate Black and dark-skinned Puerto

Ricans with crime and subsequently expose them to greater levels of exclusion and harm.

Revealing how policing and other punitive technologies produce and reproduce race in Puerto Rico is a necessary task, as Puerto Rico is often imagined as a “racial democracy” free of the kinds of violence and animus associated with race relations in the United States.³¹ Puerto Ricans have been taught to understand themselves as products of the harmonious mixture of indigenous Taínos, Africans, and Spaniards—a family tree nurtured by three roots. Cultural nationalist discourses maintain that the absence of racial strife is a direct result of this racial mixing and is something that marks a distinct Puerto Rican cultural identity. As a result, efforts to discuss race and racism in Puerto Rico are often dismissed as attempts to import US racial problems and apply US racial analytics to the Puerto Rican context. As historian Ileana Rodríguez-Silva notes, there is no more effective strategy to shut down conversations about historical and contemporary expressions of racialized marginalization than to “deem race, racialization, and racism as foreign matters, specifically as U.S. phenomena” or to question the speaker’s “commitment and love to the Puerto Rican nation.”³²

Racial formation in Puerto Rico has been structured by the histories of plantation slavery, indigenous genocide, serial colonization, and capitalist exploitation, as well as the resistance to these practices. The specific manner in which these historical processes unfolded in Puerto Rico makes the archipelago’s racial formation distinct from that of the United States, although we should understand white supremacy as something that connects Puerto Rico to the United States, as opposed to something that is simply exercised upon Puerto Ricans by the United States. White supremacy in Puerto Rico was formed through histories of Spanish and US colonization at the same time that it emerged as a way to resist US colonial efforts by emphasizing cultural difference. Although Puerto Ricans are positioned as a racially and culturally mixed people, Puerto Rican elites have consistently emphasized a white, Hispanic identity in order to create a unified Puerto Rican identity under colonization. As anthropologist Hilda Lloréns points out, in response to Americanization projects and continued US colonial rule, “the upper classes were invested in representing the Puerto Rican nation as white, but they claimed that Puerto Ricans inherited their whiteness from the ‘Iberian race’ as opposed to the ‘Anglo-Saxon race’ of the American colonizers.”³³ Similarly, according to Carlos Alamo-Pastrana, “Both nationalists and annexationists use racial democracy as an anticolonial strategy from which Puerto Rican

cultural and political formations are disentangled from those in the United States.”³⁴ The result is an ideology of racial exceptionalism that positions the United States as the “sole arbiter of racial violence and exclusion” and Puerto Rico “as a racially tolerant society,” “effectively disavow[ing] Puerto Rico’s own history of legally (i.e., slavery) and socially (i.e., segregation) sanctioned racial exclusions.”³⁵ Elite (and with time, popular) discourses therefore positioned whiteness as central to the elaboration of a respectable and distinct Puerto Rican cultural identity under US rule at the same time that discourses of racial mixing functioned to distance Puerto Rico from the US racial regime and silence discussions of anti-Black racism within Puerto Rican society more generally.

The twinned structures of colonization and white supremacy in Puerto Rico have resulted in a color-blind discourse of racial mixing, which obscures the way that Blackness is managed and sublimated in contemporary Puerto Rican society. Thus, while Black and dark-skinned Puerto Ricans are the populations who perhaps have the most frequent contact with the state’s security apparatus, the policing they experience is often discussed and justified by law enforcement officials, as well as members of the public, in racially neutral ways. In other words, while Blackness is policed by state and nonstate actors operating in Puerto Rico, how exactly Blackness is policed can be difficult to explain given the adherence to color-blind, racist discourses and ideologies in the public sphere.³⁶ Analyzing how discourses of spatial location and class function as coded ways to invoke Blackness provides a means of documenting how policing produces and reproduces ideas about race and Blackness in Puerto Rico. In particular, we see that spaces that are supposedly race neutral but are commonly associated with economically marginalized Puerto Ricans have been constant targets of oppressive surveillance and policing.

If dominant discourses of racial mixing and racial harmony serve to bury explicit references to racism and its effects in Puerto Rico, an analysis of spatial inequalities, particularly as they cohere around class position, provides a means of excavation. As American studies scholar George Lipsitz asserts, “Race is produced by space,” and “it takes places for racism to take place.”³⁷ Pointing out how “seemingly race-neutral urban sites contain hidden racial assumptions and imperatives” about “who belongs where and about what makes certain spaces desirable,” Lipsitz highlights how racial subordination is often achieved through the segregation and policing of space.³⁸ This is true in Puerto Rico, where ideas about space and how it intersects with levels of

socioeconomic inclusion or exclusion have been central to the creation and expansion of racial meaning.

