
MEMOIRS *and* COMMENTS *on the* FOUNDING *of* UNIVERSIDAD

FRANCISCO, MARROQUÍN

and ITS ANTECEDENTS



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**MEMOIRS AND COMMENTS
ON THE FOUNDING OF
UNIVERSIDAD
FRANCISCO MARROQUÍN
AND ITS ANTECEDENTS**

Manuel F. Ayau
1992 (revised)



Note from the author

Written in 1981 and filed. I took it out again to review and annotate in May 1988. I have made an effort to be objective and fair, and I ask forgiveness of anyone who might feel unjustly treated. I have not related everything. The events I have chosen to include are those I feel will help the reader understand the atmosphere of the moment, rather than a chronological recording. Thus, many things that happened and many cherished collaborators are left unmentioned. However, these can be included in a future edition, if they remind me. Since I have been fortunate that no one has tried to minimize my achievements (to the contrary, I have been credited with more than are true), it has never been my intention to take credit for the achievements of others. Indeed, I am anxious to do justice to others whose contributions have either been attributed to me or are simply unknown.

DEDICATION

To my friends who had faith;
to the students, to the graduates
and to the future students of
Universidad Francisco Marroquín.

Manuel F. Ayau

TABLE OF CONTENTS

CHAPTERS	7
Chapter I	9
Chapter II	10
Chapter III	16
Chapter IV	17
Chapter V	18
Chapter VI	19
Chapter VII	21
Chapter VIII	22
Chapter IX	24
Chapter X	26
Chapter XI	28
Chapter XII	30
Chapter XIII	31
Chapter XIV	34
Chapter XV	35
Chapter XVI	36
Chapter XVII	37
 APPENDICES	 41
Appendix I	42
Unpublished statement by Manuel F. Ayau from the 1950s	
Appendix II	44
Letter from Bettina Bien Greaves	

Appendix III	45
Honorary doctoral degrees awarded by UFM	
Appendix IV	48
Letter from Arturo Dibar, president of Universidad Rafael Landívar, 1970 (Translation to English and original)	
Appendix V	57
UFM Philosophy Statement	
Appendix VI	68
Inaugural Address by Manuel F. Ayau, January 1972	
Appendix VII	72
Meeting of Manuel Ayau with High Council of Universidad de San Carlos de Guatemala, 1970 (Condensed transcription)	
Appendix VIII	93
Members of the High Council of Universidad de San Carlos de Guatemala, November 1970	
Appendix IX	94
Photograph at home of Olga and Manuel Ayau to celebrate UFM approval by the Government of Guatemala	
Appendix X	96
List of UFM trustees	
Appendix XI	98
Article “Cheers for Old Curmudgeon!” by John Fischer, referred to by Benjamin Rogge in conversation with Manuel Ayau	
Appendix XII	101
Decree Number 77 of the Constitutional Government of Guatemala approving UFM (Translation to English and original)	
About the Author	107



CHAPTERS

My concern about university education came from way back. Already in the late '50s, I wrote a statement (never published),¹ in which I proposed an amendment to the Guatemalan constitution to permit the establishment of private universities.

There was a general discontent in the community over the politicization of the [state-run] Universidad de San Carlos de Guatemala, a situation that had been evolving gradually ever since the university had been granted "autonomy." I, like many, was upset and frustrated by the fact that, as a citizen, I was forced to finance the Universidad de San Carlos without, however, any right to exercise the slightest influence, even through an insignificant indirect vote in the selection of its authorities. And I was even more concerned that young people had no other option to study a profession.

The problem that I considered to be extremely serious for the future of the country was that the academic focus given to economic and social problems was exclusively socialist in perspective. In addition, I felt that populist norms, on which the Universidad de San Carlos was based, were not conducive to producing competent professionals; and, lastly, that the Universidad de

San Carlos was a political tool that was leading our society to radicalization and intolerance; away from a productive framework and toward a statist model.

At the time I was unaware of the efforts of several Jesuits who, with the help of a distinguished and influential group of Guatemalan professionals, had begun the process that would ultimately lead to the first private university in Guatemala: Universidad Rafael Landívar.

This event was of great consequence for the country, since it broke the regime of academic incest of our state-run university and paved the way for new universities to be founded in the future. In new universities, generations of young people seeking a university education would find more options and a plurality of ideas. With the founding of the Universidad Rafael Landívar, I believed that the situation that was worrying me would be resolved.

The founding of the Universidad Rafael Landívar removed the barriers to remedying the situation. Universidad Mariano Gálvez and Universidad del Valle de Guatemala followed. With four universities now in Guatemala, the idea of setting up one more was shelved, I thought, for good.

¹ See Appendix I for statement.

CHAPTER II

Even though the new universities tended, through rivalry or competition, to solve certain problems in our higher education—especially those related to technical quality—another problem remained. It was towards the resolution of this problem that a group of friends and I had been focusing our efforts and resources for some time.

In 1958, concerned that no one was addressing problems from a long-term perspective, Ernesto Rodríguez and I decided to found the Center for Economic and Social Studies (CEES). Our goal was to study and disseminate the ethical, economic and legal principles of the free society. Seven of us, all friends, made up the group.²

We were convinced that, in the long run, ideas govern; that if our country was to enjoy peaceful prosperity, free from the oppression of ideological groups, enough individuals of influence would need to have a clear understanding of the organization of the free society and, thereby, gain the conviction and courage to defend it.

We believed that within the world of ideas the socialist avalanche was overwhelming, and that well-intentioned people—influential in politics, the church, academia, litera-

ture, etc.—were involuntary victims of rationalizations presented as solid, modern theories and, above all, as if their permanent triumph were inevitable. This we believed would end by destroying all chance of achieving peaceful progress and it would destroy individual liberty, which, among human rights, we considered not only the principal right, but the basis for all other human rights.

The efforts of CEES bore fruit. First, the work itself and the translations we did forced us to study. I remember that Carlos Springmühl, Antonio Aycinena and I took a year to finish reading Ludwig von Mises' *Theory and History*, which we met once a week to discuss. Our wives would get together separately and later we would all have dinner and talk over our readings. Aware of our limitations, and in an attempt to be clear and consistent, we submitted the articles we wrote to criticism, discussion and corrections, which served us as lessons. All of us were self-taught in these subjects which would come to absorb much of our time.

During 1959, on a trip to Mexico for the Guatemalan Electric Company, Ernesto Rodríguez met Agustín Navarro from the Institute of

² Alejandro Arenales Catalán, Manuel F. Ayau, Antonio Aycinena, Imrich Fischmann, Enrique García Salas, Enrique Matheu, Ernesto Rodríguez Briones. Subsequent directors: Carlos Springmühl, Hilary Arathoon, Ulysses Dent, Antonio Nájera S., Estuardo Samayoa, Félix Montes. CEES held its first meetings in a storefront in zone 4, loaned by Eduardo Cabarrús.

Economic and Social Research, founded by Gustavo Velasco. It was through this group that we discovered the existence of the Foundation for Economic Education (FEE).³

It was during this period that I met Ulysses R. Dent, and the affinity of our ideas and the compatibility of our personalities forged a strong friendship. We were both self-taught in the subjects of the social sciences. Ulysses already had an extensive library and he devoured books. His ideas were extremely clear; but more than that, with respect to individual liberty he was completely intransigent. He joined CEES and the small institution took shape, intellectually as well as operationally, since by then several of the members had left the board and only Antonio Aycinena and I remained.

Ulysses and I attended a seminar at the Foundation for Economic Education, where we truly felt at home. The intellectual and moral support we received from leading intellectuals boosted our morale and self-confidence. Ulysses became a close friend of Leonard Read, whom he visited every chance he could when he had to travel to New York.

Hilary Arathoon played a very important role in all of CEES' activities. He was a serene man, a profound thinker, always in a good mood, and he liked to write. Our personalities complemented and balanced each other well. The advice I received, as much from Hilary as from Ulysses, was of great value and very good for me personally as

well as, of course, for the effectiveness of the work of our small institute.

I remember that the first conference held by CEES was on December 20, 1961 at the Teatro GADDEM. The economist Dr. Arthur W. Margit, famous for his book *Price Theory*, spoke on the mistake of placing a tariff barrier around the future Central American Common Market. A prolonged exchange followed between Dr. Margit and Dr. Alberto Fuentes Mohr, an economist with socialist leanings and the principal architect of the Central American Common Market.

It is worth remembering that the positions taken by CEES (against income tax, minimum wage, protective tariffs, the exchange controls on which our monetary law was based, etc.) were considered exceedingly radical even for those on the "right," not only in Guatemala but in the world in general. In vogue were Keynesianism, "developmentism," import substitution through protective tariffs or development, "social justice," mixed economies, and all sorts of propositions widely accepted or at least tolerated.

We should also remember that among ourselves we still heavily debated the positions we took favoring freedom, especially since we were not completely clear about them. As the work at CEES forced us to take a stand on an increasing number of issues, the differences in opinion among us caused flux in the CEES membership.

³ Letter from Bettina Bien Greaves, Appendix II

In CEES, we were publishing a bi-monthly pamphlet, which meant we had to read the *Freeman* magazine and anything else on freedom we could get our hands on. In those days there wasn't much available. We would read and discuss the subjects to be published. Usually we translated articles. This was very difficult for me because of my poor grammar in Spanish.⁴

We produced a daily radio program and a weekly column in the daily newspaper *El Imparcial*. We would also try to get bylined articles published in other newspapers. We held seminars, produced television programs—all with lots of enthusiasm, little money, and great satisfaction. CEES' monthly budget wasn't even US\$1,000.

CEES' work received economic support for several years from the Friedrich Naumann Stiftung, which sponsored study trips to Germany, once for Hilary and, later, for Félix Montes and myself. It was on this trip that Félix and I planned our visit to the home of Ludwig Erhard, member of the Mont Pelerin Society, which eventually led to his trip to Guatemala.

Liberty Fund helped finance Erhard's trip, during which Erhard stopped on the way in Indianapolis to give a conference. He hadn't wanted to go to the United States, but there was no other way to ar-

range it since I had no alternative to assure funding for the four first class tickets needed for his group of translator, secretary and bodyguard. En route, he visited Mexico, Guatemala, El Salvador and Venezuela. His visit to Guatemala lent prestige to our institution.

As we could, we invited outstanding personalities to come to Guatemala, among whom were Ludwig von Mises, Leonard Read, Benjamin Rogge and Henry Hazlitt (authors of works which have come to be considered modern classics), as well as many other excellent and profound speakers.

We were honored with the visit of Friedrich Hayek and Milton Friedman (both later received Nobel prizes), William H. Hutt, Norman Bailey, Gottfried Dietze, Gustavo Velasco, Agustín Navarro, Dean Russell and Hans Sennholz⁵ (all had given us their unreserved support since our visits to FEE), Gottfried Haberler, Israel M. Kirzner, Ramón Díaz, Max Thurn, Alvaro Alsogaray, Reverend Daniel Lyons, Dean Clarence Manion, Barbara and Arthur Shenfield. They all were our teachers and mentors in the slow and tortuous process of enlightenment in the areas on which our small organization was focused. We later had the honor of granting many of them degrees of doctor *honoris causa*.⁶

⁴ Everything I wrote had to be corrected, and my editors—or tutors—were Roberto Sánchez, Ulysses, or any other director who was willing to do me the favor.

⁵ It was a younger and very close friend of Henry Hazlitt, Dean Russell, who encouraged Hazlitt to make the trip to give us conferences. Hans Sennholz did the same with Ludwig von Mises. Their wives both came to Guatemala, Margit and Mary. See the book by Margit Mises, *My Years with Ludwig von Mises*, Arlington House, 1976, page 160.

⁶ See Appendix III for list of those who have received an honorary doctoral degree from UFM.

All of these experiences helped us understand the intellectual perspective in our country and bolstered our confidence. After the monopoly of Universidad de San Carlos had been broken, as the years went by we realized that this alone would not produce the results we considered imperative.

Over time, several of us at CEES had been invited to join the Mont Pelerin Society⁷ (MPS), a small association with members from thirty-nine countries. The great majority of its members are professors or writers, or in some way affiliated with educational institutions. Several business persons and politicians are also among its members.

During the years we were designing the university, those of us who went to MPS meetings discussed our concerns while there and were lucky to receive advice from eminent personalities who shared the philosophy of freedom. Their influence on us was very great. Help was always generously offered, and it was thus that we established ties with UCLA and the University of Rochester, N.Y.,⁸ where several of our outstanding students later went on to receive a master's degree, some of whom taught at our university upon their return.⁹

If the Mont Pelerin Society hadn't existed, it is probable that we would have discarded the idea of founding a university since there were already four in our country. The contact we had with these people in the academic world made us more aware that the intellectual crisis of our time, principally in the universities, was worldwide. Remember that this was in the '60s. MPS members had taken part in academic activities at prestigious universities such as Stanford, Harvard and others, and had personally witnessed their state of decadence.

Of course I recognize that everything depends on the lens through which one looks; what is for me a disaster, for those who are achieving it is a success and what we are doing is a disaster. The difference between the two is that the others do not allow dissention: in Germany and France private universities are illegal. Academic inbreeding reigns, and those teachers who believe in the principles of the free society come up against all kinds of barriers in their professional teaching careers.¹⁰

This phenomenon is almost universal. For that reason, our colleagues in the Mont Pelerin Society consider Universidad Francisco Ma-

⁷ Of which I was president from 1978 to 1980.

⁸ Especially supportive were: from UCLA, Professors Armen Alchian and Clayburn LaForce, Chairman of the Department of Economics; Dr. Henry Manne, founder of the "Law & Economics" movement in the U.S.; and from the University of Rochester, William Meckling, Dean of the School of Economics and Business Administration and Dr. Allen Wallis, Chancellor.

⁹ Rochester graduates: Gustavo Pellecer, Jorge Sosa de León, José María Escamilla, Roberto Blandón, Luis Enrique González Hertzsch, Gerardo Bianchi, Carlos Springmühl, Jr.

¹⁰ Commentary added in 1990: In those times, no one predicted that twenty years later, Gorbachov (as an example of those who considered us mistaken if not outright scoundrels) would state, "Life has led us to the transition toward the market. We must restore to the people the natural sense of being their own masters. And only a normal economy—the market economy—can do this."

roquín to be an exceptional case, unique in the world. This is a source of much pride for us, given that the MPS is made up of an elite group of thinkers with whom we share the same philosophy.

Fortunately, it seems that today the tendency has begun to change in many countries, though not all. Our colleagues in France and Germany, for example, are still very pessimistic about the future of the social sciences.

(For several years, I had been invited by students at Universidad Rafael Landívar to give conferences on different aspects of the free society. This was distasteful to the authorities of that university because, as a result of my conferences, I had become well known as a critic of the theories of “social” justice and liberation theology, then in vogue. I also participated frequently in debates in the School of Economics at Universidad de San Carlos.

On the occasion of one conference at Universidad Rafael Landívar, the Jesuit authorities rounded up all of the students on campus at the moment to witness how they would destroy me in public. Unfortunately for them, they made such fools of themselves that the following day the students who had invited me presented me with a letter apologizing for the lack of good manners of their Jesuit teachers. One had rushed to the blackboard to erase the conclusions of my thesis, while another yelled out insults at me accusing me, among other things, of taking advantage of a captive audience!)

In 1968, the directors of CEES were (in alphabetical order, with entry date): Hilary Arathoon (1965), sawmill owner; Antonio Aycinena (1958), farmer; Ulysses R. Dent (1963), sales representative for foreign manufacturers; Félix Montes (1968), machinery importer; Antonio Nájera (1968), farmer and newspaper columnist; Estuardo Samayoa (1965), importer of office machines; and yours truly (1958), manufacturer of industrial gases.

In 1969, at the suggestion of Antonio Nájera, we invited Dr. Rigoberto Juárez-Paz to CEES to give us classes in logic, which led to an important and mutually beneficial relationship. He enlightened us on the subjects of logic and philosophy, without trying to make us experts, and we in turn enlightened him on economics. It was then that he went deep into the study of authors of what is called the *Austrian School*, such as Mises and Hayek, whose analysis and writings later served as the basis for the courses of social philosophy that he would teach at the University and for which he would prepare other teachers.

From the beginning we recognized in Rigoberto Juárez-Paz an erudite mentor in the philosophical areas that interested us. As he has reminded me: “I had studied the masters Mises and Hayek and had given classes on their thought for several years. John Locke, Adam Smith, David Ricardo, David Hume, Edward Burke, Jeremy Bentham, John Stuart Mill and Herbert Spencer were old friends of mine, as were the great classic philosophers, men-

tors to the British of the 17th, 18th and 19th centuries.”

It gave us great satisfaction to have found a colleague of the stature of Rigoberto Juárez-Paz, who agreed with our social philosophy and with our ideas on what a university should be.

CEES invited Dr. Juárez-Paz to attend a seminar at the Foundation for Economic Education. We were

more convinced than ever of the need to introduce the study of market theory and the philosophy of law at the university level. We hoped that Rigoberto Juárez-Paz would also become interested in subjects related to the social and economic structures of the free society, which motivated us and would serve as the basis for what would be taught at UFM.

CHAPTER III

I should explain here what we understand by *market theory*.

INnumerable design systems exist for social organization: socialism, Peronism, fascism, communism, Nazism, planned economy, etc. There is also a social order that is not designed (that exists when no one imposes a model), based on general and abstract rules of just conduct, established not to get people to act in a certain way, rather to proscribe those acts that violate the same rights of others. Under such norms, a spontaneous order emerges; the term used to describe this order is *market theory*. It could also be called, and in fact is, the organization of the free society, which, while not perfect, is the only system in our judgment compatible with human dignity.

Our problem was how to get the existing universities to include in their curriculum what we felt future leaders and persons of influence needed to study in order to understand what, to the best of our knowledge, were the correct theories.

Dr. Rigoberto Juárez-Paz suggested an alliance with Universidad Mariano Gálvez, which had been founded and was managed by a group of honorable and dedicated professionals. Such an alliance did not come about. At the time, the president of that university was Adalberto Santizo Román who had written his thesis at Universidad de San Carlos under Dr. Juárez-Paz, for whom he worked as a teaching assistant.

Since we knew that Universidad Mariano Gálvez was financially strapped, we suggested to them that we take over financial responsibility in exchange for control of the School of Economics, plus several, but not a majority of, seats on the board of directors. Our talks were very candid concerning each other's goals and, as I recall, they told us that a favorable decision would have to be unanimous. One vote was cast against our proposal and the issue was closed.

It became clear to us that trying to join any of the governing boards of the other universities would be futile, for many reasons, including the fact that the majority of our core group did not have academic credentials or experience in the management of universities. Our credentials were others.

We were very conscious of the fact that in the public eye our group had the reputation of being “right-wing radicals,” and lacked experience in the management of universities. We were so conscious of this that, later, when we were trying to recruit a president who didn’t have this disadvantage, we approached three friends,¹¹ who were distinguished professional, as candidates, without success.

Our failure in this effort was not at all unfortunate. To have created a university after the style of the

times, based on the model of those who had worked in and helped forge them, would not have achieved our purpose. Nor would we have received the financial backing from the community the way we did. UFM didn’t turn out to be just one more university. Its whole focus and style were, and are, different since academic entities, as a general rule, like to avoid positions considered radical at the moment by the community.

We justified our existence precisely because we did not agree with how those in academia were running the institutions that already existed. Otherwise, why found another? Thus, we didn’t have much to learn from the “professional educators” in terms of how to organize and run a university. Our attitude was reformist, not conformist.

¹¹ Adolfo Molina Orantes, Jorge Arias de Blois and Carlos Rodil Machado.

CHAPTER V

The idea of creating a rigorous university without ideological prejudices continued maturing and spreading among the friends of CEES. Its need became increasingly evident, until, among my old and close friends and my colleagues at CEES, as well as our new friend Dr. Rigoberto Juárez-Paz, the idea jelled. Rigoberto Juárez-Paz was to me more of a philosophical mentor than advisor on university organization and administration, although his contribution in this area was also important.

The circumstances were propitious for a new university. The government of Dr. Julio César Méndez Montenegro was sympathetic to the idea. We knew, however, that given the prevailing semantic distortions we would be, ironically, the ones labeled ideologues or extremists, our objective stand notwithstanding.