In Puerto Rico, Blackness has long been tethered to particular spaces while rendered invisible or “out of place” in others. For instance, coastal regions are often understood as spaces of Blackness, due to their role in Puerto Rico’s plantation economy under both Spanish and US rule, while the big island’s rural interior has been figured as isolated and whiter and thus more authentically representative of Puerto Rican culture and identity. While there is a racialized dichotomy between Puerto Rico’s rural interior and its coastal regions, racial difference becomes further delineated within localized contexts. For instance, according to cultural anthropologist Arlene Torres, the opposition between *caseríos* (public housing complexes) and *arrabales* (very poor neighborhoods and informal settlements) on the one hand, and *urbanizaciones* (suburban-style developments) on the other hand, has become a key way of understanding and making sense of race in contemporary Puerto Rico.³⁹ Torres explains that despite the wide range of phenotypical variation found in these residential areas, urbanizaciones are understood as white spaces, while public housing and other low-income communities are considered Black spaces.⁴⁰ In other words, Puerto Ricans are racialized through their association with particular classed residential spaces. Racialized associations with space are so powerful that they can sometimes override the racial self-identification or the perceived phenotypical difference of people who inhabit particular spaces. In this sense, in the Puerto Rican spatial imaginary, money, and the access that it buys, whitens, while its absence blackens. Spatial location and class position, and the way they intersect, are thus essential for understanding the way that many Puerto Ricans understand and discuss race without making explicit reference to it.

As Blackness is considered spatially bounded within certain low-income and urban locations suffering the effects of structural discrimination, those boundaries and the people within them are subjected to intense conditions of formal and informal policing in an effort to keep the “social ills” they encounter from spreading. According to Black studies scholar Petra R. Rivera-Rideau, the “emplacement” of Blackness within low-income urban areas grappling with structural inequality and disinvestment serves to “perpetuate common stereotypes of blackness, such as violence and hypersexuality.”⁴¹ Speaking about *mano dura contra el crimen*’s incursions into public housing, or *caseríos*, Rivera-Rideau notes, “Mano Dura thus depicted caseríos as sites of abjection, the loci of urban blackness defined by various

‘immoral’ characteristics that differentiated them from the presumably more ‘respectable’ Puerto Rico, all while ignoring the larger structural policies that produced the adverse conditions affecting caseríos residents.”⁴² For anthropologist Isar Godreau, the emplacement of Blackness functions to circumscribe Black people and Afro-Puerto Rican culture to very specific places, which problematically “conveys the sense that blackness is different or exceptional from the context of the larger ‘mixed nation’” and implicitly marks the broader national context as not Black.⁴³ Punitive power is deployed by state and nonstate actors, then, to contain the racialized and classed dangers of public housing while reifying spaces understood as white as worthy of protection from the state.

Policing and other punitive technologies have functioned as a way of reaffirming and reproducing racial ideologies in Puerto Rico under the guise of public safety. At the same time, punitive policing also functions to contain the negative effects of failed development. It first manages the populations most likely to be affected: those who, because of systemic discrimination, are already vulnerable to economic contraction. Second, punitive policing positions racially and economically marginalized populations as the key generators of societal insecurity due to the supposedly pathological and deficient culture bred in spaces like public housing. Examining how punitive governance targets particular spaces associated with Black and low-income Puerto Ricans allows us to understand not only how policing reifies racial inequality but also how the supposedly race-neutral policing of space functions to occlude the ways in which policing is complicit in, and in fact central to, racial discrimination and violence.

POLICING AS STRUCTURE

Often when I discuss my research, one of the first questions I get during question-and-answer sessions is: Who are the police? Members of the public and my academic colleagues want to know about the composition of the PRPD, I suspect, in an attempt to make sense of officers’ inclination toward using violence against some of Puerto Rico’s most vulnerable people. There is a desire to mark them as somehow different and distinct from the Puerto Ricans they police. For the most part, however, the police in Puerto Rico are similar to the populations they police. They are a racially diverse group of men and women who tend to be individuals of modest economic means, for

whom joining the police force is a path toward economic stability. As policing increasingly became positioned as the solution to a wide range of social crises, the ranks of the police force swelled. Currently, the PRPD is comprised of approximately thirteen thousand officers and is one of the largest departments under US jurisdiction.⁴⁴ For thousands of middle- and low-income Puerto Ricans trying to envision a future for themselves while the archipelago is awash in economic uncertainty, the police force represents a stable and dignified career.