Félix Montes insisted that I should be rector [president]. The fact that, in the eyes of the community, I did not have any university or academic experience made me hesitate. Robert Culbertson, who was then Director of AID in Guatemala and had been president of the American University in Egypt, helped convince me. He made me see that a president is fundamentally a promoter—an organizer who should also have a clear idea of the nature of the academic job to be undertaken. That there was no reason to expect that the community would support just any new university, and that any support we were to receive would come exclusively from those who shared the principles that CEES had upheld for so many years, public testimony to the complete philosophical commitment of CEES' members. He convinced me, and I accepted Félix's suggestion. I also received approval from Ulysses Dent, whose opinion for me was decisive.

It is very important to underscore Robert Culbertson's observations. UFM would be able to win the community support it needed to guarantee its success precisely because of the perception the community had

of CEES. And as a guarantee to our supporters, it was best that I be president. I emphasize this point so that, in the future, the value of intransigence in defense of the principles of freedom not be undervalued. The letter¹² from the president of Universidad Rafael Landívar, Arturo Dibar, opposing the new university, shows how UFM's founding group was perceived by the intellectuals on the left. For that reason, I want to record my gratitude to those who demonstrated their friendship and confidence by enthusiastically joining the Sponsoring Committee.

Upon our decision to go ahead with the project, we invited others who shared the ideals of CEES to join us. We were fortunate to enlist Dr. Luis Beltranena in the project, who, besides his personal prestige in the community, was important to us since he had been founding dean of the School of Law at Universidad Rafael Landívar. Dr. Beltranena took on the task (*ad honorem*) of drafting statutes and forming the sponsoring committee. Those whom we invited to join were philosophical friends¹³ of recognized prestige in our community. The document establishing the Sponsoring Committee was signed on May 29, 1970.

¹² Original letter from Arturo Dibar. Appendix IV

¹³ Manuel F. Ayau, Hilary Arathoon, Antonio Aycinena, Luis Beltranena, Antonio Carrera, Ulysses R. Dent, Rigoberto Juárez-Paz, Félix Montes, Antonio Nájera, Roberto Ríos, Estuardo Samayoa, Leonel Samayoa, Roberto Sánchez. Others who would soon join the group: Arturo Bianchi, Oscar Cáceres, Pedro Cordón, Roberto Cordón, Juan Estrada, Carlos Molina, Carlos Montes, Enrique Murillo, Enrique Novella, Carlos Springmühl.

We raised funds in addition to those CEES already had on hand. We also formally contracted, for a modest remuneration, Dr. Rigoberto Juárez-Paz, who was already giving of his time as a member of the group of promoters. We hired my daughter, Carmen, as our secretary.

We were clear as to the character that the university would have; that it would be different from the others. Given that Rigoberto not only shared our ideas, but also expressed them clearly and precisely, we gave him the work of writing the educational policy of the university, which we named the *Philosophy Statement of Universidad Francisco Marroquin*.

We discussed and debated with Rigoberto the ideas and content of every paragraph that should be included in the *Philosophy Statement*,¹⁴ since he would write the final version. It was then submitted to the group for approval. It was important to put in writing the ideas the founders held on points relevant to the new university, in order to make known the difference in criteria between this university and what universally prevailed. Above all, it would be very necessary for future

trustees of the University. It was not a question of writing on the social philosophy and economics that inspired the UFM, rather on the policy of university education. UFM's philosophy on social order, which inspired its existence, was recorded in my inaugural address.¹⁵

Our discussions were all educational exercises that would help us understand more precisely what we wanted. The *Philosophy of Universidad Francisco Marroquin* was finished and approved on July 15, 1971 with the proviso, at the suggestion of Enrique Novella, that a chapter on academic freedom be added, something that turned out to be very difficult to do. Several years later, on May 5, 1978, the founding trustees approved this chapter.

The Sponsoring Committee had published a brochure to help promote the founding of the University. It was financed by Julio Zadik, who agreed to print it at his print shop when I visited his house one day at Lake Amatitlán after a sailboat race. I will always remember with gratitude and affection his gesture of support for our project when it was still no more than a dream.

¹⁴ Philosophy Statement. Appendix V

¹⁵ Inaugural Address. Appendix VI

Among the requirements for the university to be approved legally, we had to demonstrate that it was economically solvent. We turned to the friends who supported CEES for donations, which we then handed over to the Sponsoring Committee with the understanding that if the university was not legally approved the money would be returned to the donors. We collected around US\$40,000.

Our first donors were the Novella brothers. I went to pay a visit to Enrique, who was already a member of the Advisory Board of CEES, and who had indicated to me that he wanted to help us and become more involved. I remember my conversation with his brother Estuardo. Since Enrique was busy, I had gone into Estuardo's office to chat. He asked me, "So what are you up to these days?" "Well," I said, "founding a university." Silence . . . "But that costs a lot of money. Where are you going to get it from?" he asked. I answered, "What are friends for?" Silence . . . He opened a drawer, took out a checkbook and gave me a check for US\$10,000.

Later on, Leonel Samayoa, Félix Montes and I went with our wives to Houston with the idea of getting funds. Stella de Cheesman, Consul General of Guatemala in Houston, took us in hand making many appointments for us, as did Alice Pratt

of the Institute for International Education. If we were successful in raising money, the University would reimburse us our expenses. We raised nothing. We didn't know how to go about it.

With the help of the International Executive Service Corps, we later brought an expert in fund raising to Guatemala. Milton Murray was critical to my learning the ropes. Without his help I would not have been able to raise the amounts I later did, since he cured me of my inhibitions about asking for money.

The support of the first donors gave us self-confidence, and their names are recorded here: Christopher Hempstead, Enrique Novella, Estuardo Novella, Cervecería Centroamericana, Luis Canella, the Granai & Townson group of companies, COPRECA, Ramón Campollo, Roberto Berger, Rudi Weissenberg and his daughter, Manfredo Lippmann, Raúl Minondo, and many other individuals and companies who would follow them.

CHAPTER VIII

Those of the group who met regularly included the board of directors of CEES (mentioned above) and our friends, Luis Beltrarena, Antonio Carrera, Rigoberto Juárez-Paz, Leonel Samayoa, Roberto Sánchez. Other members of the Sponsoring Committee would attend on occasion.

Universidad de San Carlos and Universidad Rafael Landívar both formally opposed approval of UFM.¹⁶

When we found ourselves facing opposition from Universidad de San Carlos, we requested and were granted an audience with the High Council on Education. Accompanying me for the presentation were Roberto Sánchez, Leonel Samayoa and Félix Montes.

The meeting lasted several hours. Those who openly expressed their opposition were Alfonso Bauer, Roberto Valdeavellano—later president of Universidad de San Carlos—, the student representative, and others. The meeting, presided by Universidad de San Carlos president, Rafael Cuevas del Cid, was cordial. Although the meeting was taped, we were not able to get a copy at the time.¹⁷ We left the meeting very satisfied, even though the official position of Universidad

de San Carlos did not change.¹⁸

I personally visited the board of directors of the School of Economics of Universidad de San Carlos, which was still located on the Calle Mariscal Cruz, to ask for their support. The dean was Rafael Piedrasanta; the other members of the board were Luis Bernardo Lemus, César Augusto Díaz Paiz, Luis Eduardo Contreras, Héctor Goicolea, José F. Tagua, and Alfredo Morales. With all I enjoyed a degree of friendship.

The meeting was very friendly, with Manuel Villacorta even making the joke that if they had their “communist” university, we should be allowed to have our “capitalist” one.

The application for legal approval of the Sponsoring Committee was presented under the administration of Julio César Méndez Montenegro. The Minister of Education was General Rolando Chinchilla and the Minister of the Interior, Héctor Mansilla. Approval was granted by presidential decree under the following administration, signed by Colonel Carlos Arana Osorio, President; Jorge Arenales, Minister of the Interior; and Alejandro Maldonado, Minister of Education.

The Universidad Francisco Marroquín and its by-laws were approved by the Council on Private

¹⁶ See letter from Arturo Dibar, president of Universidad Rafael Landívar. Appendix IV

¹⁷ Condensed version of transcription of the recording, supplied by Universidad de San Carlos. Appendix VII

¹⁸ Members of the High Council of Universidad de San Carlos. Appendix VIII.

Higher Education [which functions as the board of directors of Universidad de San Carlos] presided by the Minister of Education, Alejandro Maldonado. The members of the Council were: Ernesto Viteri and Jorge Montes representing the private universities; Augusto Cazali and Tulio Armando Vargas representing Universidad de San Carlos; Fernando Quezada Toruño and Filadelfo Parada representing the professional bars. Cazali voted against approval, presenting his arguments, Quezada Toruño ab-

stained, and the rest voted in favor.

Although not sympathetic, Ernesto Viteri supported approval and I believe that he, as a member of the Council on Private Higher Education, wrote the document recommending approval to the Council of Ministers. The ministerial decree approving UFM was issued on August 12, 1972.

As it turned out, Universidad de San Carlos didn't mount any great public opposition, to the surprise of many of us who expected it.

CHAPTER IX

Once Universidad Francisco Marroquín and its by-laws were approved, the Sponsoring Committee became the Board of Trustees. We celebrated with a cocktail party at my house.¹⁹ In attendance were President of Guatemala Colonel Carlos Arana; Minister of Education Alejandro Maldonado; journalist and close personal friend Mario Ribas Montes; as well as almost all of the members of the Sponsoring Committee.

Our decision on how to organize the Board of Trustees came from reflecting on what had happened to various institutions over time, and observing how their very purposes had been changed, in some case ending up contrary to those of the founders. Obviously there is no eternal guarantee; however, due to its organization, it is unlikely that it will be possible to deviate from the objectives of UFM's founders for a long time. It is not that we presuppose bad intentions on the part of others, rather differences in criteria with regard to goals or university policy.

The Board of Trustees is made up of approximately fifty members.²⁰ By-laws govern its organization and membership. The first president was Julio Lowenthal (1972–1973), followed by Félix

Montes (1973–1975), William Olyslager (1975–1979), Max Holzheu (1979–1987), Ronald Dent (1988–1992).

By Guatemalan law, the highest authority of a university lies with the board of directors. However, the law does not establish the procedure or norms for the designation of the board of directors of private universities. The purpose of UFM's Board of Trustees is to ensure that the objectives for which the UFM was founded are carried out and that it is financially sound. The Board of Trustees elects six of the nine members of the board of directors (including the treasurer). They, in turn, elect the president, vice-president, and general secretary of the board.

Universidad Francisco Marroquín belongs to no one in the sense that no one can exercise over it the rights generally associated with holding something in property. No one has any rights to Universidad Francisco Marroquín which may be sold or inherited. It is a non profit entity in the sense that it pays no dividends. Any surplus income is assigned to assets.

The first board members elected were Luis Beltranena, Luis Canella, Antonio Carrera, Enrique Murillo, Roberto Ríos, and Leonel Samayoa,

¹⁹ See photograph. Appendix IX

²⁰ List of trustees since UFM's inception. Appendix X

as treasurer. Félix Montes was originally on tap to be on the board of directors, but he elected to cede his place to Luis Canella whose personal prestige and good sense would be of great value to the University. It is worth mentioning that Félix Montes later donated the bust of Bishop Francisco Marroquín which he had sculpted by José Nicolás.

The six elected to the board by the Trustees then elected me as president, Rigoberto Juárez-Paz as academic vice-president, and Roberto Sánchez as general secretary.

Luis Beltranena was named dean of the School of Law and I temporarily took on the duties of the dean of the School of Economics.

CHAPTER X

From the time of the Sponsoring Committee, the idea was that those elected to the board of directors by the founders, and later by the Board of Trustees, would actually manage the University.

We sought to avoid what had happened in nearly all universities in the world: that they have come to be governed by members of the teaching staff and/or students. Our reasoning went thus. Teachers as teachers have interests that may conflict with those of the institution. It is natural for teachers to want perquisites, such as lower teaching loads, more time for research or writing, fewer required exams, more trips to conferences, etc., for the same salary or more. The idea is not to expect teachers to carry excessive class loads or not to write or travel, etc.; rather we recognize that they, like all human beings, tend to arrange their lives as comfortably as possible, convincing themselves that they will be better teachers for it. Also, it is recognized that rarely is a good teacher a good administrator. Indeed, professional academics have earned the reputation—and it must be for a reason—that they are bad administrators.

I must make it clear that no one holds a monopoly on entrepreneurial talent, and, thus, there are members of the academy who have such talent. Just as this talent is rare among non-teachers (indeed, it is the exception among all people), it is also rare among teachers. The point is that it is easy to conclude that someone who knows how to teach also has, as a result, the talent to run an educational organization. The Peter Principle applies here, too. I make these comments to remind future trustees of these facts whenever they elect members to the board of directors.

We received many suggestions that we contract “experts” in university organization. We always rejected the idea for the simple reason that we did not agree with how universities “should” be run. This university was founded precisely because we wanted it to be different.

The essay “The Political Economy of Universities,” by Henry Manne, is an excellent analysis of how the academic decadence in many universities was due to the fact that over time they had come to be run by “academics.”²¹

²¹ This essay is included in the book *Education in a Free Society*, which is given to all new trustees at UFM. The book evolved out of a Liberty Fund seminar in Indianapolis in 1971, which I attended with my wife. I remember that when I arrived, Benjamin Rogge greeted me with “Hello, Mr. Curmudgeon,” in reference to the article in the *Reader’s Digest*, “Cheers for Old Curmudgeon,” which originally appeared in *Harper’s Magazine* in June 1970. See Appendix XI for *Reader’s Digest* article.

We had our own ideas of what we wanted and we were very clear on them. It was not—and still isn't—an already existing model that we sought; this was the sole reason for founding UFM. After visiting innumerable universities during my time as president of UFM, I have never found another that could fulfill the goals of UFM's founders.

While we looked for teachers to give economics from the point of view that we wanted, I had to design a program, since we didn't agree with how the subject was taught in any other university. No books even existed that dealt with the subject and were organized the way we wanted. That was how our course on "Fundamental Economic Principles" came about, which is still given in all UFM²² schools and departments.

We were lucky in the humanistic disciplines. Dr. Juárez-Paz knew qualified teachers in various subjects, such as Dr. Salvador Aguado who committed himself fully to the project and became one of UFM's most enthusiastic and valued contributors. Another was Jesús Amurrio who took over the administration of what was originally the Department of General Studies, under which students spent one and a half years before being assigned to their chosen discipline.

Jesús Amurrio turned out to be an exception to the rule, since in addition to being considered an excellent teacher by his students, he efficiently organized and administered the Department of General Studies where he began his work with UFM.

²² I later learned from textbook authors that, for commercial reasons, the syllabus of the economics courses given in universities doesn't vary. Several authors have admitted to me that their books would not be marketable had they not followed the outline established by Samuelson, because then they would differ from the way that the teachers themselves had learned. The result is that young people have not had the chance to learn, in proper sequence and with due clarity, the importance of the social function of private property or how a society works (Law of Association).

CHAPTER XI

Classes began at UFM on January 15, 1972, offering degrees in the disciplines of Law, Economics, Business Administration, and Theology.

Classes began with the following teachers:

Jesús Amurrio

Manuel F. Ayau

Joyce van der Henst

Rigoberto Juárez-Paz

Sergio Solórzano

Political Thought I

Fundamental Economic Principles I

English

Logic

Science and Mathematics I

Before the University opened, we sent Ricardo Alvarado, an engineer, for graduate study at UCLA under the tutelage of Armen Alchian and Clayburn La Force. However, we needed teachers in economics so urgently that we couldn't do without him and, after a year, we ask him to postpone his studies and return. The sacrifice of his studies was inevitable since we didn't have enough teachers for the second year. He accepted this sacrifice with characteristic chivalry.

We brought several professors to Guatemala (Chilean Mario Cortés and American Paul Gibson). We sent lawyer Fernando Linares, formerly the manager of CEES, to UCLA. Upon his return in 1974, he became dean of the School of Economics.

One lucky day in December 1972, Dr. Joseph Keckeissen brought to my office Father Angel Roncero, doctor in theology, who would become the founding dean of UFM's

School of Theology. Joe had studied for six years under Ludwig von Mises in his seminar series at New York University. Joe approved what we were doing and decided to stay in Guatemala to work with us. He has become academic mentor to all economics teachers and students, due to the respect he commands, his encyclopedic knowledge, his indefatigability as a teacher, and his ability to communicate the range of subjects he masters, in any course on economics at any level. His devotion has been complete, to the good fortune of UFM students. His example has been an inspiration for many of us.

We didn't have much problem in finding teachers for the non-theoretical courses. In the third year, we contracted foreigners for those disciplines in which we couldn't find a teacher locally who shared our philosophy. Among the most outstanding and inspiring was Alberto Benegas Lynch, Jr. from

Argentina, who stayed at UFM for three years. When he returned to Argentina, he organized a graduate school of economics and business administration (ESEADE), based on our model. (In June 1977, a year before ESEADE of Argentina was founded, I was able to help out by speaking to various groups of possible supporters in Buenos Aires to tell them of our experience and encourage them to support ESEADE,

which under Alberto's management has been very successful.)

The idea of bringing Alberto Benegas Lynch, Jr. came from Joaquín Reig, who was visiting Guatemala for the regional meeting of the Mont Pelerin Society, in September 1972. When I pointed out to him that this would cost a lot of money, he arranged to donate US\$1,000 per month to us to help cover expenses.

CHAPTER XII

From the outset, the idea was to keep UFM small; to focus its efforts toward an academic elite at the highest level possible so that the influence of its graduates in the dissemination of ideas flows from the top down. Our policy has been to limit admissions based on aptitude requirements. As the number of applicants rises, we should choose the desired number from those who show the most ability. From the start, the aptitude tests we have used are those administered nationally by Universidad del Valle de Guatemala; this is combined with a personal interview with the applicants and review of their academic records.

From the beginning, we decided that our tuition fees would be the highest in the country. At the same time, we established the norm that an applicant's ability to pay would not be taken into account in the admissions process so as not to influence the selection. We wanted an intellectual elite, not an economic one.

Student loans would be granted exclusively on the candidate's intellectual aptitude, not on knowledge. Nor would we condition a loan to getting higher grades than those paying full tuition.

The reasons for keeping UFM small are:

- If we want the highest academic level, we must select students of approximately the same high intellectual level.
- If the selection process is done well, the teachers will be more motivated as they face more demanding students. It is easier to control a small institution than a large one.
- In general, we believe that the demand for higher education is better served by a larger number of small institutions than by a few large ones.

After ten years, we cannot say that all our teachers meet our expectations, although the majority does. Indeed, they are few who do not meet the standards we expect and we are greatly chagrined when a teacher assigned to a group of students does not have all the qualities he or she should. If the University were larger, this problem might be greater than it is.

Our original idea was to have a university that specialized in law and economics. This doesn't mean that we didn't want other disciplines, as the one does not exclude the other. As a matter of fact, Guatemalan law requires a university to have a minimum of three schools or departments. The governmental de-

cree approving the UFM conditioned the university to "open as soon as resources allow, schools that cover the areas of science and technology, as well as health and education. The first of these should be opened within six years from the date of this decree."²³

FOUNDING OF SCHOOLS AND ACADEMIC DEPARTMENTS IN CHRONOLOGICAL ORDER (updated 2006)

1972

UFM opens with the Schools of Economics, Law, and Humanities (Department of Theology)

1973

Graduate School of Economics and Business Administration

1974

School of Architecture

1975

Graduate School of Clinical and Medical Psychology
Department of Continuing Studies

1976

Department of Secondary Teachers' Education in: Language and Social Sciences, and in Mathematics and Physics

1977

Graduate School of Social Sciences

1978

School of Computer Science and Systems Engineering
School of Medicine
Department of Philosophy

1980

Department of Art
Department of Education

1982

School of Dentistry

1983

Department of Political Studies
Department of Secondary Teachers' Education in History and in Communication Sciences

²³ Decree Number 77 of the Constitutional Government of Guatemala. Appendix XII

1984

Department of Psychology
 Department of Auditing and
 Public Accounting

1986

Department of Communication
 Sciences
 Graduate School of Psychology

1987

Department of Religious Studies
 Department of Art History
 Continuing Education in Science
 Distance Education School (IDEA)

2000

School of Computer Science and
 Systems Engineering, including the
 Distance Education School (IDEA)
 project, becomes a new university:
 Universidad Galileo

Departments of Theology,
 Philosophy and Communication
 Sciences become a new university:
 Universidad Mesoamericana

The UFM's expansion did not follow a plan and the initiatives to add new programs did not come from the founders (who had become the Board of Trustees), nor from members of the board of directors.