While there is much to be said about why joining the police, much like joining the military, is seen as one of the few paths toward upward mobility and economic stability in contemporary Puerto Rico, that is not the focus of this book. This book is less about the police as individual and collective actors and more about how policing functions as a structure that shapes various aspects of Puerto Rican society and impacts a range of social institutions and relationships, as well as the norms that often undergird them. By understanding policing as a structure as opposed to simply the work of individuals, we move away from seeing police violence as the actions of aberrant individuals within the police force—"a few bad apples"—to instead focus on how violence is inherent to police work and the colonial, capitalist, gendered, and racial order that it reproduces and maintains. As David Correia and Tyler Wall succinctly point out, "Capitalism and colonialism cannot exist without a state willing and able to defend colonial domination, private property, the wage relation, and the ongoing patterns of dispossession that characterize all of these. Ain't no colonialism and ain't no capitalism without cops."⁴⁵

What makes the police different from ordinary citizens is that they are tasked with using force to maintain political order and the smooth functioning of capital.⁴⁶ We must understand violence as central to the functioning of state power and the police as "violence workers" empowered to use their discretion to exact state-sanctioned violence on individuals and populations deemed threatening or noncompliant.⁴⁷ As historian Sam Mitrani notes, professional police forces were created during the mid- and late nineteenth century to "use violence to reconcile democratic politics with the deeply exploitative industrial capitalist order that developed in late-nineteenth-century cities."⁴⁸ Although the police officers who populated these newly created forces often came from the working class and were "poorly paid and expected to work long, dangerous hours, like other workers," police were not "ordinary workers."⁴⁹ Rather, police officers were expected to maintain order among the working class and encouraged to use force when necessary in

order to do so, creating a deep divide between the police and the working class.⁵⁰ Mitrani's description of the composition and function of the police remains relevant today. Attempts to divorce the police from the key role they play in perpetuating economic exploitation and class hierarchies, solely because individual officers are enmeshed within a capitalist (or colonial) social order, ignores how policing functions as a structure that protects and promotes processes of capital accumulation and racial differentiation.

In the context of the United States, Puerto Rico, and other societies founded on slavery and settler colonialism, native and other racially oppressed populations are criminalized in order to maintain a set of unequal power relations based on the theft of land and labor. According to historian Nikhil Singh, the history and function of policing within slaveholding and settler societies demand that policing be understood as an institution of whiteness that upholds white supremacist racial hierarchy and unequal property relations.⁵¹ The whiteness of the police and the criminalization of Blackness are not strictly reducible to specific white people or Black people. Rather, these racial forms emerge as subject positions within racial capitalism.⁵² The multiracial composition of a police force, in this case the PRPD, does not make the police as an institution any less racist or deadly; it merely demonstrates how "racial orders must be institutionalized, that is, managed by personnel who are recruited, invested in, and subjectively constituted for this purpose."⁵³ Thus the police, regardless of the racial makeup of a given police force, function as a race-making institution that upholds white supremacy while criminalizing racial and ethnic others who fall outside of the normative bounds of full citizenship.

This book is not interested in the individual race and class positions of the officers who serve in the PRPD or the justifications they provide for what they do. Instead, *Policing Life and Death* is chiefly concerned with how policing creates, maintains, and reinforces deeply exclusionary structures within contemporary Puerto Rican society. As a result, I prioritize accounts that detail the impact and outcomes of policing as experienced by those populations exposed to the harms of police violence, rather than the intentions of police officials. Following legal scholar Dean Spade's reminder that we should be wary of the stories that the law and its agents of enforcement tell us about themselves, in this book I amplify the voices of those Puerto Ricans who are often silenced in official narratives: the policed.⁵⁴ When we listen to, and indeed privilege, the voices of those who bear the brunt of punitive governance—those Puerto Ricans who have been rendered criminal and exposed to

state intervention—we are able to better grasp what effects the state actually has on people’s lives as opposed to what it says it does.

For this reason, this book centers interviews with activists, participant observation of protests, and informal conversations with a range of Puerto Ricans about how they understand policing, as well as the narratives marginalized and criminalized Puerto Ricans use to represent themselves in news outlets, expressive culture, and social media. Treating policing as a structural force challenges the individual and collective statements emanating from the police force, which seek to justify the various forms of harm and inequality that policing maintains, and focuses instead on the work that policing actually does in contemporary Puerto Rican society.