The first case was the Department of Theology which, by the way, the Jesuits tried to block through pressure brought to bear, both in Guatemala and Rome, on members of the Salesian Order.

Through Estuardo Samayoa, the directors of the Salesian Theological Institute had approached us. They wanted the Theological Institute to become part of UFM. We reached an agreement which stipulated academic rigor and the inclusion in their curriculum of our courses on market economics and social philosophy, as well as English. UFM would not incur any financial responsibili-

ty. Father Angel Roncero, who was promoting the agreement, came to be an enthusiastic contributor in all that was related to UFM. Today he is one of its trustees.²⁴ Father Roncero's initiative was supported at the time by the Provincial of the Salesian Order, Reverend P. Hugo Santucci.

This agreement served as a basis for later agreements for the schools of architecture, clinical and medical psychology, computer science and systems engineering, medicine, and dentistry (in chronological order).

The bases for the cooperative agreements were:

1. That those promoting the initiative take full responsibility for the financial solvency of the school or department.

²⁴ In May 1988, UFM awarded Father Angel Roncero an honorary doctoral degree in Social Sciences.

2. That UFM's courses on economics and philosophy be included in their curriculum, and taught exclusively by teachers designated by UFM's board of directors.
 3. That they maintain the level of academic excellence above that of other educational entities.
 4. That they act in accordance with the Philosophy of the University.
 5. That they faithfully adhere to the UFM's by-laws.
-

CHAPTER XIV

FOUNDING OF ESEADE

GRADUATE SCHOOL OF ECONOMICS AND BUSINESS ADMINISTRATION

In November 1972, Eduardo Suger and Antonio Gillot drew up a proposal for a master's program in economics and business administration, which they presented to Rigoberto Juárez-Paz. Rigoberto organized a meeting in which we discussed the project. We thought it was a good idea.

After several meetings a final draft of the project was completed and presented to the Board of Directors which gave its approval.

It was in these meetings that we decided to divide the graduate school year into 9-week sessions with classes of 75 minutes. We did this so that our students, whom we expected to draw from the business and professional communities, could better organize their schedules and attend classes with fewer impediments.

In December of the same year, several changes were made in program in the area of economics, with

the help of Joseph Keckeissen, whose advice we had sought.

With everything ready, classes began in January 1973. Administration of the program was placed provisionally in the hands of Alfredo Rego. After reorganizing, we took advantage of Ricardo Alvarado's return to Guatemala who remains head of the program today.

The first teachers in ESEADE were: Manuel Ayau, Eduardo Suger, Antonio Gillot, Joseph Keckeissen and Alfredo Rego.

The first students were graduated with the degree of *magister artium* in 1976.

Several years later, a specialization in actuarial sciences was added to the program, from which a smaller number of students were graduated.

Today, another specialization, finance and marketing, is included.

FOUNDING OF THE SCHOOL OF ARCHITECTURE

In 1973, a group of architects²⁵ approached us to see if we would let them found a school of architecture under UFM. We told them our conditions. They told us that they were going to speak with the other private universities before making a decision.

With the exception of Peter Giesemann, I was not friends with any of them. They were clearly suspicious of our suitability to run a university. They were directors and teachers from the School of Architecture at Universidad de San Carlos. More than anything, they were very anxious about retaining control.

When they explained to us that what they wanted was a technical school, somewhere “between architect and construction foreman,” we told them that our university was not suitable given its philosophy; that if they decided to found a high level school of architecture we could take them in. We also explained to them (with the help of Rigoberto Juárez-Paz) the principles of any such arrangement.

When they came back to talk again, I remember that their principal spokesman, Adolfo Lau, said to me in a questioning tone, “They say that everything here is run dictatorially, and that everybody does whatever ‘Muso’ says.”

I liked his candidness and at the same time I was amused. Since I wasn’t about to give explanations, I limited myself to asking him which he preferred, Muso or the Jesuits?

I believe they joined us with some reservations, but with time, really very shortly, our relations became cordial, characterized by mutual support and without interference from “Muso.” Today, eight years later, I know that the founders of the School of Architecture and UFM’s Board of Directors are very satisfied with the results.

The School of Architecture was approved by the Council of Private Higher Education in its meeting of October 23, 1973; classes began in January 1974.

²⁵ Víctor Cohen, Peter Giesemann and Adolfo Lau.

CHAPTER XVI

FOUNDING OF FISICC

SCHOOL OF COMPUTER SCIENCE AND SYSTEMS ENGINEERING

(chapter written by Antonio Gillot)

In September 1977, Drs. Eduardo Suger and Antonio Gillot were invited to attend a series of conferences in the United States on "Computers and their Influence on the Rise and Development of New University Programs." After the conferences, they toured several colleges and universities in the U.S., and upon their return began developing a program for a university level School of Computer Sciences.

When they presented the project to me as president of UFM, it was warmly received. The timing coincided with the visit of Dr. Rolf Thanheiser who, upon finding out about the project, offered the support of UNIFO, a German foundation for third world development. Thus, the project of the Institute for Computer Sciences got underway.

On November 18, 1977, the project was presented to the Board of Directors, which approved it on the same day.

In February 1978, classes began with seventy students enrolled in Systems Engineering. In July of the same year, two more programs were opened: Systems Analysis with sixty-eight students and Computer Programming with thirty-two.

In July 1982, upon approval by the Council of Private Higher Education, the Institute became the School of Computer Science and Systems Engineering, known by its acronym, FISICC. The dean of the school is Eduardo Suger, who has been its director from the beginning, with Antonio Gillot as assistant dean.

ISOLATED AND SCATTERED ANECDOTES RELATED TO THESE MEMOIRS

Acquisition of the Popol Vuh Museum (1978)

One afternoon, Jorge Castillo, paid a visit to UFM. He owned a large number of archaeological and colonial pieces that he and his wife, Ela, had been collecting all their lives. He had set up the Popol Vuh Museum downtown in zone 1 and it was costing him a lot of money to keep up. He invited me to be on the board of the Museum, which he wanted to donate to the five universities in Guatemala. I told him that I could not refuse his invitation but that it didn't seem to me a good idea to donate the Museum to five entities, since none would feel itself owner. That it was better to choose one of them and give it to that one.

He asked me which of them I recommended, and I started to ask him (half seriously, half in jest):

"How about to the government university?" "No," he answered.

"To the Jesuit one, then?" "No."

"To the American one?" "No."

"To the Protestant one?" "No."

A long silence followed. Finally, I said to him, "Thank you very much."

He indicated that we would have to accept a debt of US\$25,000. After approval by UFM's Board of Directors, the UFM took possession of the Popol Vuh Museum.

Because of his friendship with Jorge and Ela Castillo, and his interest in Universidad Francisco Marroquín, Nicolás Buonafina undertook the formal arrangements for the transfer of the Museum, and Antonio Carrera, as always, donated his legal services.

After the deed transferring ownership was signed, the Museum moved to a larger location on the Avenida La Reforma in zone 10, where it remained for several years.

Later, it moved again, to the 6th floor of a building on the Avenida La Reforma in zone 9, where we have been able to stay thanks to the modest rent charged us by the building's owners.

The Name of the University

The name for the University arose from a visit that Rigoberto Juárez-Paz and I made to the School of Santo Tomás, in Antigua Guatemala, invited by the Society of Philosophers. Since my ignorance of history is colossal, I asked Rigoberto whose bust it was we saw there.

Rigoberto gave me a lecture on Bishop Francisco Marroquín. Afterwards I read several pieces on him; the most interesting was Maca Barrett's book *The Red Horse*.

I asked Rigoberto if, in his judgment, the bishop had been, first, a good man and, second, a liberal in the good sense of the word. He told me yes, and proceeded to enlighten me.

We then decided to propose the bishop's name for our new university. I believe it was a fortunate choice.

I went to talk with Bishop and Monsignor Martínez de Lejarza, a Jesuit, about whether it would be considered improper for us to use the coat of arms of Bishop Marroquín. He explained that the bishop undoubtedly would have been honored, given his interest in higher education, but that if we used the coat of arms we would have to remove the tassels of the bishopric.

We then asked Mr. Campins to make us a coat of arms with the original colors and to write up an explanation of its heraldry. We asked the same of Edgar Aparicio. We added the motto "Truth, Liberty, Justice." I remember preferring the motto of Universidad Mariano Gálvez ("The truth will set you free"), but it was already taken.

The University's Color

We chose red as UFM's official color on the theory that it had been appropriated by the communists and we couldn't cede them exclusivity. When asked what UFM's official color is, I answer, "Marxist Red!"

Years later, Adolfo Lau, the first dean of the School of Architecture, designed UFM's flag with a red and white striped background and Bishop Marroquín's coat-of-arms in the upper left-hand corner.

The University Hymn

(remembrance written by Leonel Samayoa)

It all began one day when we were at Muso's house. Someone brought up the idea that something was missing among the students to give them an "esprit de corps," as the French would say. That other universities

had their soccer teams or some sport. That UFM had nothing outside the academic sphere to unite the students. While we chatted away, it occurred to Muso that the UFM should have a hymn, something like

a battle hymn. Something upbeat like that piece with the trombones from the Music Man.

With that we began to make up something on the grand piano in Muso's house, taking from Mozart here and Beethoven there. Of course, we confused the flats with the sharps and didn't get anywhere.

The idea remained and I remember that someone spoke to Estuardo Prentice who told us he knew how to play but not to compose, and he suggested that we talk to someone else. I don't remember who had the idea of talking to Eddie Wunderlich (RIP) and we went to pay him a visit. I remember that, by that time, we already had a little melody that I don't remember who wrote.

Rigoberto Juárez-Paz was asked to write the words and he quickly produced the lyrics which were adopted without any changes in 1971.

We went to see Eddie Wunderlich in his house and showed him the lyrics and melody. Eddie had two grand pianos and, in a condescending manner, played the small tune

just once and, with the frankness characteristic of great artists, recommended that we stick to giving classes and not try to write music. He recommended that we seek the help of orchestra conductor Jorge Sarmientos.

Eddie spoke with Sarmientos who offered to work with us.

Later, I don't remember if one or two months, he sent word that the music was ready. Eddie Wunderlich offered his house for a small cocktail party to play the music. Several of us, trustees and members of the board of directors, attended. It was there that the hymn of the University was played for the first time. All of us received a copy of the lyrics and the party went on into the night.

Thus the lyrics of Juárez-Paz and the music of Sarmientos were adopted.

In August of 1976, a ceremony was held in which diplomas were given to Rigoberto Juárez-Paz and Jorge Sarmientos in gratitude, and at which the National Choir sang the hymn publicly for the first time.

A liberal translation of the lyrics:

At the dawn of a clear sky
An endless horizon is seen,
Young people with new hopes
Discover them at Marroquín.

Students in strength let's gather
As all truth we seek to see
We who are fellow travelers
Let us unite for liberty.

Liberty to explore the boundaries
Of our world and duty too
Liberty to choose our goals,
That we may ever defend anew.

Justice is the dream of all,
Not the hate of one aggrieved,
Seek not with slings and arrows
To plant so sacred a seed.

We happily accept the risks
Of being young, brave and free.
For dreamers of a better world
The creator lights minds to see.

At the dawning of a clear sky
Better times are soon to start.
With our study we will give science
To the land that owns our heart.



APPENDICES

APPENDIX I

UNPUBLISHED STATEMENT BY MANUEL F. AYAU FROM THE 1950s, IN WHICH HE PROPOSES AN AMENDMENT TO THE GUATEMALAN CONSTITUTION TO PERMIT THE ESTABLISHMENT OF PRIVATE UNIVERSITIES

This statement, corrected at the time by Carlos Springmühl and Antonio Aycinena, said, among other things:

“... We believe that we must promote the establishment of as many universities as possible; that each should decide how to carry out its work; so that, as result, we and our children can freely choose those educational centers which, in our judgment, offer them the best means to achieve the principal goal: culture.

We believe that Guatemalans, upon reaching the age to continue higher education, should have the freedom to choose the schooling that most attracts them and that, in their judgment and that of their parents, will allow them to be most useful and capable as a professional. That they should not have to come up with the means to study abroad as the only alternative for their efforts.

Thus, as we insist on the independence and support public financing of the Universidad de San Carlos, we believe that its personnel is not alone in knowing how to teach and that other educational centers should have the same independence and freedom of criteria.

We believe that the establishment of several universities in the country will raise the level of education in all of them, so necessary to the job of molding professionals who will propel our country to the levels of progress of other nations.

We do not believe that we need to support another university through taxes, since a public university already fulfills its commitment to offer educational opportunity, almost for free, to those without sufficient economic resources. But if we citizens voluntarily want to support more universities, we should not impede such effort.

We believe that while we have, indeed, given autonomy in terms of dictating what and how to teach to a group of men who manage for us Universidad de San Carlos, that we should reserve to ourselves this same right. That in delegating it, we did not intend to give it up.

We believe that an independent entity cannot nor should not have greater authority than those who instituted it and who maintain it in an effort to fulfill their obligations as good citizens and parents. Otherwise, the orders issued by those in authority would be in violation of the highest principal of democracy.

This situation is harmful to our very culture; thus, we must try to make sure that our children fully understand that limits on authority are what guarantee a person's freedom.

We believe that the means to obtain culture should not be restricted; rather they should be widened as far as possible.

Our responsibility obliges us to act and, thus, we respectfully request that our representatives call for a constituent assembly to the sole end of restoring the freedom to obtain culture that existed during almost all of our country's history and which, perhaps in an excess of care for and pride in our state university, our delegates eliminated in error in 1945.

APPENDIX II



THE FOUNDATION FOR ECONOMIC EDUCATION, INC.
IRVINGTON-ON-HUDSON, NEW YORK

Founded 1946

November 17, 1959

Sr. Ing. Manuel F. Ayau
15 Avenida 10-53
Guatemala Zona 1
GUATEMALA

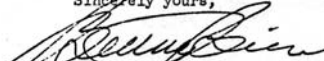
Dear Sr. Ayau:

Your name has been given to us by Sr. Agustin Navarro who has written of the work you are doing in Guatemala and your interest in trying to promote the free market economy. He suggested that you might like to receive our monthly journal, *The Freeman*, and we are accordingly adding your name to our regular mailing list so that you will receive this publication each month in the future. We trust that it will be of interest and that you will find the ideas we discuss helpful in your work in Guatemala.

At Sr. Navarro's suggestion we are sending you also, under separate cover, a packet of material on labor legislation in the United States. Although it is intended to be used by teachers in this country who are interested in the particulars of our legislation, it deals with general principles, with the complications caused when any government interferes in labor-management relations. Such general and theoretical matters apply in almost every country today for, as far as I know, every nation has legislation of some sort concerning agreements among workers and employers.

If you have any questions about our work, please feel free to get in touch with us directly. Write in Spanish if you prefer as I read it rather easily. You may be sure we would be glad to hear from you and to answer any questions that we can.

Sincerely yours,



Bettina Bich

Enclosure

Others going forward under separate cover

cc: Mr. Agustin Navarro

APPENDIX III

HONORARY DOCTORAL DEGREES AWARDED BY UNIVERSIDAD FRANCISCO MARROQUÍN

Updated for this edition of September 2006

The eminent scholars who accepted an honorary doctorate from UFM in its early years, before it had a track record, is testament to the support its founding received from the international academic community.

In Social Sciences

April 12, 1975	Joaquin Reig
April 3, 1976	James Clayburn La Force
July 10, 1976	Leonard E. Read
July 10, 1976	Henry Hazlitt
May 7, 1977	Friedrich A. Hayek
March 4, 1978	Milton Friedman
March 4, 1978	Benjamin A. Rogge
July 21, 1978	Peter T. Bauer
November 3, 1978	William H. Hutt
April 21, 1979	Alberto Benegas Lynch, Sr.
May 3, 1980	William H. Meckling
May 3, 1980	George C. Roche, III
May 3, 1980	Arthur Shenfield
January 9, 1981	Arthur Kemp
April 14, 1981	Parke Dean Russell
August 7, 1981	Agustín Navarro V.
May 1, 1982	Edwin J. Feulner
May 1, 1982	Pedro Ibáñez
April 9, 1983	Antony Fisher
April 9, 1983	John R. Chamberlain
December 10, 1983	Percy L. Greaves
December 10, 1983	Bettina Bien Greaves
October 16, 1984	Max Thurn
May 11, 1985	Ulysses R. Dent
October 9, 1985	Viktor E. Frankl
December 13, 1986	Enrique Novella

November 21, 1987	M. Stanton Evans
May 28, 1988	Angel Roncero
May 28, 1988	Richard Ware
November 19, 1988	Hans F. Sennholz
May 13, 1989	Joseph E. Keckeissen
September 4, 1989	Israel M. Kirzner
May 12, 1990	Luis A. Pazos
November 10, 1990	Leonard P. Liggio
November 10, 1990	J. William Middendorf, II
May 18, 1991	W. David Stedman
November 9, 1991	William H. Peterson
November 9, 1991	Julio Lowenthal
November 14, 1992	W. Allen Wallis
May 8, 1993	Malcolm S. Forbes, Jr.
November 13, 1993	Michael Novak
May 7, 1994	Alan Walters
November 19, 1994	Gordon Tullock
May 11, 1996	William W. Weston
August 12, 1996	Alberto Benegas Lynch, Jr.
November 9, 1996	Harold Demsetz
November 9, 1996	Roberto de Oliveira Campos
November 7, 1997	John H. Moore
May 9, 1998	Rafael Termes
November 14, 1998	Arthur Seldon
May 22, 1999	T. J. Rodgers
May 6, 2000	T. Alan Russell
January 20, 2001	James M. Buchanan
May 5, 2001	Robert A. Sirico
November 9, 2002	Armando de la Torre
May 10, 2003	Walter E. Williams
May 10, 2003	Edward H. Crane
March 25, 2004	Vernon L. Smith
November 6, 2004	Jacques Gareilo
May 7, 2005	Dick Armey
May 7, 2005	Rocco Buttiglione
May 7, 2005	José Piñera
November 5, 2005	T. Kenneth Cribb, Jr.
May 6, 2006	Francisco Pérez de Antón

In Political Sciences

April 21, 1979	Philip M. Crane
February 27, 1985	Alvaro Alsogaray
November 23, 1985	Jeane J. Kirkpatrick
November 19, 1988	Daniel Oliver
May 18, 1991	Holland H. Coors
October 6, 1993	Vačlav Klaus
May 3, 1997	Antonio Martino
November 9, 2002	Ellis Sandoz
May 8, 2004	Arnold C. Harberger
May 6, 2006	Michael K. Deaver
November 11, 2006	José María Aznar

In Sciences

December 1, 1979	Thomas S. Szasz
May 12, 1984	Aldo Castañeda
May 12, 1984	Andre Monsaingeon
May 9, 1987	Henry D. McIntosh
May 8, 1989	Michael E. DeBakey
May 23, 1992	Rafael Espada
November 18, 1995	Rodolfo Herrera-Llerandi

In Humanities

May 12, 1984	Héctor Neri Castañeda
May 10, 1986	Miguel Obando y Bravo
December 13, 1986	Jean François Revel
May 23, 1992	Salvador Aguado-Andreut
November 9, 1996	Jesús Amurrio

In Literature

May 8, 1993	Mario Vargas Llosa
November 18, 1995	Pablo Antonio Cuadra

In Law

November 21, 1987	Henry G. Manne
November 11, 1989	Edwin Meese, III

APPENDIX IV

LETTER FROM ARTURO DIBAR, PRESIDENT OF UNIVERSIDAD RAFAEL LANDÍVAR IN 1970, IN WHICH HE RECOMMENDS TO THE PRESIDENT OF GUATEMALA THAT THE REQUEST TO ESTABLISH UNIVERSIDAD FRANCISCO MARROQUÍN BE DENIED

TRANSLATION TO ENGLISH

[Illegible seal]

Reg. No. 508 – 70

[Illegible seal]

UNIVERSIDAD RAFAEL LANDÍVAR
17 CALLE 8-64 ZONA 10
TELÉFONOS 680387 y 680835
CABLES UNILAND
GUATEMALA C.A.

OFFICE OF THE PRESIDENT

DECEMBER 10, 1970

His Excellency the President
Council of Private Higher Education
Alejandro Maldonado
Ministry of Education
The National Palace
Guatemala City

Mr. President: With renewed testament of my high and distinguished esteem and personal appreciation, I am honored to acknowledge your kind note in which is transcribed for us the resolution of the Honorable Council of Private Higher Education that you worthily preside, in order that we gather together factors on which to base judgment regarding the possible creation of a new private university in the nation. Concretely, you ask our

opinion on the suitability or unsuitability of a new university, specifically of a university that would offer the disciplines of Law, Economic Sciences and Humanities.

Given the importance of this matter, I presented it to the Board of Directors, which, after ample discussion that took into consideration national realities, the problems of Central American integration as related to different levels of education, and the inter-American reality with regard not only to the existence of state universities but also private universities; I was commissioned to transmit to the Honorable Council those aspects considered most important concerning this matter.

First: The primary goal of our university is to pursue an integrated educational process through cooperation in open and sincere dialogue with other institutions similar to ours as well as with state universities, which are organized differently. In this sense, we believe to be in compliance with Article 1 of the Constitution of the Republic, the chapter that refers to culture as a social right and which textually states: *“It is a fundamental obligation of the State to promote and transmit culture in all its forms. The principal objectives of education are the integral development of personality, physical and spiritual growth, improvement of individual responsibility in citizens, civic progress of the people, promotion of patriotism and respect for human rights.”* This constitutional norm, placed within the framework of other aspects at the same level of importance in the country’s political organization, is inspired by republican, democratic and representative government. Furthermore, in the prologue dealing with individual rights with which Title II begins, in reference to constitutional guarantees, it states that: *“In Guatemala all human beings are free and equal in their dignity and rights.”* Thus, Mr. President, our Board of Directors approves of the establishment of one or more universities, private or government, as long as they are necessary, are inspired by the goal of an integrated education, respond to the growing aspirations of the peoples of the Americas to live under authentic democratic systems, in which freedom and human dignity are not compromised by anachronistic social discrimination motivated by economic interests or by hackneyed inherited ideologies, alien to the values of the masses and to those who, for one reason or another, are marginalized, failing to make a contribution to national or international well-being. I do not believe the new university is directed toward these goals of the common good.

Second: Without entering into a historical study of the universities of the American continent and the Central American region, the Council on Private Higher Education knows that the socioeconomic reality of our countries here on the isthmus, and specifically Guatemala, presents those groups who are responsible for educational planning with the need for cooperation between the private sector and efforts by the State. Within the context of the institutionalized dialogue that should be reflected in all universities, and for the purposes of this pluralistic proposal, there are several institutions of higher learning presently operating in the country that are conscious of their defined historic responsibility. The proposal of creating another university—in other words, of replicating efforts by establishing schools for Law, Economics and Humanities, areas already sufficiently well attended to by the existing universities in Guatemala, instead of creating different schools, institutes, departments and extensions for those academic disciplines that do not exist in the country and that are urgently needed and cannot be postponed—seems inconceivable. The consensus at our university, which I hereby communicate to the Honorable Council on Private Higher Education, is one of grave concern in the face of this proposal to create another university, one that does not participate in the process of integrating the efforts of all good patriots interested in the educational development of the nation, something we are all trying to achieve. On many occasions, when speaking officially on behalf of our Alma Mater, I have stated that our efforts are directed toward achieving the greatest possible degree of cooperation, and not about overlapping with and frustrating the efforts of others that are operating within the reality of our nation. An open university mentality requires a vision that is both upstanding and that considers multifaceted cultural problems as a whole. Referring specifically to this second comment, Mr. President, it is our loyal opinion, in view of the drama our inter-American peoples are facing in higher education, that universities should be established, either private or government, but with a view to making an integrated effort in which forces are united for the enhancement of liberty.

Third: With regard to planning, as the members of the Honorable Council well know, it is the Universidad de San Carlos de Guatemala that holds a constitutional mandate to “*organize, direct and develop higher state education in the nation,*” which—viewed doctrinally and hermeneutically and taking into account the fact that “*existing private universities are constitutionally recognized, as will be others that may be created with the goal of contributing to national development of higher and professional education, as well as scientific research, the transmission of culture, the study and*

solution of national problems”—does not mean that an attitude of educational monopoly should reign, but rather respect for the autonomy of universities in a pluralistic world, one in which joint efforts should excel to enhance liberty.

Fourth: Our University firmly believes that the present Constitution of the Republic is clear with regard to the articles establishing norms for the chapter dealing with the social right to culture within the context of the creation, operation and development of private universities. The resurgence of private universities as a constitutional right was officially recognized by Article 102 when it became law upon publication mandated by the National Constituent Assembly in its meeting on September 15, 1965. Ours is one of the preexisting universities referred to in the aforementioned article, and it is in this university's name, Mr. President, that I make these comments. Consequently, the creation of our university, I believe, does not enter into this discussion with regard to the constitutional fundamentals that guarantee its operations. However, what falls to the Council of Private Higher Education, as mandated by Law-Decree 421, and clearly established by the Constitution, is, consequently, the responsibility to approve the creation of future universities and schools. The contemporary democratic currents in the free world, in the context of the co-existence of different types of university structures, both private and State, call for university councils that are separate from individual universities, or for councils made up of the presidents of all of a country's universities, in order to study how to regulate and coordinate university activities while upholding the unassailable autonomy of each university. Such councils in the free world have been established to guarantee the survival, responsibility and achievement of the exalted ends of eminent cultural institutions, and not to hinder or frustrate—through transpersonalistic political-legal systems—the creative vitality of universities.

Fifth: Another point—one of several resulting from a calm and responsible exchange of opinion upon receiving your note, and which I consider appropriate to transcribe for you—is the following: We live in a contemporary world (which does not exclude our America) that shows obvious signs of the beginning of a new era or great cultural cycle. We have the impression that we are witnessing the death throes of a former classical renaissance and the beginning of an era which has not yet been able to clearly synthesize its characteristics. Positive and negative elements are surfacing within the classic and well-known value hierarchies and offering themselves to those responsible for the guidance of our nations; these elements emanate

from young people in a systemized educational process. This reality is fundamental to planning, evaluating and proposing realistic solutions, now. In other words, we are living the restlessness caused by profound structural changes and, within such, our University aspires to safeguard the security of all persons in an atmosphere where social justice finds understanding and is effectively institutionalized, without jeopardizing the permanent values of humanity such as liberty in the realm of culture. Thus, the creation of a new university in a country such as Guatemala, within the framework of isthmian regionalism and of the Organization of American States, should take into account this evident integrationist reality, as called for by institutions such as UNESCO, FEMCIECC and CSUCA. It is clear that the present era presents observers with—among other characteristics—the pulsating awakening consciousness among the masses of dignity and equality, of the opportunity for an education that compromises neither the identity of the person nor his human rights which are proclaimed throughout the world. This is to say, class attitudes motivated by economic or timeworn liberal ideologies that lead to anachronistic concepts of universities and that prepare professionals who alienate rather than liberate the great masses, are a negative sign in the overall panorama of higher education.

Mr. President: In view of your knowledge on the matters you have presented for our consideration, I do not think it necessary to continue with comments that you may find tiresome with regard to the situation posed to us. Because of this—and setting aside the ill manners manifested in public statements by one of the authors of the new university—I will summarize and present a concrete and defined opinion: In my judgment the creation, in Guatemala, of other universities, state or private, seems to us laudable: as long as they are necessary, that they lead to the resolution of the country's educational problems within a framework of a democratic perspective and pluralist processes, which characterizes of all of us who believe that peace and human coexistence is possible for the development of our country, and who have no interests or desires other than indiscriminate love for the country we wish to redeem by serving her through our efforts in higher education. Such aspirations I do not see fulfilled in the *Philosophy Statement* of the new university.

Sincerely,

Arturo Dibar
President

LETTER FROM ARTURO DIBAR, PRESIDENT OF UNIVERSIDAD RAFAEL LANDÍVAR IN 1970

ORIGINAL IN SPANISH

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GUATEMALA, C. A.
RECTORIA

Reg. No. 508 - 70

10 de diciembre de 1970

MINISTERIO DE EDUCACION
REGISTRO: 27-285
Clasificación: 203.4

11 DEC 1970

MINISTERIO DE EDUCACION

Excelentísimo Señor Presidente
del Consejo de Enseñanza Privada Superior
Licenciado Alejandro Maldonado
Ministerio de Educación.
Palacio Nacional.
C i u d a d

Señor Presidente: Con el renovado testimonio de mi alta y distinguida consideración y personal aprecio tengo el honor de acusar recibo de su atenta nota en que se nos transcribió la resolución tomada por ese Honorable Consejo de Enseñanza Privada Superior que Usted dignamente preside, con el objeto de recabar elementos de juicio ante la posibilidad de creación de una nueva Universidad Privada en la Nación. Concretamente, Usted pedía nuestra opinión sobre la conveniencia o no conveniencia de una nueva Universidad y de una Universidad que tuviese las Facultades de Derecho, Ciencias Económicas y Humanidades.

Dada la importancia del tema, la sometí al conocimiento del Consejo Directivo el que, después de amplia discusión en la que se tuvieron en cuenta las realidades del País, la problemática de la integración centroamericana en lo que se relaciona con la educación en los diversos niveles, y la realidad interamericana en lo que corresponde no sólo a la existencia de Universidades Estatales sino también a las Privadas; fui comisionado para transmitir a ese Honorable Consejo los puntos que se consideraron de mayor importancia sobre el particular.

PRIMERO: Nuestra Universidad tiene como objetivo primario la prosecución de un proceso educativo de carácter integral, cooperando en diálogo abierto y sincero con otras instituciones similares a la nuestra y con las Universidades de diversas estructuras que estén reconocidas como estatales. En este sentido, creemos estar en sintonía con el Artículo 10. de la Constitución de la República, Capítulo referente a la cultura como garantía social que textualmente dice: "Son obligaciones primordiales del Estado el fomento y divulgación de la cultura en todas sus manifestaciones. La educación tiene como fines principales el desarrollo integral de la personalidad, su mejoramiento físico y espiritual, la superación de la responsabilidad individual del ciudadano, el progreso cívico del pueblo, la elevación del patriotismo y el respeto a los derechos humanos". Esta normación constitucional enmarcada dentro de otros aspectos de igual jerarquía en el ordenamiento político de la Nación, se inspira en un gobierno republicano democrático y representativo. Así, en el preludio de los derechos individuales con que se abre el Título II, referente a las garantías constitucionales, se afirma: "En Guatemala todos los seres humanos son

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- 2 -

libres e iguales en dignidad y derecho". Consecuentemente, Señor Presidente, nuestro Consejo Directivo está de acuerdo con la creación de una o más Universidades, sean Estatales o Privadas en el país, siempre y cuando sean necesarias, se inspiren en una finalidad de educación integral, respondan a los anhelos crecientes de los pueblos de América de convivir con regímenes auténticamente democráticos, donde la libertad y dignidad humana no se vean comprometidas por actitudes anárquicas de discriminación social por mitivaciones económicas o de abolengo ideológico transnochado, alienantes del desarrollo de los valores populares y por una u otra causa marginados, dejando de contribuir al bien común nacional o internacional. No creo que la nueva Universidad esté orientada hacia esas metas del bien común.

SEGUNDO: Sin entrar a un estudio histórico de las Universidades en el Continente Americano y en la Región Centroamericana, es del conocimiento del Consejo de Enseñanza Privada Superior que la realidad socio-económica de nuestros países en el Istmo y, concretamente en Guatemala, presenta a los equipos encargados de planificación educativa la necesidad de cooperación de la iniciativa privada con los esfuerzos que se hacen por parte del Estado. En un diálogo institucionalizado que debe ser toda Universidad, y para el presente planteamiento pluralista, varias son las Instituciones de cultura superior que funcionan en el país con consciente y decidida responsabilidad histórica; resulta inexplicable la proposición de crear una Universidad más, reiterando, en actitud de repetición de esfuerzos, la nómina de Facultades tales como Derecho, Ciencias Económicas y Humanidades ya suficientes y bien servidas en las Universidades actuales de Guatemala, en lugar de ofrecer la creación de otras Facultades, Institutos, Departamentos y Extensiones, cuyas carreras no existen en el país y son de urgente e inaplazable necesidad. El consenso de nuestra Universidad que me permite transmitir al Honorable Consejo de Enseñanza Privada Superior es de pena, ante la actitud de pretender crear una Universidad más que no responda al proceso de integración en estos esfuerzos que todos los buenos patriotas, interesados en el desarrollo del país en las áreas educativas, estamos tratando de realizar. En múltiples oportunidades, hablando oficialmente en nombre de nuestra Alma Mater, he expresado que nuestro esfuerzo es de cooperación, tanto cuanto posible, y no de traslape y frustración de otros esfuerzos que se puedan estar haciendo dentro de la realidad del país; la mentalidad abierta universitaria requiere una visión de altura y de conjunto de los multifacéticos problemas culturales. Concretando este segundo comentario, Señor Presidente, nuestra opinión leal ante el dramatismo que viven nuestros pueblos interamericanos en los aspectos relativos a la educación superior es que se creen Universidades, sean Estatales o Privadas, pero con vistas a un esfuerzo integracionista en el que deben hacerse esfuerzos comunes de superación en la libertad.

TERCERO: En cuanto a la planificación, como muy bien lo saben los miembros de ese Honorable Consejo, es a la benemérita

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RECTORIA

- 3 -

Universidad de San Carlos de Guatemala a la que, constitucionalmente, corresponde "organizar, dirigir y desarrollar la enseñanza estatal superior en la Nación", lo que, en un estudio doctrinal y hermenéutico, dado que constitucionalmente "se reconocen las Universidades Privadas existentes y podrán crearse otras a fin de contribuir al desarrollo de la enseñanza superior en la Nación y a la educación profesional, así como a la investigación científica, la difusión de la cultura y al estudio y solución de los problemas nacionales", no significa absorción en actitud de monopolio educativo, sino respeto a la autonomía de las Universidades en un mundo pluralista en el que deben hacerse esfuerzos comunes de superación en la libertad.

CUARTO: Nuestra Universidad está firmemente convencida de que la actual Constitución de la República es diáfana en cuanto a los artículos que norman el capítulo de la garantía social de la cultura en lo que corresponde a la creación, funcionamiento y desarrollo de las Universidades Privadas. El resurgimiento de las Universidades Privadas, por pleno derecho constitucional, está reconocido en el Artículo 102, desde que fue ordenada la publicación y el cumplimiento por mandato de la Asamblea Nacional Constituyente, dada en el salón de sesiones el 15 de septiembre de 1965. Dentro de estas Universidades preexistentes a que se refiere el precitado artículo se encuentra la nuestra, en nombre de la que le estoy estos comentarios, Señor Presidente. Consecuentemente, la creación de nuestra Universidad, no creo sea motivo de discusión alguna en cuanto a los fundamentos constitucionales que la garantizan en su plenario funcionamiento. Ahora bien: lo que corresponde al Consejo de Enseñanza Privada Superior y su regulación por el Decreto-Ley 421, es, asimismo, de plena evidencia su constitucionalidad, correspondiéndole, por consiguiente, aprobar la creación de futuras Universidades y Facultades. Apreciando las corrientes contemporáneas democráticas del mundo libre, en lo que corresponde a la temática coexistencial de diversas estructuras de Universidades de Estado y Privadas, se hace necesaria la existencia político-jurídica de Consejos ajenos a una Universidad individual o de Consejos formados por los Rectores de todas las Universidades existentes en el país, que estudien la manera de regular y coordinar la actividad universitaria, respetando la indeclinable autonomía de cada Universidad; dichos Consejos, en el mundo libre, se han establecido para garantizar la supervivencia, responsabilidad y consecución de los altos fines propios de las Instituciones de alta cultura, y no para que, en actitudes de sistemas político-jurídicos transpersonalistas, se entorpezca o frustre el vitalismo creador universitario.

QUINTO: Otro de los puntos - entre los varios que provocaron cambio sereno y responsable de opiniones al conocer su atenta nota - y que creo oportuno transcribirle, es el siguiente. Estamos en el mundo contemporáneo del que no se excluye nuestra América con evidentes signos del inicio de una nueva era o gran ciclo cultural. Tenemos la impresión de asistir a la agonía de un pasado lla-

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- 4 -

clásicamente renacentista y al surgimiento de una época que aún no ha logrado ofrecer síntesis concluyentes de sus características. Efloran elementos positivos y negativos a la luz de las clásicas y conocidas jerarquías de valores que se ofrecen ante quienes son responsables de la conducción de los pueblos: estos elementos los dan las juventudes en proceso educativo sistematizado. Esta realidad es un elemento fundamental para planificar, evaluar y proyectar soluciones realísticas en el actual momento. En otras palabras: estamos viviendo inquietudes de profundos cambios estructurales y, dentro de ellos, nuestra Universidad aspira al salvamento de la seguridad de toda persona humana en un ambiente en donde la justicia social encuentre comprensión y eficaz institucionalización, sin comprometer los valores permanentes de la humanidad, como son los de la libertad en la cultura. Por ello, la creación de una nueva Universidad en un país como Guatemala, enmarcado dentro del regionalismo istmeño y la organización de las Naciones y Estados Americanos, debe proyectarse tomando en cuenta esta evidente realidad integracionista, como lo requieren instituciones tales como la UNESCO, el FEMCIECC y el CSUCA. Es claro que la época contemporánea - entre otras características - ofrece a los observadores un despertar trepidante de la conciencia popular, de la dignidad e igualdad y de la oportunidad para educarse, que no comprometen ni el principio de identidad de toda persona humana ni los derechos humanos mundialmente proclamados. Es decir: las actitudes clasistas por razones económicas o por ideologías liberales trasnochadas que conduzcan a anacrónicas concepciones de Universidades que preparan profesionales alienantes y no liberantes de las grandes mayorías, son un signo negativo en el panorama de la evaluación de la enseñanza superior.

Señor Presidente: dado el conocimiento que Usted tiene sobre esta clase de cuestiones que ha sometido a nuestra consideración, no creo necesario seguir insistiendo en comentarios que le resulten poco novedosos ante una situación ante la que se nos planteó. Y, por ello, dejando a un lado la poca elegancia mantenida en la propaganda de alguno de los fautores de la nueva Universidad, recapitulando y emitiendo opinión concreta y definitiva, opino que la creación, en Guatemala, de otras Universidades Estatales o Privadas, nos parece laudable, siempre y cuando sean necesarias, conduzcan a resolver los problemas educativos del país en democrática actitud y dentro de un proceso de esfuerzos pluralistas, propios de todos aquellos que creemos que es posible la paz y la coexistencia humanas en el desarrollo de nuestro País, sin otras miras ni otros deseos que no sean los del amor indiscriminado al pueblo que anhelamos redimir, sirviéndolo en los esfuerzos culturales de educación superior. Estas aspiraciones no las veo cumplidas en el ideario de la nueva Universidad.

Atentamente,

a. Dilar
Lic. Arturo Dilar
Rector



PHILOSOPHY STATEMENT²⁶

Universidad Francisco Marroquín

Chapter I Theory and practice

Universidad Francisco Marroquín will emphasize the theoretical rather than the “practical” or “occupational” aspects of higher education.

The disdain in universities throughout the world for the study of theory is due, in part at least, to an incomplete understanding of the fact that all human thought finds its *raison d’être* in some form of action or practice. In the final analysis *all knowledge*, whether the most general and abstract or the most specific and concrete, consists of knowing *how* to do something.

However, it does not follow that practice ought to *replace* the study of theory. Indeed every practice involves the application of one theory or another, whether or not this is known by the person who acts. The difference between those who learn to apply a theory without knowing what theory they are applying and those who apply it knowingly is that the latter are in a position to look for alternative methods compatible with the theory.

Obviously the purpose of emphasizing theory is not to separate theory from practice; rather it is to provide the necessary foundations so that practice becomes flexible, more thoughtful, freer and more effective.