ARCHIVING POLICING

In order to chart the rise of punitive governance in contemporary Puerto Rico, *Policing Life and Death* deploys a radically transdisciplinary approach that is attentive to how Puerto Ricans enact and negotiate relations of power and hierarchies of difference in the context of ongoing crisis. Committed to an “exceedingly, rudely feral transdisciplinarity,” to borrow from queer theorist Mel Y. Chen, this book brings together insights and approaches from the fields of American studies, Latinx studies, Black studies, carceral studies, feminist studies, queer studies, and critical ethnic studies, blurring the boundaries among them through a focus on race, resistance, and punitive power in contemporary Puerto Rico.⁵⁵ As a result, I turn to a range of sometimes incongruous sources to document punitive governance and its effects on how people live and die in the archipelago. I draw, for instance, from external investigations and evaluations of the Puerto Rican police department, internal police memos, federal and local governmental records, court documents, political speeches, US and Puerto Rican press accounts, demographic data, informal conversations, participant observation, interviews, song lyrics, and social media, among other sources, throughout this book.

I pay particular attention to media accounts and expressive cultural texts in order to construct a narrative of how *mano dura contra el crimen* unfolded as well as how it was experienced and continues to be understood by a range of Puerto Ricans. I recognize that mainstream media coverage related to issues of race, crime, and social protests is somewhat flawed and incomplete. As historian Donna Murch has noted, reliance on press accounts for data can be

“particularly troublesome because, as anyone who writes about crime knows, ‘what bleeds leads.’”⁵⁶ She adds that “newspapers have a vested interest in reporting sensationalized crime stories, and the press has often been a central instigator of moral panics.”⁵⁷ Although I agree with Murch that the mainstream press does not supply its readers with unbiased accounts when it comes to crime reporting, I still find press accounts to be important sources for tracking carceral growth and the expansion of punitive solutions to social crisis in contemporary Puerto Rico. In particular, media accounts provide crucial insights into how racialized panic over crime is constructed and spreads in ways that allow it to infiltrate the social and political common sense.

In this book I also look to mainstream and alternative press accounts for the voices of the policed and to glean information about how they understand the impact of punitive power in their lives. While remaining attentive to the literal and implied messages present in mainstream media accounts, I employ what Stuart Hall has called “an oppositional code” to read (or decode) these sources for alternative messages from below.⁵⁸ In many ways, the Puerto Rican state utilized the media to “send a message” about its stance on crime to “the law-abiding public” and instill fear among criminalized populations about the kinds of violence in store for them. I look at press coverage in order to understand not only how the state framed its punitive actions but also how those who experienced them spoke back to the state and tried to share their experiences with other members of the Puerto Rican public. Newspaper, television, and radio reports performed a mediating role between the state and the public, becoming a key venue for how they addressed and responded to each other, as well as a key venue for how Puerto Ricans communicated with each other across an increasingly fortified and segregated landscape. This book analyzes mainstream and alternative media accounts, alongside social media and popular culture, for what they reveal about how policed populations articulate their experience of the punitive logics of the state.

My focus on media and expressive culture also arose in response to the difficulties I encountered while conducting my research due to the incredibly secretive nature of the police force and my position as an outsider. As legal scholar Paul Chevigny and anthropologist Didier Fassin have both noted, it is extremely difficult to conduct research on the police because of their desire to contain public criticism, especially as police forces around the globe engage in increasingly militaristic and abusive strategies of social control in marginalized communities.⁵⁹ For me, the inaccessibility of the police was compounded by my own outsider status as a queer, gender-nonconforming

woman *de afuera* (literally from the outside, referring to diaspora/US), who spoke a kind of Spanish that could only be generously described as *matao* (murdered). The situation within the police force and my own embodiment indelibly shaped the access to information I had while conducting the research for this book.

I began the research for this book in 2011, just a short while before the DOJ's damning report on the widespread corruption and abusive behavior of the PRPD. The release of the report put the PRPD under a very public microscope and prompted an "information lockdown" in order to contain damage to the force's reputation. While I had expected resistance from government and law enforcement officials, the report essentially dead-bolted the few doors that might have been open to me. The wall of silence that I confronted forced me to decenter official law enforcement narratives in this book, ultimately, I believe, for the better. I built an alternative archive of policing in Puerto Rico filled with sources that document how people experience punitive measures in their everyday lives; how policing works through cultural ideologies and social inequalities; and how Puerto Ricans internalize, negotiate, or reject the forms of safety and justice promoted by punitive policing. This capacious approach was not about getting at the "real story" about policing in Puerto Rico, but rather about uncovering the ways punitive governance makes itself felt in the everyday lives of those Puerto Ricans subjected to its violence.