Those who are not aware of the theoretical foundations of their professional activity will not be able to go beyond the methods or techniques they learned to apply, nor will they be in a position to discover anything new in their professional field. They will not have received, strictly speaking, a higher education; they will simply have acquired the necessary skills to perform certain tasks. It is not necessary for universities to teach these skills since technical schools exist throughout the world to do precisely that.

²⁶ Chapters I through IV were approved by UFM's Sponsoring Committee on February 27, 1971.

Theoretical education, which necessarily involves practice, attempts to provide the basis for a vision that goes beyond the present in space and time; a vision that widens horizons instead of narrows them, and that makes for intellectual modesty rather than arrogance and intolerance, products of a narrow outlook and limited knowledge.

The disdain for theory and the emphasis on the “practical” have had a decisive influence on university instruction and on the contemporary academic philosophy in many universities. For instance, many believe that humanistic studies ought to be replaced by technical studies that have an immediate application to social development. This thinking has contributed to the idea that universities are centers for the study of specific techniques.

Human society has always felt the need to create and support institutions of higher learning, dedicated to teaching and to the search for principles or theories whose practical consequences may contribute to a better way of life. We believe that although the training of technicians in different fields is an important function that centers of higher learning must perform, it is not less true that universities by definition and universal tradition are and have been much more than centers for the training of technicians. Research is essential to academic work, and the teaching of techniques is essential to the work of technical schools. Since principles and theories do have practical consequences that are important for society to take advantage of, it is critical for society to teach techniques of application.

In the field of the natural sciences, the advance of knowledge has been so great that most universities in Latin America could dedicate themselves less to research in the natural sciences and more to the training of technicians in the application of the principles of those sciences—without greatly harming the advance of knowledge in these fields. After all, the majority of people in the world live in under developed societies where a great many practical applications of scientific principles (discovered long ago) have scarcely been put into practice. In these countries the application of old scientific principles rather than the search for new ones seems to be the more urgent task.

In the field of social sciences the situation is quite different. The difference is not merely that progress in the social sciences has been small when compared to the natural sciences, or that the principles of the social sciences are not applied to advantage, as evidenced by the poverty, uneasiness and convulsions that plague many regions of the world today. The fact is that, unlike the case of sciences such as physics and chemistry, there is disagreement as to the *very nature and scope as science* of philosophy, economics, sociology and politics. Disagreements concerning specific theories are no

less notorious. Under these circumstances, what is important is to reexamine and reformulate theories and principles rather than train technicians in their application, *for it is the validity of the principles themselves that is in question.*

For this reason, and by way of example, the curriculum of the School of Law will emphasize the study of human rights—their nature and foundations, or philosophy—rather than the study of legislation and auxiliary sciences such as sociology. Likewise, the curriculum of the School of Economic Sciences will emphasize the study of economic theory rather than accounting and other disciplines auxiliary to economics.

Through its teachings and publications, the new University will try to critically and objectively examine the theories that have had a decisive influence on contemporary social organization. It is the University's hope that as a result of a broad, free and rigorous training its graduates will contribute to the adoption by our society of policies of collective improvement within the framework of the fundamental values of Western civilization.

Chapter II

The crisis of human reason

All education, from elementary to higher, tries to provide human beings with what they need to fully develop their constructive capacities and thereby prepare them to be able to search for their own satisfactory way of life. One of these capacities, the sum total of the rest, is the potential to live peacefully among other human beings. However, peaceful coexistence requires that we all make an effort so that reason is paramount in all aspects of human life. This means, among other things, that we all make an effort that the ideas of others be respected, since no one holds a monopoly on truth. We must also be willing to respect the rights of others—as human beings and citizens—as the only way to live in peace.

The violence of our time constitutes evidence of the decline of human reason throughout the world and, consequently, of the worldwide failure of education. As we have suggested, the rational capacity of human beings is manifest not only in their search for adequate means to certain ends.

It is also manifest in the value they assign to those ends. It is not necessary to argue that not all that a person is in a position to reach is valuable, for it would be enough to recall that from the very beginning humankind has had at its disposal adequate means to destroy itself.

Today's university must face the challenge of the universal crisis of human reason. When reason's voice is weak, everything is threatened. Liberty, peace, civilization are threatened. Indeed, the very life of man as a species is threatened.

As we have pointed out, the crisis of human reason reveals itself through violence. Violent actions, especially those that are political in nature, are motivated by specific interpretations and valuations of given social conditions; they do not spring from social conditions themselves, as some suggest. A person cannot act unless he does so on the basis of an interpretation—no matter how rudimentary—and all interpretations are in principle capable of being mistaken. To assume that a person can react automatically or instinctively (that is without the mediation of an interpretation or valuation) not only to simple physical stimuli such as rays of light and changes in temperature, but also to such complex stimuli as a whole social environment, is to make an evidently false assumption. Persons react in identical or almost identical ways to physical stimuli, but to social, political, artistic or religious conditions their reactions vary considerably.

The crisis of human reason is also revealed in the rejection or unthinking abandonment of some of the fundamental values of Western civilization, such as peace, the infinite value of the person, freedom and the respect for property. As sources of rights and obligations, it is these values that have made peaceful coexistence possible. Such values, contrary to what some think, have been discovered rather than invented, by persons of great wisdom. Thus, it is neither through arbitrary decisions of rulers nor the pressure of ruling groups that they have become instituted. And their validity has nothing to do with the age in which they have been discovered. For example, many features of the Greco-Christian philosophy of man and life have greater significance for our time than some of the later experiences of humanity including, undoubtedly, certain aspects of our contemporary experience.

However, just as it is not the antiquity of the classical experience that determines its validity, so it is not the contemporaneity of ours that determines its invalidity. Perhaps the contemporary experience of man and life will become "classical" for coming generations. That will depend on our achieving greater depth and scope in our understanding of humankind.

Chapter III

The university facing the crisis

How can a university face the challenge of the universal crisis of reason? We are convinced that it can do so only through serene and rigorous academic work in an environment of absolute intellectual freedom.

In most contemporary societies, the young are under pressure to become involved in collective movements of one kind or another. For this very reason it is important that they have the opportunity to discover the why and wherefore of their involvement. Youth is combative, youth is enthusiastic. However, few things can be more harmful for a social conglomerate than the alliance of belligerent enthusiasm with ignorance. If due to their nature young people are enthusiastic and idealistic, it is the job of those who once were young to guide them so that their enthusiasm may be beneficial rather than harmful to themselves and to society at large.

The endeavor to attain self-perfection is the only task under the effective control of each individual, and that necessarily benefits others. It is also the end toward which education, at any level, can contribute. Education that seeks to contribute to the search for human perfection must be an education that guarantees the free analysis and discussion of diverse ideas and values. It must be an education in which learning is fundamentally a process of self-discovery rather than the mechanical absorption of ideas or principles. In short, it must be a process that strengthens and guides the natural inclinations of men and women in their attempt to understand themselves and their surrounding world. Poor education—that is the process that does not allow the free exercise of the rational capacity of those that are to be educated—is worse than the absence of systematic education. Common sense left to itself has a better and deeper reach than common sense that has been deformed by poor educational institutions, something we see confirmed in all aspects of life.

Higher education has always fought against prejudice and ignorance and has subjected popular myths to rigorous rational analysis. Its function has been fundamentally of an intellectual nature. We believe that higher education cannot have any other function in our time. What is more, we believe it to be urgent that it have this function.

Contemporary tendencies to weigh universities down with moral and political responsibilities reveal the crisis of our time. And those tendencies, besides being erroneous in principle (as will be pointed out below), jeopardize the work of the Academy, for they can easily transform classrooms from laboratories in search of truth into soap boxes for one or another polit-

ical faction. The moral responsibility of universities does not go beyond cultivating the love of the search for truth and for academic freedom.

Chapter IV

The university and politics

The contentious world we live in demands that we return to the classical or fundamental idea of a university: an institution of learning, teaching and research dedicated through its organization, orientation and function to academic excellence; one that has nothing to do with the deliberate search for solutions to the social problems of the moment.

Since this statement can so easily create misunderstanding, no sooner has it been said than it is necessary to offer some explanations. Why is it necessary to emphasize that universities, because of their nature, are beyond the deliberate search for solutions to the social problems of the moment? The belief that it is the business of universities to look for solutions to these problems necessarily leads to the idea that it is the function of universities to carry out activities that correspond to government offices, which is evident even through a superficial analysis of the phrase “solutions to social problems.”

The concept of solution does not have the same meaning within the context of social problems as it has within the context of scientific problems. Scientific problems are solved when someone presents a true description or theory. This is not so in the case of social problems. The solution to social problems requires, (besides the pertinent information) the concerted action of groups or parties and, thereby, direct or indirect participation in a political process. It is not hard to imagine that even if the universities throughout the world found solutions to the scientific aspects of the principal social problems, the world would remain underdeveloped because the required political action to solve them was lacking. For example, many believe that the science of economics long ago discovered the road that people must follow if they want to improve their lives; nevertheless, people have not traveled that road.

Therefore, if one insists that it is the direct or indirect function of universities to concern themselves with the solution of social problems, one is saying—though not explicitly—that the function of the university is political as well as academic. This idea has the most harmful consequences for academic work, some of which will be discussed below.

On the other hand, when one asserts that universities ought to worry about the solution to social problems, if all one wants to say is that they should study economic, political, legal and sociological questions that have a direct bearing on the solutions to social problems, then it is really not worth saying.

The history of higher education shows that universities have always made important contributions to social welfare; and additionally, that such contributions have never been the result of the “social sensitivity” or the concern of university people with solving the problems of their society. Such contributions have always been the result of “scientific sensitivity”—the devotion to the search for truth—as is clearly shown by the history of science. It could even be said that the social efficacy of academic work has been inversely proportional to the concern by scholars for the social conditions of the time in which they live.

It is not hard to find the reason for this. As we have suggested, the idea that it is the business of universities to worry about solving social problems necessarily involves the confusion of politics and academics. This confusion, which has been evident in most public universities in Latin America for more than half a century (and which threatens to “politicize” universities in other parts of the world), has only prevented universities from being socially efficient. By adopting political methods and criteria for selecting personnel, administration and evaluation of academic work, these universities have notoriously harmed teaching and research—precisely those university activities that are of collective benefit. The external or internal “politicization” of universities not only threatens the advance and diffusion of knowledge, it also threatens academic freedom.

As everyone knows, the political mind is basically concerned with group or party action. This type of action cannot be carried out without common criteria, whatever the nature of such criteria. Politicians engage in “dialogues” in order to make deals, to agree upon courses of action, to see to it that a certain policy is adopted. However, they are not interested in “dialogues” to understand or discover truth. Politicians assume that they know the truth; their very profession demands this. Politicians, *qua* politicians, are interested neither in science nor art. Thus “academic politician” is a contradiction in terms.

For these reasons a university that is “politicized,” externally or internally, is in danger of increasingly taking on the characteristics of a political party and losing those of a place of higher learning. This is especially true if political activity is the main source of employment and social prestige, as is often the case in Latin America.

Chapter V

The university and social service

As we have seen, if one believes it is the responsibility of universities to worry about solutions to social problems, one is naturally led to confuse the categories of politics and academics. We have already pointed out some of the implications this idea has for academic work. In addition, the idea that it is a primary or secondary function of the university to worry about solutions to social problems naturally implies the notion that universities are centers of social service—dispensaries of culture instead of centers of opportunity for individual improvement and for the training of leaders in science and culture.

The implications of conceiving universities as centers of social service are as clear and harmful as the implications of thinking that universities have political responsibilities or that they should carry out activities that belong to state offices.

Centers of social service are created to give various types of assistance—according to clearly defined criteria—indiscriminately to those who request it. On the other hand, universities (whether or not they are state institutions) are not created to serve their community—*despite the fact that they do serve the community when they efficiently perform their academic function.*

What is being denied when one asserts that universities do not exist to serve their community? One is denying that universities can both fulfill their academic function and, at the same time, respond to a will that assigns them a specific service. If we asked ourselves the reason for their being or the *what for* of their existence, we would have to answer that universities exist to transmit and search for advanced knowledge; to advance and strengthen the arts and sciences; to raise the cultural level of the community—all guided by the conviction that scientific and cultural progress result in collective benefit, as evident from the positive impact of universities on their societies and the world at large.

However, the following could be argued:

Granting it is true that, in general, universities are at the service of the arts and sciences, why can it not be equally true to assert that they exist to serve their community? Why do people search for and transmit knowledge? Is it not to benefit their community, to serve it? Is it possible to justify the existence of universities in any other way?

Those who assert that universities exist to serve the community are not really answering the question concerning the reason for the existence of universities. Instead, what they have in mind are the benefits that university work provides society as a matter of course. A moment's reflection is enough to make clear that it is only in an *indirect or derived* sense that universities exist to serve their community. Indeed, when they fulfill their function well they do serve their community.

Consider the following example:

Judicial power exists to administer justice, and we would all agree that the administration of justice benefits everyone. However, what would happen if judges believed that their function was not merely to administer justice impartially but also to “serve” the community? Would they be, by virtue of such motivation, in a better position to administer justice? What would happen if the judge *qua* judge were motivated by considerations regarding the consequences of his judicial decision for society—considerations that are foreign to the law? Is it not reasonable to think that the criteria of impartiality, universality and certainty—essential to the administration of justice—would be weakened or diluted when mixed with the criteria logically more distant and far less clear and precise? Is it not equally reasonable to think that because of this the administration of justice would suffer and, consequently, so would social well being? Justice serves society, but the judge serves justice.

The application of these considerations to the function of universities, and especially to the work of professors, seems to us clear and straight forward. Science serves society, but the university serves science.

There are also other reasons, both theoretical and practical, for holding that it is a mistake to think that universities exist to serve their community. The concept of “institutional obligation” (implicit in the idea that at least part of the mission of universities is to provide social services, and explicitly expressed in ideas about the obligations of abstract entities) originated in the attribution of obligations to personalized collectives such as *The State*, *The Church* or *The University*. These obligations, however, are primarily those of individuals.

It is evident that, strictly speaking, only individuals can have obligations. The personification of abstract entities, so common in ordinary language, can be seen in expressions such as “The State ought to try . . .,” or “The Church is concerned about . . .,” or “The University wants to make it known . . .” This is a logical mistake that ordinarily goes unnoticed because it generally does not create any confusion. In most cases it is simply a question of inexact use of language and does not generate any theoretical inferences or have any practical consequences.

On the other hand, when this type of personification provides the starting point or basis for a doctrine, it is worthwhile noting; especially since it appears that the personification of *The State* and *The Collective* lies at the ideological root of totalitarian doctrines and contemporary ideas about the obligations of society.

As we have suggested, the value of the social service rendered by universities is and has always been in direct proportion to their academic excellence and *not* to their “social sensitivity.” And it is precisely academic excellence that is placed at risk when institutions of higher education are conceived as institutions of social service.

The concepts of “service,” “redemption” or “liberation” of the people or society presuppose the existence of someone who deserves our compassion; someone from whom little ought to be asked and to whom it is necessary to give generously. Social service is, fundamentally, the fulfillment of moral obligations by the person who serves. It does not imply the fulfillment of requisites or the exercise of responsibilities by the one being served, as is the case with higher education.

If, as it seems, even the fulfillment of moral and social obligations involves some kind of selection or choice, one must not be surprised at the fact that the opportunity to receive a higher education is selective by nature. We all know that universities throughout the world differentiate between those who are capable and those who are incapable of taking advantage of the opportunity for personal improvement that higher education represents.

Consequently, if one is to accept the idea that social service is a basic function of universities rather than an indirect and derived one, then one would have to reduce the inevitable differentiation to its lowest level, offering the opportunity of university study to all who fulfill minimum requirements, such as having a high school diploma.

University work would also have to be adapted to the conditions and interests of students, instead of asking the students to satisfy the requirements of the university. The university would have to lower itself to their level instead of fixing a level at which students must aim.

It is well known that excellence in the sciences and the arts is not something everyone seeks, and that not all who seek it can attain it due to the inclinations and limitations of each individual. In order to be consistent with their orientation, those universities that are conceived fundamentally as centers of social service will have to sacrifice the ideal of academic excellence. Paradoxically, in their attempt to live up to a mistaken ideal of social service, they will thereby diminish their chances of being socially effective.

Chapter VI

Academic freedom²⁷

By academic freedom we understand the right of persons or groups of persons to teach any art or science. Thus, Universidad Francisco Marroquín has the right to decide the contents of the courses it offers in view of what it holds to be true, false, useful or irrelevant; and which can be taught within the time the students have to complete their degree requirements.

As is to be expected in any private institution, the professors to whom the University has assigned such an important task enjoy the confidence of its authorities because their academic and teaching views are similar to those of the University and the course content that they teach has its approval.

The Board of Trustees, the highest authority of the University, evaluates the faculty from time to time in order to ascertain if what the University teaches is in accordance with what the Trustees wish to offer to those who choose to enroll.

Professors are free to teach or not what the University requests. Those professors who agree to teach what the University wishes become members of the faculty.

Universidad Francisco Marroquín recognizes the academic freedom of any faculty member to teach what is contrary to the University's philosophy or its policies, as long as this is done elsewhere and under someone else's auspices. Consequently, only those professors who choose to teach what the University requires of them become and remain members of its faculty.

²⁷ Chapter VI was approved on May 5, 1978 by the original members of the Sponsoring Committee, which had become the Board of Trustees. That such a chapter on academic freedom should be included in the Philosophy statement had been agreed upon by the Sponsoring Committee on the same date that it approved the original five chapters.

APPENDIX VI

INAUGURAL ADDRESS BY MANUEL F. AYAU AT THE OPENING OF UNIVERSIDAD FRANCISCO MARROQUÍN ON JANUARY 15, 1972

We begin today the realization of a dream, long cherished and enriched by each of the founders of Universidad Francisco Marroquín. Some have generously donated part of their assets; others have sacrificed time from their vital activities; and others have given the University the form and structure necessary to bring about its birth. All have strengthened the dream with their faith in the youth and the future of our country. To all of them, our profound gratitude.

I would like to focus on the relationships between the institutions and the ideologies of those who direct them, but first I would make some general observations.

It is an accepted fact that a person does not knowingly deceive himself. He attempts to use pure reason to avoid the contamination of prejudice. He knows that prejudice leads a person to adopt the wrong means, and that the wrong means cannot lead to the right ends.

No one has a monopoly on truth. Men and women of good will who are working not only for their own benefit or for rewards in an afterlife, but also for the welfare of humankind, have many differences of opinion, due not to ill will but to sincere disagreement over complex ideas. Such differences are constructive so long as they do not degenerate into violent intransigence. They afford us the opportunity to analyze our own convictions. Unless you understand the argument of the person who disagrees with you better than he does, you cannot be sure that you are right. Of course those who argue with people of ill will waste their time. But those who refuse to argue with people of good will forgo an opportunity to develop their intellect.

In the history of humankind, freedom of belief has been defended with life itself, innumerable times. This is ample proof of the value that human beings have always placed on freedom of conscience, thought and expression.

Peace becomes impossible to obtain when someone tries to impose common beliefs on all. It is sometimes said that the differences of opinion are in themselves the cause of conflict and must be eliminated, by force if necessary, in order to preserve peace. I believe that the reverse is true. Conflicts occur where diversity of ideas is not tolerated because, as an illustrious Mexican statesman said, peace is achieved through respecting other people's rights.

Certain ideological positions are mutually exclusive, such as socialism and liberal democracy. Nevertheless, both positions are defended by men and women of goodwill. These differences of opinion among people will necessarily be reflected in the character of the institutions that these people create.

Many institutions, such as universities, are directed by persons who, rightly or wrongly, believe in the validity of their convictions. Should they come to realize that it is some other theory that is valid, and if they are intellectually honest, they will change their opinions and once again find themselves in the position of defending as valid those opinions they thereafter hold as true.

Because every institutional hierarchy will judge new members according to the beliefs considered valid by those called upon to do the judging, it is only natural that in institutions there prevails community of beliefs based on fundamental values. The converse situation would be as incongruous as a religious institution directed by atheists, or a socialist institution by liberals (believers in liberty). In either case, the authorities would consider unqualified those persons who did not share the convictions "of the institution."

We, the founders of the Universidad Francisco Marroquín, hold as valid certain convictions; although some of them are shared with us by directors of other universities, we have considered it necessary to found another. We believe that there should exist an opportunity for pursuing academic excellence different from those already in existence; an opportunity that differs regarding the philosophy of social order and the type of professional training conducive to the peaceful progress of civilizations.

Many of these ideas have already been published in the *Philosophy Statement* of the University; however, on this occasion, as president I must be very frank about those convictions I personally hold. This personal declaration is of interest for two reasons. First, because of the reasons I mentioned earlier, it is inevitable that the hierarchy of this University will be influenced by these convictions and, as a consequence, in some measure will serve to

anticipate the character of the University. The second reason is that since I have been honored with the responsibilities of this office, such delegation implies that the founders have made their choice taking these convictions into account, which even if not shared by each and all with perfect uniformity do reflect the spirit in which the University has been created, a spirit that must be made known to all of those who participate as donors, professors, administrators and students.

We firmly believe in the capacity of imperfect human beings to be better able to realize their destiny when free and not when compelled by the collective entity personified by the state.

We believe in individual rights. Freedom and property must always be respected, not only because they are innate to the human being, but also because of their utilitarian value to society. We do not think, therefore, that there exists any conflict between individual rights and social interest, such as could exist between individual interest and general interest.

We believe that truth or justice cannot be discovered by counting votes. We believe in democracy, but we also hold that, whereas the suffrage is an adequate method of determining the wishes of the majority and of deciding on matters of procedure, it is not the way to discover truth or justice.

We believe in the rule of law and not of persons or groups of persons, be they a minority or a majority. We believe in lawful government based on abstract general rules of just conduct that do not discriminate because of race, religion or economic position and that allow people to plan their lives in the certainty that results of their acts, when within the law, will be respected.

We believe that the spontaneous order that arises when persons act freely and peacefully to achieve their common material and spiritual ends is far superior to a designed social order imposed deliberately—a type of organization proper only to a business, a government or an army.

We believe that only responsible persons create prosperous and peaceful civilizations and that where there is no freedom, responsibility does not flourish.

We believe that there exists only one justice; that justice which gives to each his own. And we believe that any attempt to qualify justice tends to cause conflicts and to destroy justice itself.

We believe that a pluralistic and democratic society will always offer the greatest opportunity for progress and peace. In such a society the only possible means to gain acceptance of an idea is through persuasion and not coercion, through respect and not through violence. In such a society, precisely because people are free, diverse and multiple, experimentation has ample room to supplement the lack of human omniscience.

We are on the threshold of a difficult and important task. The youth of our country, like the youth all over the world, is anxious for improvement.

Guatemala has a long history of university education. Ever since the time when the illustrious Bishop Francisco Marroquín founded the college of Santo Tomás, the study of science and the arts has had a home in our land. Each new institution of higher education must feel duty bound to preserve and strengthen this long academic tradition.

May God help us and show us the road to the truth.

APPENDIX VII

HIGH COUNCIL OF UNIVERSIDAD DE SAN CARLOS DE GUATEMALA

Minutes No. 1077, Point Five

Transcription of the recording of the meeting in which the High Council questions Manuel Ayau on the goals of the proposed Universidad Francisco Marroquín.

Condensed version supplied by Universidad de San Carlos and translated into English.

FIFTH: Audience granted to the Members of the UFM (Universidad Francisco Marroquín) Sponsoring Committee. The President of USAC (Universidad de San Carlos de Guatemala) indicated to the Council that in accordance with the decision of the Council during its last meeting, they would proceed to receive, in special audience, the members of the UFM Sponsoring Committee: Félix **Montes** Córdoba, Manuel **Ayau** Córdón, Roberto **Sánchez** Lazo and Leonel Samayoa. Before granting the audience, the President of USAC requested that Augusto Cazali, USAC Representative before the Council of Private Higher Education [Consejo de la Enseñanza Privada Superior], explain the current status of the request to found Universidad Francisco Marroquín, which he proceeded to do.

Manuel Ayau: Respected Council members: I would first like to thank you for receiving us so that we may inform you. It has been our wish to have the opportunity to present to you in person the vision and objectives of the UFM Sponsoring Committee.

For several years, in our desire to cooperate with educational efforts at the university level, our group has considered establishing a university, and precisely one year ago we formed this Sponsoring Committee. It is our wish to cooperate with the effort made by our country to achieve higher education. We expect this to be an effort involving both assets and time that we will employ to further a cause universally recognized as constructive and highly valuable to society. We understand and respect the con-

cerns of USAC, which on principal and by tradition sets the standards for higher education in Guatemala so as to avoid the proliferation of universities that might lack the necessary academic level.

The university we hope to found will initially have schools of Law, Humanities and Economics. We have seen a great desire among our fellow citizens to study these academic disciplines and to dedicate their lives to these disciplines. Proof of this is that almost 50% of those entering private universities and USAC, almost 50% enroll in these fields. In the future, we intend to increase our participation in higher education by opening other schools. This will depend on whether with time we see demand, as such, for academic disciplines that the country needs.

The university will receive students without economic, ideological or religious discrimination. It will be a secular university. We intend to grant scholarships to all students who wish to enter the university and lack the necessary economic resources. Some differences exist with the study plans presently offered by other universities. We look to offer the completion of academic disciplines in less time; in other words, we will require more class and study hours during the year to complete the curriculae in a shorter period.

We also intend to establish a common general studies department for these three schools. Given that the three academic disciplines are interrelated at the introductory level and due to teaching and administrative organization, we believe it appropriate to delay specialization until students have had a chance to become familiar with the disciplines they might study.

When I finish my presentation, I request that you ask me, in all confidence, any questions or for more information that you consider necessary.

But before that, I want to comment on criticisms we have heard about via the press regarding the focus that we have given this university.

One criticism is that instead of beginning with the three abovementioned schools, that it might be more appropriate to establish other schools.

We chose these schools, first, because as I mentioned earlier, a greater number of people are interested in studying these disciplines and acquiring the cultural knowledge they offer. We also believe that to start a university with technical academic disciplines that require very high expenditures for laboratories would not be prudent; this we will consider in the future as the University develops.

It has been said that by creating these schools we will encourage the existence of more lawyers, humanists and economists; indeed, it is said that there are enough of them already.

We believe that by providing another alternative as to where to study these disciplines will not increase the number of those who want to study them: rather simply increase the number of opportunities available.

It is said that it will be an elitist university based on class. In no way will this be the case; the only requirements to study in this University will be academic, as in all private universities. At USAC, fulfillment of certain academic requirements is also necessary for enrollment, and logically it should be so, since otherwise the academic level would be very low.

As I mentioned, a person's economic situation will not be a barrier for any student who wishes to enroll and study. We anticipate that half of the students will be granted complete scholarships or that, on average, all will be given half scholarships.

In the public debate elicited by the founding of this University, mention had been made of problems that in reality are not. They must certainly be opinions in the sense that perhaps it would be better to do things differently, because it cannot be that anyone might think it inadvisable to create a new opportunity where young people might acquire university level knowledge.

Education at Universidad Francisco Marroquín will be under the direction of an Academic Council presided by the Academic Vice-President and the deans of the different schools.

A Board of Directors will include the President and the Academic Vice-President, who directs the Academic Council, a Treasurer, a Secretary and five board members. The UFM Sponsoring Committee plans to continue functioning as the Board of Trustees to guarantee the financial solvency of the university. This board will be made up of members of the UFM Sponsoring Committee, since we consider them to be interested in helping with higher education and capable of raising funds from the private sector.

We consider this to be contribution to culture on the part of the private sector of the country.

We do not want this university to be a fiscal burden, and it will not be so by virtue of being private. It will contribute to higher education and will aid the task that falls to USAC, by providing higher education. We hope that once operating, we will work closely together and that there will also be a bit of rivalry which stimulates everyone to improve.

So that we may provide additional information, it would be best if, in all confidence, you take advantage of this occasion to ask any questions so that we may address any doubts you may have directly.

USAC President Rafael Cuevas: The members of the Council have the floor to ask questions of the UFM Sponsoring Committee members.

[Dr.] Roberto Valdeavellano: I would like to ask the UFM Sponsoring Committee whether they have considered the possibility of creating schools that are of a greater priority, that are more necessary, such as a School of Health Sciences. This takes into consideration that the majority of students who will enroll in UFM's three schools will do so because these are the only schools at the present time to offer financial aid that will permit them to pursue higher education within their financial restraints. The number of students enrolled in these schools would not be an expression of true vocation for a specific academic discipline but rather a chance to obtain a higher education within their economic constraints. And on the other hand there are other schools and areas of study that have greater priority such as the area of Health Sciences. I would like you to inform us as to whether this possibility has been considered.

Manuel Ayau: Yes, we have considered this as a desirable possibility for the future. We do not consider ourselves capable to pass judgment on someone's wishes to further their education by studying Law, Economics or the Humanities. The fact is that the desire of students to study these disciplines is manifest in their enrollment in such schools. Our only intention is to offer another opportunity to those who have decided to study the previously mentioned disciplines. Currently we do not have the capacity to undertake an enterprise of such magnitude: we hope to be able to do so in the future.

USAC President: One of the requirements under the Law on Private Universities for the authorization of new universities is to ensure that they are adapted to the needs of the country. I would like to know if the academic disciplines you have planned are those most called for given our national reality, as well as what scientific methods were used to establish these needs.

Manuel Ayau: The Law on Private Universities indeed mentions that the needs of the country are to be taken into account and we consider humanistic and social education to be certainly necessary for our country. We believe that the nation will be well served if more persons become cultured within the academic and social disciplines we intend to establish. Since the law refers to advisability, advisability versus inadvisability should be considered first.

If the founding of these three schools by people who are willing to contribute assets and time were inadvisable, then I believe this request should be denied. On the other hand, if we consider higher education advisable, and a group of persons exits willing to work to make it more accessible for all citizens, we certainly consider this advisable, although there may be differences in criteria. If it is advisable, though not as advisable as another alternative—which is to say if there are degrees of advisability—such considerations are very subjective and many opinions exist. What one hopes will exist in the country in the future is based on personal perception. We are not pre-judging what students want to study. We are simply basing ourselves on the fact that a majority of students wish to study these disciplines, a fact proved by school statistics. Thus it is advisable to increase the number of opportunities to study them.

Alfonso Bauer: You have told this Council more or less, that all of the students will have a half-scholarship and that income will come, in good measure, from contributions. My question is the following: What is the relative representation of the donations and tuition in the operation of the university? And as a corollary, would it be possible to obtain a list of the University's donors?

Manuel Ayau: Thank you very much. As I said before, we expect that the proportion of scholarships will be 50% of the tuition fees. We do not have exact information regarding the relative representation of the donors. There is a Board of Trustees made up of fifteen members, who, obviously are not going to maintain the University; their job is to obtain donations from persons who wish to help.

Teachers will be under the direction of the Academic Council, made up of the Academic Vice-President, school deans and non voting department directors.

Donors will not have any influence over academic studies. These will be defined by the Academic Council.

With regard to the donor list, currently we have promises from donors and some conditional donations because it is hard to get donations for a university that has not yet been founded. Thus we cannot provide a list of donors as, at this point, we only have promises.

Bernardo Lemus: With regard to the initial questions regarding the need to create these academic disciplines or others, I would like zero in on the question. Has any study been made as to the need for and development of human resources, the fostering of human resources for the nation's development; have any studies objectively demonstrated that what you propose

is advisable or not? It is not a matter of simply stating that it is advisable or not, rather it is a question of the advisability or inadvisability of investing resources in these services which are already being offered; or would it be better, or much more useful, if it were in other areas that are not being adequately attended to.

Manuel Ayau: We do not know of any studies that define the true needs of the nation in the sense that you indicate. In most cases, we are following USAC's lead. However if, for example, USAC were to establish a limit on the number of students that could study law because in its opinion no more attorneys are needed, we are not going follow by announcing to our law students that we will now offer them engineering instead because we believe this to be more useful to the nation. But this is not the case. USAC accepts all students who meet the entry requirements of the school to which they have applied.

I do not know of any studies or universities where such a criterion is used. What's more, so far as I know of no one who has proposed that such criterion be applied; that instead of providing people with the academic discipline they choose, they must study what some authority has determined is most convenient for the country. We would consider it presumptuous to assume that we can determine what is most advisable for the country. Our contribution with reference to the choice of academic disciplines is to simply offer Guatemalan youth one more option to those that already exist.

Aquiles Linares: I understand from your second clarification that one of the main reasons for deciding to create these three schools, Law, Humanities and Economics and not Health Sciences, is the high cost of the laboratories. What strikes me is that this was not precisely a situation of advisability or inadvisability but a matter of funding.

Manuel Ayau: During the founding of a university, all aspects need to be considered. The financial aspect is very important. Academic expenses must be covered and we feel it would not be prudent on our part to begin the University with academic disciplines that entail the high cost of laboratories and other additional expenses. We need to solidify our position, begin to operate and grow in order to undertake larger projects.

Enrique Campang: Will the Board of Directors, composed of the President, Treasurer, Secretary and five board members, include student representatives?

Manuel Ayau: No it will not.

Jaime Pineda: I would like to know how the teaching cycle is organized and its approximate cost.

Manuel Ayau: It is organized into quarters. Each has three vacation periods of one month. The registration fee is Q.600.00 a year.

Jaime Pineda: Do you think this teaching cycle is suitable for the students? Why did you decide in favor of a cycle different from the one used by USAC? How did you make this decision?

Manuel Ayau: The UFM Sponsoring Committee is following same path as USAC. From the standpoint of quantity and quality, we think that USAC is offering the chance to acquire a higher level of education that is suitable and adequate for this country. We believe that it does so in the manner appropriate to a state university, wide and open, so everyone has an opportunity, and we agree with how USAC is doing it. By establishing different curriculae and ways of operating in no way means that we disagree with or consider procedures at USAC to be inadequate. But this does not mean that the supply of academic disciplines cannot be intensified for students who want to study them. I don't know if this answers your question.

We feel that USAC is doing an adequate job, done well for the good of the country, and we too want to contribute to the development of our country by providing an advantageous opportunity to those who wish to enroll in our University.

Jaime Pineda: Among the programs proposed by UFM, have you considered the advisability of establishing programs in the disciplines of shorter duration that the country needs?

Manuel Ayau: For the moment, we look to begin the university with three schools. We are open to reform our plan of action continually and to adjust it along the way to wishes that citizens may manifest because, as I mentioned earlier, we do not intend to place ourselves in the role of deciding what people should study, rather simply to provide greater options so that they may fulfill the goals they have chosen for their cultural life.

Rafael Piedrasanta: Mr. Ayau was kind enough to visit the School of Economics [USAC]. On that occasion the Secretary and I received him and he explained to us how the members of the UFM Sponsoring Committee had come to decide on starting the areas of the social sciences that he has indicated. At the time, Mr. Ayau gave us a different explanation and without looking to provoke an argument, as this is not our purpose, I would like him to explain what he may not have told us. I remind Mr. Ayau of our conversation at the School of Economics: "We have been publicly criticized because we have not begun with teaching other sciences such as Medicine, Agriculture, Veterinary Medicine, etc." Mr. Ayau told us that he replied to this criticism by asking the person: "If you think this country

needs these academic disciplines, why don't you start such a university yourself? As someone who enjoys the study of Economics and Law, I have decided to organize UFM with these disciplines. You can start one with those you consider most suitable.

I remind Mr. Ayau of this, and undoubtedly his memory is refreshed; however, he did not mention this explanation today.

Manuel Ayau: I remember our joking conversation perfectly, which was within the spirit confidence that we have with certain members of the School of Economics, including the Dean. And I remember having replied in such a manner as to why we began the university with these three schools. An indeed, although personally true for me, it is not true for all members of the UFM Sponsoring Committee. Some have insisted on starting other schools as soon as possible. These three schools have priority; however, we do not think we should start the University complete with all schools. Because of my preference for these sciences, it has been personally satisfying to start the University with these schools. But this is strictly a personal opinion, and at the time we were all joking.

USAC President: The some of the documents you have provided it says that students will be prohibited from taking part in political activities.

Manuel Ayau: The law stipulates that private universities are prohibited from participating in politics as students or as university representatives, and they could not do so with breaking the law. We do not consider it advisable for a student to participate in politics within a university if it is a private institution. We do not forbid students from participating in politics as much as they wish, but not within the university. It would be improper within a religious congregation as well as within a corporation; we consider that within a private institution of learning such activities should be prohibited to the students within their role as students. We do not intend to restrain their rights as citizens and they may participate in politics outside the university. In terms of politics, we will of course have classes in Political Science, as academic science and not by way of participation in partisan politics of the moment.

Arturo Matute: We ask for your patience before the very many questions we put to you, which only demonstrate the interest the USAC High Council has with regard to this matter of great importance for everyone. We have read in the press and in statements made by Mr. Ayau that UFM students must be full-time students, that is to say that they will dedicate themselves exclusively to their studies: that they will not be able to work. At the same time, it is my understanding that the scholarships offered by the new university only cover fees and do not include stipends for living expenses for

the students. Did the Sponsoring Committee consider that this is economic discrimination, because students who need to support themselves or their family will be unable to enter this university?

Manuel Ayau: First, let me say that all of your questions are welcome and that we hope that all doubts you may have come to light, since in many cases the press distorts concepts. With regard to your mention of our policy on scholarships and full-time students, the class schedule we plan to use initially runs from seven in the morning till noon and is similar to the schedules followed in schools such as Engineering and Medicine, as well as others that require even more of a student's time, even here at USAC. What I want to say is that we are not establishing an unusual schedule. Of course, students able to work during the remainder of the day and also keep up with their academic requirements are free to do so, since the schedule is not full time. In fact, we have even been considering changing the timetable given the single shift prevalent in certain public offices, so that students who need to work can do so in the mornings. In addition, the fact that students will complete their studies two years faster than usual will allow them to postpone family commitments to a degree, because they do have to face such a long wait to receive their degree; it may give them the chance to finish their studies before committing to family obligations. Of course, this will not be the case for everyone, and the most we can do is to offer a student the opportunity of a free education. It would be difficult for an entity supported by private donations to provide family expense subsidies to those with limited economic resources. We consider it to be beyond our capacity to capture such resources. Those in such dire economic straits could not be helped by the University. We can help those who are able to dedicate time to study. We are giving an additional opportunity to those who can take advantage of it. Certainly, the fact that someone does not have the necessary resources to not work does not constitute discrimination on our part. This is a sad reality, and given the economic position of the University, a stipend for family expenses is beyond our reach.

Enrique Campang: You have said that you will establish three schools. Will these schools be divided into departments or specialized schools?

Manuel Ayau: Initially the only school that will have divisions is the School of Economics, with two departments: Business Administration and pure Economic Science. For the moment, the School of Law will not have any specialization that merits organization by departments. We have considered this as a possibility for the future. And remember that since this is the beginning of a university it will lack things we expect to have in the future.

Enrique Campang: I am concerned as to whether the results will produce sociologists, social theorists or jurists.

Manuel Ayau: Our intention is the following: We do not believe that we should prepare sociologists within the School of Law. Rather we should prepare persons with a profound knowledge of the fundamental principles of law. Our greatest concern is law, and we are going to emphasize legal theory more than other aspects of law. Of course, we have to give sufficient courses on positive law and the practice of law. But yes, there will be more emphasis on legal theory.

Enrique Campang: With regard to the School of Humanities, will the students of humanities study the fields of literature or psychology or will it be a wide-ranging education?

Manuel Ayau: So far, there is only one curriculum for the School of Humanities and it is a very general one.

Hugo Rolando Melgar: Three words of introduction: It has been proposed that the creation of the three new schools of Law, Economics and Humanities is not inadvisable for the country. On the other hand, I understand the creation of a learning center not to be a profitable business; on the contrary it entails significant investment, whatever academic disciplines it offers; and if, as you suggest, it proposed to provide a 50% scholarship system, we would think that income from student fees would be significantly lacking.

Based on the above proportions, it seems to me that since the creation of new schools as planned by UFM is not the most desirable alternative in order of priorities; and also that the creation of a university is not a good business enterprise in that it will not produce profits, and considering that all or most of the members of the UFM Sponsoring Committee are USAC graduates, did you or might you consider, as a good alternative and one that would be in the best interest of the nation, using the funds obtained from donations at USAC in order to raise the level of studies within the academic disciplines that you intend to create at Universidad Francisco Marroquín?