WHAT COMES NEXT

Policing Life and Death: Race, Violence, and Resistance in Puerto Rico is organized chronologically and moves through a series of flashpoints to detail the state's implementation of punitive measures and show how Puerto Ricans have experienced, negotiated, and resisted policing as a solution to crisis. The first three chapters follow the emergence and consolidation of *mano dura contra el crimen* over the course of the 1990s. The remaining chapters trace the afterlife of *mano dura*, from how its practices and logics have become further entrenched and normalized to how activists and everyday citizens are pushing for new understandings of justice and safety.

Chapter 1 argues that rather than salvation for communities in peril, *mano dura* promoted an uneven distribution of risk, harm, and death by tacitly allowing the proliferation of violence within and against economically and racially marginalized communities. The second chapter details attempts

by political elites and technocrats to position Puerto Rico as a model for the policing and privatization of American public housing. While the international press and policy circles celebrated Puerto Rico as exemplary, public housing residents worked to expose the violence that drove this “experiment” in public housing reform. The third chapter analyzes the policing of young people, primarily through racialized categories of style and music associated with underground rap. Underground rap came under increased public scrutiny during the mid-1990s, and practitioners and fans became police targets due to the genre’s association with public housing. Underground rappers and fans pushed back against the racist and classist logics of *mano dura* and used music to critique racial profiling and the war on drugs.

Mano dura contra el crimen was promoted as “modern” and “community-oriented” policing, despite abundant evidence that its direct impact on the crime rate was minor and that it actually caused serious upheaval in vulnerable communities. Although *mano dura* did not officially continue after Rosselló left the governor’s mansion, it became the blueprint for what policing meant and looked like in contemporary Puerto Rico. Chapter 4 examines how the policing and crime reduction measures that followed *mano dura* during the 2000s reinforced a central assumption of punitive policing, namely that poor and working-class people were the key generators of violence and crime and that their communities needed constant surveillance and intervention. This continued reliance on the strategies associated with *mano dura* occurred despite a rhetorical shift that sought to mark an explicit break with it and its patterns of discriminatory policing.

Starting with the fifth chapter, the book pivots to critically examine the ways in which Puerto Ricans are dealing with the effects of over two decades of punitive policy in their communities and the kinds of alternative futures they envision. Chapter 5 examines how the state violence that student protesters experienced during the 2010–2011 strikes at the UPR drew from strategies of containment solidified, in part, through the policing of racially and economically marginalized populations during the *mano dura* era. While criminalization formed a powerful basis for solidarity between students at Puerto Rico’s premier academic institution and residents of low-income communities often excluded from it, there were also moments when students reinforced logics of racialized criminalization promoted by the state. This chapter underscores the complex legacies left by *mano dura* that activists are forced to negotiate in their efforts to transform Puerto Rican society.

In the sixth chapter I show how activists in the diaspora and the archipelago are using social media to reshape understandings about the relationship between violence and human value. In particular, I discuss how activists have taken to social media sites like Twitter, Facebook, and Instagram to challenge the idea that violence and death are acceptable punishments for social transgression or involvement in illicit economies. The final chapter focuses on Taller Sauld, a feminist public health organization in the town of Loíza that worked toward violence reduction and prevention through its program Acuerdo de Paz, which identified and intervened in conflicts with the potential to end in violence and worked with community members to transform social norms around gender and the use of violence as a solution to conflict. I position Acuerdo de Paz as a salient example of a growing movement in Puerto Rico that is working to create alternative visions of justice that do not rely on punitive governance and the intensification of conditions of vulnerability for already marginalized communities.

I conclude with a postscript reflecting on how Puerto Rico's so-called debt crisis and the devastating effects of Hurricane María have intersected with and amplified the deadly effects of punitive governance in the lives of Puerto Rico's most vulnerable populations. I use this space to highlight how activists are working to create strong, self-sufficient communities based on principles of solidarity in order to counteract a colonial capitalist regime that encourages little beyond exploitation, punishment, and harm in the lives of so many Puerto Ricans.

Policing Life and Death: Race, Violence, and Resistance in Puerto Rico shows how the Puerto Rican state has turned to punitive governance in response to transformations in the colonial reality of the archipelago. Tracing the growth of punitive governance in Puerto Rico provides an alternative means of charting transformations in the relationship between Puerto Rico and the United States, as well as its effects on Puerto Ricans in their everyday lives. Together, the various chapters of this book show how punitive modes of governance have emerged as the central way that many Puerto Ricans encounter the state. These pages weave together stories about how Puerto Ricans understand the role of the state and moments when the state is complicit in their deaths. Refusing to accept the tenuous safety promised by state violence against Puerto Rico's most vulnerable, more and more Puerto Ricans are contesting punitive governance and working toward a future grounded in justice and freedom.