Manuel Ayau: I made certain comments regarding the advisability or the degree of inadvisability, accepting that those with criteria differing from ours and specifically from mine, might consider the creation of other academic disciplines to be more advisable. My personal opinion is that humanistic and social disciplines are of high priority and advisable for the country. They are not necessarily disciplines that teach a skill or a means to earn a living, but they do provide culture, which we acquire in a univer-

sity in order to be a better citizen and carry out our activities as best one can. A humanist may not necessarily have learned a trade needed by the country; an economist could apply himself to economics as well as to many other things; and the knowledge he has acquired will be of value to him and, thus, better his understanding of the problems that the nation faces. This is why we have given priority to these academic disciplines, as well as because of the economic factors already mentioned. Clearly, a university is not a business enterprise and those wishing to help have contributed to us because they believe that the creation of different and additional opportunities is good for the country. Due to the imperfection of human knowledge, no one can be absolutely certain that things should be done differently. The opportunity to do things in different ways increases the chance of getting closer to the truth. We believe there should be more universities and these persons agree with our position. It is not just about increasing the existing facilities, rather it is about increasing the number of different opportunities, as is the case in many countries. Judge for yourself the number of universities in Mexico, in the United States, in Europe. We believe a large number of opportunities for students to be good for the country, and this is one of the reasons people are willing to cooperate with our University.

Bernardo Lemus: With regard to the number of students to be admitted to the university: Will a minimum number of admissions be established?

Manuel Ayau: At the start, we propose to have one hundred students. Once operating and after evaluating possible contributions for more scholarships, we can expand admissions to the degree we are able to serve them. We do not wish to establish a university too large, because it would be beyond the financial capacity of possible contributors, which are scarce in our community.

Bernardo Lemus: This is the last question: What type of a relationship do you intend to have with USAC in the future?

Manuel Ayau: We consider that USAC, as the governing body of education, should serve as a guidepost; that we should be in close contact, and that we should, on occasion, carry out joint programs and exchanges. This should not only be with USAC but also with other private universities in Central America and outside the region. It is our wish to have a close collaborative relationship.

Alfonso Bauer: From Mr. Ayau's explanations, we can deduce that the UFM Sponsoring Committee considers USAC graduates to be satisfactory for the task at hand and that the faculty will be Guatemalans, which in essence means that they will come from USAC, and that it is their desire to be in close contact with USAC. I also understand that the members of the

UFM Sponsoring Committee are USAC graduates. I wonder if, given that USAC has lacked—for reasons we need not analyze here—graduates who promote it as the members of the UFM Sponsoring Committee are doing, if whether they have considered the possibility of dedicating their patriotic efforts towards encouraging those in private sector who are distanced from USAC, so that through their contributions they might achieve the same goals by supporting an area that USAC does not have? In other words, instead of promoting another university why don't they contribute their efforts to cover the areas of health sciences or technical skills needed for economic development? This is a very personal question. I don't know what the other Council members think but I would like to see the dedication and effort you are receiving from important groups within the private sector be used to exalt our Alma Mater.

Manuel Ayau: Of course, we do contribute to the support of our Alma Mater, as do all citizens when they pay their taxes, some of which will go to support the university. As citizens, we understand and accept that we have this obligation. As I mentioned previously, we believe that having different centers of learning—not just two or three but more—is very important for the nation, because we seek the improvement of all who are involved in teaching and of the educational activities that they carry out. We believe that the existence of different educational centers is important to create a certain degree of rivalry and competitiveness. We feel that competition is very healthy as stimulus for all and an incentive for constant improvement. As a member of the private sector, I consider competition to be very healthy; it is one of the reasons people try to improve themselves. We believe that the more universities that exist with the necessary requirements, the better. This is a motivating factor for us to create another one.

Humberto Salazar: I am going to ask Mr. Ayau to clear up matters about two slightly different aspects.

The first refers to the establishment and granting of scholarships. From his own words, we understand that in Universidad Francisco Marroquín, students without resources will not find a place, given the characteristics of the study programs in that university. On the other hand, students with strong economic resources will find a place. I am attacked by a doubt. What, then, is the point of granting scholarships? In my opinion, a scholarship system operating under such conditions is completely distorted in terms of the goals that this type of system is supposed pursue. In addition, from his statements we also understand that the new university will be financed with donations from the private sector. We have heard rumors—I admit they may be only rumors—that you are seeking state funding, especially through foreign loans. I would like this clarified, together with an

explanation of the UFM Sponsoring Committee criteria with regard to this issue.

Manuel Ayau: In response to the last point you mention, in no way do we intend to request funds from the government. We believe that a private university should not do so. What this is about is people donating funds and effort in order that they may contribute to our nation's culture. We consider it our obligation, and it should be thus, to support a state university; but a private university should remain private. It should not be a burden on the state, and precisely one of the reasons that the founding of this university is advisable. Given that the expansion of education and culture is in the interest of the state, and if citizens are willing to accept part of that burden, then their efforts should be welcomed and encouraged. With regard to foreign funds, it is the unanimous opinion of the UFM Sponsoring Committee that no loans will be requested unless we have previously secured a source of income to repay the loan.

Regarding donations from abroad, we have them in mind, and we have had conversations in Germany and with members of certain universities to get support through donations from England and the United States. If we can get people to help fund the university through donations, we welcome their contribution to the education of Guatemala.

With respect to the advisability of the scholarships, in Guatemala, opportunities offered by USAC are in place for those who cannot afford not to work. This does not mean that an additional opportunity comes at its expense, cost or that it is inadvisable. As I mentioned previously, I do not think it feasible to provide family subsidies to low income persons in addition to a free education. All we can do is give free education to low income persons.

José Angel Lee: I would like to ask the UFM Sponsoring Committee two or three questions as how they perceive the coordination that should exist among the private universities themselves and with USAC. On several occasions the newspaper *Prensa Libre* quotes the Secretary General of the Federation of Private Universities of Central America as saying that coordination among universities and the integration of plans should be encouraged in order to avoid duplication of efforts. My opinion is that efforts in this country are being wasted. My question is: What opinion does the UFM Sponsoring Committee have with regard to this policy of the Federation of Private Universities of Central America?

Manuel Ayau: I cannot express the opinion of the UFM Sponsoring Committee because we have not discussed the statements made by the Secretary General of the Federation of Private Universities of Central

America. I can only explain my personal opinion in the sense that I do agree in that cooperation is necessary.

Nonetheless, I do not consider the fact that there are two schools of engineering in Central America to be a duplication of efforts. I consider it supplementary and complimentary to current efforts. I also think that the existence of different centers of learning serves to stimulate everyone to improve.

José Angel Lee: With regard to the pedagogical tendency toward the flexibilization of university studies—through flexible curriculae and student organizations, which undoubtedly help forge university students, not only in the humanistic sense but also as humanitarians, because student associations also fulfill a role in social relations—I would like to know if the UFM Sponsoring Committee has considered the possibility that the schools to be established offer flexible curriculae, as in the case in some entities that allow for humanitarian, humanistic and social the development, as well as sports activities?

Manuel Ayau: Of course, this type of student activity will not only be permitted, it certainly will be encouraged. We think this is very important and we plan to dedicate Saturdays to activities organized or led by the students, who will also have a representative on the board of the General Studies program and in the Academic Council. They will have representation in the Academic Council, although not on the Board of Directors.

With regard to teaching orientation, there has been criticism given that some members of the UFM Sponsoring Committee are also members of the Center for Economic and Social Studies [Centro de Estudios Económico-Sociales / CEES], where we have expressed our opinions in defense of freedom of the press, of democracy, and of the economic and social regime that the nation needs. Some articles have appeared suggesting that instruction may be dogmatically directed.

We believe that a country needs freedom of expression; that differences of opinion are healthy; even when held by minorities. That the rights of minorities should be respected and protected. To address the criticism mentioned in the press: in the University, a particular point of view will not be defended as it is by the Center for Economic and Social Studies.

The University should have academic freedom. It should provide all points of view and theories, and they should be presented by persons who believe in them and not by those who criticize them. As is well known, I am an adversary to socialism personally and not just as a member of the UFM Sponsoring Committee.

Nevertheless, we consider socialism to be a very important ideological tendency that has had influence throughout the world and that everyone should learn about it from someone who defends it and not from someone who criticizes it. It would be dishonest on our part to present a partial perspective to the students.

José Angel Lee: Thank you for those words. It worries me that in all private universities, the student is limited in many ways and influenced by pressure groups. Student tends to accept that all private education is by definition limited and produces a group consciousness that prevents the individual from developing a social consciousness. I do not know if the UFM Sponsoring Committee intends to permit students the freedom to organize and explore their own activities. I am not suggesting that they take part in party politics but that they should have the freedom to observe. This is just a comment. This concept of forming three schools that are by definition problematic within the national framework—I mention this because the technical disciplines foster a degree of social consciousness on the part of the students—and which, given the need for national development, are not precisely of the highest priority, gives us to reflect that at the university we have had problems with humanists, because the market for in this field is very limited as is the market for economists. Members of the private sector may think differently. Lawyers may also disagree. Have you any studies or opinions regarding the market for graduated professionals, or do you think that only a few very learned persons will graduate?

Manuel Ayau: With regard to student activities: the students should organize different groups for debate. The only prohibition is participation in party politics. If they want to hold elections for a president I do not consider that to be party politics. What we do not want is political campaigning. All other activities will be encouraged. We want different activities to exist.

We do not believe that the existence of different options from which people may choose will increase the number of those who study them. Many students enroll in the Humanities to be able to study, improve and acquire general knowledge. Under these circumstances, I do not think it is inadvisable for the country. To wit, I do not believe that if more drugstores were established, there would be more sick people. Likewise, more schools of Humanities do not mean that there will be more humanists. The decision to study a certain profession is personal and, in fact, people are already deciding what they are going to do with their life, and we do not believe we should interfere.

USAC President: Mr. Lee is reminded that this is to request information only.

José Angel Lee: What considerations have been made regarding the labor market for the disciplines you intend to establish?

Manuel Ayau: We have seen an increase in students who want to study these academic disciplines; this is confirmed by the current USAC student population and by information provided by other universities; and by the fact that students want to acquire higher education in these branches of knowledge.

José Angel Lee: I want to clarify that my question was about graduates. In what part of the country are the lawyers who graduate going to work? As Mr. Pineda was saying, a tendency is already in place for students to seek these academic disciplines because they offer financial aid. Technical academic disciplines are more difficult and it would be laudable for this aid to be offered for academic disciplines not available at USAC or for which there are insufficient opportunities. If such were the case, they would truly be contributing to higher education. General knowledge is not exclusive to the social disciplines. In many cases, engineers offer better solutions to national problems than persons who have studied social disciplines.

Alfonso Bauer: My apologies to Mr. Lee, but he is leading this conversation into a discussion that isn't the subject of this meeting. Our intention here is to ask specific questions.

USAC President: I request Mr. Lee to please limit his participation to asking questions.

Jaime Pineda: I am not sure I completely understood the matter of financing. All we have been told is that there is a contribution of approximately Q.50,000 [US\$50,000] and even Mr. Ayau said that he could not anticipate who would be contributing funds five years from now. This does not match the deed of incorporation where it states an initial capital of Q.100,000. If I am correct, he also said that this capital could shortly increase tenfold to one million quetzales. Thus, my question is how will this be accomplished and if the one million quetzales are related in any way to the million quetzales offered by EXMIBAL for higher education?

Manuel Ayau: We cannot anticipate future donors, but we trust that the funds will continue to flow as they happened in the case of other social projects we have worked through such organizations as the Cancer Society, the Penny Foundation and the Red Cross. Until the University is officially established, very few persons will be willing to commit funds, but they

have expressed their desire to cooperate and we trust that we will have no problems in that area.

In fact, we already have some donations in hand, as well as a piece of land worth approximately Q.130,000 [US\$130,000]. We have suspended fund raising until the matter of the authorization of the University is resolved. As I mentioned previously, in our statutes we anticipate the establishment of an endowment for the university estimated at Q.2.5 million. We think these funds will cover five to six years. Meanwhile, donations will increase the fund. In other words, we expect that we will not need to seek annual donations from private persons for six to ten years. We have no donations or promise of donations from EXMIBAL. We know that they want to help education in Guatemala and after consulting the manager about this possibility, his answer was that they do intend make a substantial contribution to higher education in our country but that this would be given in direct proportion to the size of the university. Thus, they would help USAC more, and if our university is small, what we might receive will be very little.

René Castañeda: This is in relation to the academic schedule and how many students can enroll. Undoubtedly the schedule will be a burden, and even some with the desire and the ability will not be able to attend. Has the possibility of solving the problem been looked at with the idea of providing some flexibility with regard to compliance? Have you studied the possibility of setting minimum loads or maximum loads?

Manuel Ayau: I think this is an excellent suggestion. In fact some members of the UFM Sponsoring Committee had already suggested this. At this point in the process, we have not modified any part of the original proposal, but given the implicit suggestion that has come up here today, we will take note and, in my opinion, it is a suggestion we should accept.

Jaime Pineda: Has the UFM Sponsoring Committee considered the possibility of applying for the IDB loan designed for private universities?

Manuel Ayau: The UFM Sponsoring Committee has not considered the possibility. As I said, our goal is to not borrow money except when the loan itself generates sources of repayment, which is uncommon for universities. It is difficult to borrow money for a building that will generate its own means of repayment. In general, borrowing money is not part of the UFM Sponsoring Committee policy. Specifically the case of IDB was not considered because of the conditions stipulated for buildings, operations and laboratories.

Jaime Pineda: [Reads Article 8 of the UFM Statutes.]

Manuel Ayau: With regard to the expense budget, we anticipate that during the first year income will total Q.76,000, considering that we will only have first-year students. This doesn't take into account other offers.

One has to take into account that the university has not yet been authorized. As I mentioned previously, based on the poll we did of possible donors, we trust that we will have no problem.

Mr. Viteri notified me that the Council of Private Higher Education has ruled that we have met the terms of the legal requirements regarding financial resources to establish a university. Organizationally the three schools share the Department of General Studies for which we have ample resources to cover our expenses for the first year.

Jaime Pineda: Finally, you stated that you consider addressing national problems through research programs. How, for example, would UFM approach taxing land ownership? I am worried as to how the university might focus on this problem in its teaching of the social sciences.

With regard to university extension, what form will such extension take, especially with reference to the professions within the social sciences that have a direct impact on areas that respond to the nation's needs?

Manuel Ayau: We believe that we can study the problems of the nation without trying to favor any political platform. We would be playing politics if these studies tended to strengthen a party politically or if we looked to win votes or increase the potential for votes for a specific political sector. Land ownership should be studied from an academic perspective in a university. Using the university for political purposes will not be permitted at UFM, because it is not a goal to favor any political party; nor will the University be used as a political platform.

In reference to the university extension. I regret that the two Sponsoring Committee members who have this information are not present. I apologize for Antonio Carrera y Rigoberto Juárez-Paz; I would prefer not to expand on the subject.

USAC President: The Council of Private Higher Education has two goals: first, to authorize the creation of a university and, second, to assure the good results of private universities. I have personal doubts as to whether the Council has ever performed its second duty to keep watch over university education in Guatemala.

Private education in Guatemala is based on the principle of academic freedom. Certain questions have been raised with regard to academic freedom

at UFM and I want to ask what bodies will ensure that the university guarantees academic freedom?

Manuel Ayau: One is the Academic Council, made up of Guatemalan professionals and student representatives, and the other is the Board of Directors, in which is vested administrative authority and which has the final word and the right to veto activities in the university. These are the two governing entities, and their oversight will depend on the quality of their members. I share your doubts. Since everything is in the hands of individual persons and our desire as founders is to have academic freedom, we hope to choose persons of sufficient stature and capabilities to meet the challenge of upholding academic freedom. As in all things, in the end we depend on the individual person.

USAC President: We see great emphasis placed on theoretical development and that most of those who enroll will have a well-defined interest. The question is in regard to the motivation behind the emphasis on theoretical aspects, as this in some way suggests that the goal is not to prepare lawyers, economists or humanists. It almost looks like we are saying that we are not interested in whether they practice their profession. What, then, is the purpose of these professionals?

Manuel Ayau: First, I would like to say that in no way will we neglect practical aspects. Indeed, this is one of the reasons why the study of theoretical aspects will be a bit more extensive. It is true that many people seek a higher education with the goal of learning a profession. However, it is also true that many do so in order to acquire general knowledge per se. It is also true that many who enroll in a university to learn a profession want to acquire additional theoretical knowledge about the profession they have chosen. We also believe this is one of the main differentiations of this University, that those who so choose get both practical knowledge together with a more intense theoretic focus.

Personally, I believe in the saying that there is nothing more practical than a good theory. We consider the theoretical to be desirable in order to perfect the practical, and that the more theoretical knowledge people acquire, without sacrificing the practical, the better equipped they will be if they choose to practice.

Enrique Campang: With regard to teaching, I would like to ask if the selection of teachers will be based on a competitive exam or solely on criteria of the Academic Council.

Manuel Ayau: Teacher selection will be at the discretion of the Academic Council. We have chosen this system because it is the system most universally accepted.

Enrique Campang: The competitive exam is the most appropriate to achieve academic improvement.

Manuel Ayau: I think it is adequate but I believe a competitive exam leaves out other considerations that need to be taken into account when choosing teachers.

Enrique Campang: I believe you are focusing on a competitive merit system for tests and evaluations. I wish to add the following: Do you have a project in mind to create a pay scale for teachers depending on their educational background.

Manuel Ayau: We do not have one yet. We have seen that in the more developed countries this type of scale for professional promotions is the most common, and that there is significant interest in its elimination. Much has been written about this, and it seems that this type of promotion scale has definite effects on the quality of teachers; right now, since we are just starting, we do not have this problem. It will be one of the problems that we can look at and study more carefully later.

Humberto Salazar: As the members of the UFM Sponsoring Committee know, USAC is concerned with all aspects related to higher education in general.

One of the fundamental precepts of Universidad de San Carlos, if not the most fundamental, lies with preserving university autonomy. Many times the university has had to make significant efforts to conserve the inviolability of its autonomy and it will continue to do so in the future.

I would like to ask what your criteria are regarding university autonomy and what would happen if, in the future, this autonomy that we value is endangered?

Manuel Ayau: Clearly, this topic could interest no one more than we who are about to establish a university. It is precisely because we believe in academic freedom—without autonomy such freedom cannot exist—that it is essential and advisable for the country to have a policy of university autonomy. Otherwise public universities will turn into politically motivated instruments of the state. As Guatemalans, as both professionals and members of USAC, we believe that everyone must fight to preserve university autonomy.

USAC President: Mr. Ayau, we thank you for the ample information you have given the USAC High Council and ask Dr. Aguilar and Mr. Castañeda to escort our guests.

Manuel Ayau: On behalf of the UFM Sponsoring Committee, I wish to thank you for agreeing to receive us and for your patience and so much time. And I thank you in advance for your consideration of our request. We ask you to look upon our effort in its true light: as a modest contribution to our national culture. We do not seek to solve every problem. We do not expect that the objectives we pursue will be considered optimal. But we do believe that what we are doing is in no way inadvisable for the nation. May the contributions of the members of the UFM Sponsoring Committee and others willing to work with us be well received by you.

APPENDIX VIII

MEMBERS OF THE HIGH COUNCIL OF UNIVERSIDAD DE SAN CARLOS DE GUATEMALA AT THE TIME OF THE MEETING IN NOVEMBER 1970

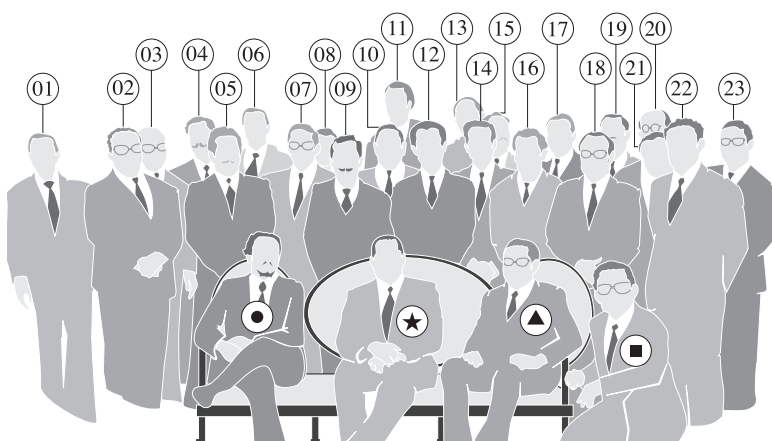
Victor Manuel **Aguilar**
Alfonso **Bauer** Paiz
Enrique **Campang** Chang
René **Castañeda** Paz
Augusto **Cazali** Avila
Luis Bernardo **Lemus** Mendoza
José Angel **Lee** Duarte
José Aquiles **Linares** Morales
César Francisco **López** A.
Arturo **Matute**
Samuel **Mizrahi**
Rafael **Piedrasanta** Arandi
Jaime **Pineda** Sosa
Humberto **Salazar**
Roberto **Valdeavellano**

APPENDIX IX

CELEBRATION AT THE HOME OF OLGA AND MANUEL AYAU OF THE APPROVAL BY THE GOVERNMENT OF GUATEMALA OF THE ESTABLISHMENT OF UNIVERSIDAD FRANCISCO MARROQUÍN



In attendance are members of UFM's newly formed Board of Trustees (formerly the UFM Sponsorship Committee) and Colonel Carlos Arana Osorio, president of the Republic of Guatemala.



Seated, from left to right

- Jorge **Lamport** Rodil
- ★ Carlos **Arana** Osorio, *President of Guatemala*
- ▲ Alejandro **Maldonado** Aguirre, *Minister of Education*
- Julio **Lowenthal** Foncea

Standing, from left to right

- | | |
|---------------------------------------|-----------------------------------|
| 1 Félix Montes Córdoba | 13 Jorge Molina Sinibaldi |
| 2 Carlos Springmühl Silva | 14 Leonel Samayoa Bramma |
| 3 Luis Canella Gutiérrez | 15 Enrique Melville Zabala |
| 4 Luis Beltranena Valladares | 16 Roberto Sánchez Lazo |
| 5 Mario Ribas Montes | 17 Carlos Montes Córdoba |
| 6 Estuardo Samayoa Bramma | 18 Enrique Murillo Delgado |
| 7 Antonio Carrera Molina | 19 Pedro Cordón Schwank |
| 8 Roberto Cordón Méndez | 20 Arturo Bianchi Arguello |
| 9 Manuel F. Ayau Cordón | 21 César Borges Urrutia |
| 10 Ulisses R. Dent Sáenz | 22 Ramiro Castillo Love |
| 11 Fernando Linares Beltranena | 23 Enrique Batres |
| 12 Rigoberto Juárez-Paz | |

APPENDIX X

LIST OF UFM TRUSTEES SINCE THE BOARD OF TRUSTEES WAS FOUNDED

1971 to 2006 (date of this edition)

Ramiro **Alfaro**
Hilary **Arathoon** Sinibaldi
Milton **Argueta** Pinto
Manuel F. **Ayau** C.
Manuel **Ayau** García
Andrés **Ayau** García
Francisco Antonio **Aycinena**
Arrivillaga
Enrique **Batres**
Federico **Bauer**
Juan Fernando **Bendfeldt**
Luis **Beltranena** Valladares
Rafael **Beltranena** Aycinena
Arturo **Bianchi** Argüello
Jorge **Bilbao**
César **Borjes**
Jens P. **Bornholt**
Oscar **Cáceres** Pinzón
Isabel de **Canella**
Luis **Canella** Gutiérrez
Antonio **Carrera** Molina
Eduardo **Carrette** Smith
Ricardo **Castillo** A.
Francisco José **Castillo** Love
Ramiro **Castillo** Love
Alvaro **Castillo** Monge
Emilio **Conde**
Roberto **Cordón** Méndez
Pedro **Cordón** Schwank
Antonio **Delgado** Wyld
Ulysses Ronald **Dent** Sáenz

Ronald Arthur **Dent** Weissenberg
Kenneth **Downing** Levi
Oscar **Echeverría**
Juan **Estrada** Schwank
Luis Enrique **González** Hertzsch
José Raúl **González** Merlo
Mario **Granai** Arévalo
Antonio **Guirola** Batres
Dionisio **Gutiérrez**
Juan Arturo **Gutiérrez**
Elizabeth **Hanckel**
Christopher **Hempstead**
Max **Holzheu** S.
Giancarlo **Ibárgüen** S.
Carlos **Ibárgüen** Tyler
Roberto **Ibarra**
Rigoberto **Juárez-Paz**
Joseph **Keckeissen**
Jorge **Lamport** Rodil
Adolfo **Lau**
Fernando **Linares** Beltranena
Manfredo **Lippman**
Conrado **Losen**
Julio **Lowenthal**
Diana Canella de **Luna**
Christopher **Manion**
Eduardo **Mayora** A.
Arturo **Melville**
Roberto **Mena**
Jorge **Molina** Sinibaldi
Carlos **Molina**

Fernando **Monterroso** Vázquez
Marialys Lowenthal de
Monterroso
Félix **Montes** Córdoba
Carlos **Montes** Córdoba
Enrique **Murillo** Delgado
Oscar Felipe Antonio **Nájera**
Saravia
Edmundo **Nanne** Ziri6n
Mario **Nathusius**
Enrique **Novella** Camacho
William **Olyslager** Valenti
Sergio **Paiz** Andrade
Ram6n **Parellada**
Francisco **P6rez de Ant6n**
Fernando **Prado** Rossbach
Stuart **Prentice** Beltranena
Jos6 **Rolando** Quesada
Roberto **R6os**
Alfredo **Rodr6guez** Mahuad
Carroll R6os de **Rodr6guez**

Ernesto **Rodr6guez** Briones
Luis Ernesto **Rodr6guez** S.
Angel **Roncero**
Rodrigo **Rosenberg**
Luis Fernando **Samayoa**
Leonel **Samayoa** Bramma
Rodolfo Estuardo **Samayoa**
Bramma
Carlos Roberto **S6nchez** Lazo
Arne **Sapper**
Jos6 Juan **Serra** Paiz
Juan Carlos **Simons**
John **Smith**
Carlos **Springm6hl** Silva
Fritz **Thomas**
Alvaro **Urruela** Nanne
Juan Ferm6n **Valladares**
Luc6a Castillo de **Vizca6no**
Jason **Vourvoulias**
Carlos **Widmann**
Guy R. **Wylde**

APPENDIX XI

ARTICLE REFERRED TO BY BENJAMIN ROGGE
IN CONVERSATION WITH MANUEL AYAU AT A
LIBERTY FUND MEETING

Condensed from
HARPER'S MAGAZINE

JOHN FISCHER

Cheers for Old Curmudgeon!

A noted commentator conjures up
the college of his choice

THIS is the preface to the catalogue of Curmudgeon College, an experimental—in fact, still imaginary—institution of higher learning.

Our Philosophy: No student should feel compelled to attend a college he doesn't like. So if you disapprove of something here, don't bother to demonstrate. Just leave.

Our Policy: Absolute freedom, tempered with occasional expulsions.

Dormitory Rules: We don't have any. As a matter of fact, we have no dormitories. Our founder and president, Henry J. Curmudgeon, can't see why an educational institution should be distracted by running a hotel business on the side. So our

students live anywhere they like—motel, boardinghouses, brothels or communes. How they behave there concerns only them, their landlords, their parents and the local police.

Sports: For the same reason, we have no sports program. Why mess around with show biz when Joe Namath can do it better? Any undergraduate who feels in need of exercise can apply to the maintenance department for a broom, or can go to Jocko Sullivan's Gymnasium located near our downtown campus. Obsessive exhibitionists are free to hire their own basketball court or football field.

Sit-Ins: All students are welcome to sit in any classroom as long as they like for the standard lecture fee of \$1 an hour, payable at the door. But any attempt to sit in the administration building will be treated as criminal trespass by our town sheriff,

JOHN FISCHER was editor in chief of *Harper's* (1953-1967), and is now a contributing editor. He is currently a visiting fellow in the political science department at Yale.

188

HARPER'S MAGAZINE (JUNE 1970), © 1970 BY HARPER'S MAGAZINE, INC.,
2 PARK AVE., NEW YORK, N.Y. 10016

Reader's Digest - September, 1970

Knucks McGrory (six-foot-three, 280 pounds). Undergraduates, in fact, have no occasion even to go near the administration building, except on the first day of each term, when enrollment fees are payable at the drive-in window.

Governance: The college is governed by President Curmudgeon, period. He hires and fires the faculty, fixes salaries, sets the curriculum, makes final decisions on the admission and expulsion of students. He may from time to time consult the faculty on administrative matters, but feels no obligation to take their views seriously. Early in his career, President Curmudgeon learned that the typical professor can't administer his way out of a paper bag. As he observed in his now famous paper on collegiate governance:

"The true scholar is inherently incapable of running anything. By temperament, he loathes the very concept of authority and, even more, the idea of exercising authority himself. Consequently our faculty is limited to its proper functions: teaching and research, in that order.

"Students participate in governance the same way that customers participate in the governance of Macy's: If they don't like the goods offered, they can go to Gimbel's."

Tenure: None. Each faculty member signs an undated resignation the day he is hired, and serves at the president's pleasure. In academia's prevailing sellers' market, a talented man can always take his pick

of a dozen chairs; tenure, therefore, merely shelters the incompetent.

Nevertheless, to make sure it gets the best men, Curmudgeon pays salaries twice as high as the normal scale. In addition, it offers fringe benefits. Professors never have to waste their time in committee meetings or the deliberations of an academic senate. They also are freed from the demeaning obligation of cranking out "scholarly works" to demonstrate "productivity." On the contrary, they are discouraged from writing anything for subsidized publications—that is, for a scholarly journal or university press. When a professor has something worth putting into type, any number of commercial publishers will be delighted to get their hands on it.

There is also our Professorial Piece-of-the-Action Plan. Instead of enrolling for formal courses, students simply attend any lectures or seminars they consider rewarding—basing their choices on the catalogue descriptions, the "Student Appraisal of Faculty" published each term, and the campus grapevine. Such choices are not made lightly, since undergraduates have to drop a dollar into a toll box every time they enter a classroom. Those teachers who consistently produce above-average gate receipts get a percentage of the take. Our star performers, as a result, earn more than football coaches. On the other hand, any professor who cannot attract enough paying customers to cover his own salary, plus

overhead, is encouraged to take up some other calling.

To avoid rewarding the merely entertaining lecturers at the expense of the more profound, classrooms are monitored with closed-circuit TV so that the quality of each professor's performance can be periodically evaluated by a recognized authority in his discipline.

Admission Policy: Elitist. No student is admitted unless he demonstrates his ability to write a page of coherent, correctly spelled English prose. Moreover, this college is designed for those who already know what they want to do with their lives, and want help in preparing for it. Undergraduates who prefer to put in four years of intellectual fingerpainting while they "find themselves" can go elsewhere.

We are not accredited, and we award no diplomas. Instead, a student may, if he wishes, ask for a Certificate of Competence in his chosen field—whenever he thinks he is ready for it and can persuade his teachers to sign it—whether after two years of work or seven. A Certificate of Competence, we have found, is of interest to employers, but it confers no social prestige.

Examinations and Grades: If a student feels that an examination will help him measure his progress, he may ask his teacher to give him one. Or, if a teacher is in doubt about a student's progress, *he* may call for

a written or oral examination. Otherwise, no exams are required.

Neither are grades. When any three of his teachers decide that an undergraduate is goofing off, wasting their time and his own, he is expelled. This seldom happens. Since Curmudgeon is an expensive institution offering nothing but a chance for education, it usually attracts only those youngsters who are eager and able to do the work.

Financial Aid: Available on request to all students, on a lifetime-reimbursable basis.

We cheerfully advance whatever money an undergraduate may need to cover his fees, living expenses and door tolls. In return, he promises to pay us one percent of his annual income for the rest of his life, beginning one year after graduation.

Any bright youngster, no matter how poor, can get an education without financial strain. Moreover, the one-percent reimbursement is the best investment he can ever make, since a practical, profession-oriented training of the kind we offer normally multiplies his lifetime earning capacity by at least ten.

For the college, this system produces a dependable—and rising—flow of revenue. The president, thus relieved of the humiliating and onerous chore of constantly begging for money, can devote his full attention to running the place, to the obvious benefit of both students and faculty.

Children are God's spies. —Elizabeth Bowen

APPENDIX XII

DECREE NUMBER 77 OF THE CONSTITUTIONAL GOVERNMENT OF GUATEMALA APPROVING THE ESTABLISHMENT OF UNIVERSIDAD FRANCISCO MARROQUÍN

The date of the decree, August 12, 1971, becomes UFM's official
"birthday."

TRANSLATION TO ENGLISH

[Seal of the General Secretary of the Presidency of the Republic
with identification information and date]

THE NATIONAL PALACE

MINISTRY OF EDUCATION

Guatemala August 12, 1971

THE PRESIDENT OF THE REPUBLIC,

CONSIDERING:

That in the interest of the development of the nation, the Government is
concerned with the promotion of culture and education at all levels;

CONSIDERING:

That the Sponsorship Committee of Universidad "Obispo Francisco
Marroquín", the organization of which was authorized by Government
Decree on August 6, 1970, has requested approval of the statutes and
authorization of operations of Universidad "FRANCISCO MARROQUÍN";

CONSIDERING:

That based on Article 102 of the Constitution of the Republic and clause
a) of Article 5 of Law-Decree Number 421 (Law on Private Universities),
The Council of Private Higher Education approved the organization of
Universidad "FRANCISCO MARROQUÍN";

CONSIDERING:

That in compliance with Article 10 of Law-Decree 421, the Council of Private Higher Education agreed during its meeting of June 4, 1971 to present the file to the Chief of the Executive Branch, recommending approval of the statutes and authorization of operations of Universidad “FRANCISCO MARROQUÍN”;

CONSIDERING:

That the second paragraph in Article 102 of the Constitution of the Republic states: “It is the responsibility of the Council of Private Higher Education to approve the organization of private universities, once Universidad de San Carlos de Guatemala has ruled; and it is the responsibility of the Executive Branch is to approve the statutes and authorize the beginning of operation of universities, by resolution of the President of the Republic in Council of Ministers,”

THEREFORE:

Exercising the powers conferred by the aforementioned mandates and Article 189, Clause 4 of the Constitution of the Republic,

THE COUNCIL OF MINISTERS

AGREES TO THE FOLLOWING:

ARTICLE 1 – To approve the statutes of Universidad “FRANCISCO MARROQUÍN”.

ARTICLE 2 – To authorize the operation of the above-mentioned university.

ARTICLE 3 – That Universidad “FRANCISCO MARROQUÍN” is required to open, as possibilities allow it to do so, schools in the fields of science-technology, health sciences and education. The first of these should begin operations within six years after this Agreement takes effect.

ARTICLE 4 – This Agreement will takes effect on the day following its publication in the *Diario Oficial* [Official Journal].

LET IT BE KNOWN,

[Presidential Seal]

[PRESIDENT CARLOS] ARANA O.

The Minister of Education

[Signature]

Alejandro Maldonado Aguirre

The Minister of National Defense,

[Signature]

Leonel Vassaux Martínez

The Minister of the Interior,

Due to the indisposition of the
Minister of Public Finance and
Public Credit, the Vice-Minister

[Signature] (Illegible)

Jorge Arenales Catalán

[Signature]

Arturo Aroch

The Minister of Communications
and Public Works,

The Minister of Labor and Social
Welfare

[Signature]

José Felix Reyes Arriola

[Signature]

Lionel Fernando López Rivera

The Minister of Public Health and
Social Welfare,

The Minister of Agriculture,

[Signature]

José Trinidad Uclés

[Signature]

Mario Martínez Gutiérrez

Due to the indisposition of
the Minister of Economy, the
Vice-Minister,

The Minister of Foreign Affairs,

[Signature]

Oscar Eduardo Pineda Castro

[Signature]

Roberto Herrera Ibárgüen

DECREE NUMBER 77 OF THE CONSTITUTIONAL GOVERNMENT OF GUATEMALA APPROVING THE ESTABLISHMENT OF UNIVERSIDAD FRANCISCO MARROQUÍN

ORIGINAL IN SPANISH

PRESIDENCIA DE LA REPUBLICA
SECRETARIA GENERAL
GUATEMALA, C. A.
Libro 4 Folio 166 Carilla 75
Fecha 12 AGO. 1971
PALACIO NACIONAL

77.1

MINISTERIO
DE EDUCACION

GUATEMALA, 12 de agosto de 1971.

EL PRESIDENTE DE LA REPUBLICA,

CONSIDERANDO:

Que el Gobierno está interesado en promover la cultura y la enseñanza en todos sus niveles, por convenir así al desarrollo de la Nación;

CONSIDERANDO:

Que el Patronato de la Universidad "Obispo Francisco Marroquín", cuya organización fué aprobada por Acuerdo Gubernativo de 6 de agosto de 1970, ha solicitado la aprobación de los estatutos de la Universidad "FRANCISCO MARROQUIN" y la autorización para que funcione dicha Universidad;

CONSIDERANDO:

Que con base en el Artículo 102 de la Constitución de la República, y el inciso a) del Artículo 5o. del Decreto-Ley Número 421 (Ley de Universidades Privadas), el Consejo de la Enseñanza Privada Superior, aprobó la organización de la Universidad "FRANCISCO MARROQUIN";

CONSIDERANDO:

Que el Consejo de Enseñanza Privada Superior, de acuerdo con el -
Artículo 10 del Decreto-Ley Número 421, acordó en sesión del 4 de junio de -
1971, elevar el expediente al Jefe del Organismo Ejecutivo, recomendando la -
aprobación de los estatutos y la autorización del funcionamiento de la Universidad
"FRANCISCO MARROQUIN";

CONSIDERANDO:

Que el Artículo 102 de la Constitución de la República, en su segundo párrafo dice literalmente: "Corresponde al Consejo de la Enseñanza Privada Superior aprobar la organización de las universidades privadas, previo dictamen de la Universidad de San Carlos de Guatemala; y al Ejecutivo, por acuerdo del Presidente de la República tomado en Consejo de Ministros, aprobar los estatutos y autorizar el funcionamiento de las mismas";

POR TANTO:

En uso de las facultades que le confieren los preceptos citados y el Artículo 189, inciso 4o. de la Constitución de la República,

EN CONSE-----



PALACIO NACIONAL

MINISTERIO
DE EDUCACION

GUATEMALA

-----JO DE MINISTROS,

ACUERDA:

ARTICULO 1o.- Aprobar los Estatutos de la Universidad "FRANCISCO MARROQUIN".

ARTICULO 2o.- Autorizar el funcionamiento de dicha Universidad.

ARTICULO 3o.- La Universidad "FRANCISCO MARROQUIN" queda obligada a fundar, a medida que sus posibilidades lo permitan, facultades que cubran ramas científico-tecnológicas y de las ciencias de la salud y educación. La primera de ellas deberá abrirse dentro del plazo de seis años, a partir de la vigencia del presente Acuerdo.

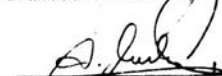
ARTICULO 4o.- El presente Acuerdo entrará en vigor al día siguiente de su publicación en el Diario Oficial.

COMUNIQUESE,



ARANA O.

El Ministro de Educación,


Alejandro Maldonado Aguirre

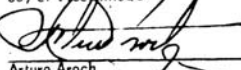
El Ministro de la Defensa Nacional,


Leonel Vassaux Martínez

El Ministro de Gobernación,


Jorge Arellanes Catalán

Por impedimento del señor Ministro de Hacienda y Crédito Público, el Vice ministro


Arturo Aroch


PALACIO NACIONAL

. 77

MINISTERIO
DE EDUCACION

GUATEMALA.

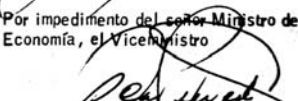
el Ministro de Comunicaciones y
Obras Públicas,


José Félix Reyes Arriola

El Ministro de Salud Pública y Asis-
tencia Social,


José Trinidad Uclés

Por impedimento del señor Ministro de
Economía, el Viceministro


Oscar Eduardo Pineda Castro

El Ministro de Trabajo y Previ-
sión Social,


Lionel Fernando López Rivera

El Ministro de Agricultura,


Mario Martínez Gutiérrez

El Ministro de Relaciones Exte-
riores,


Roberto Herrera Ibargüen.

ABOUT THE AUTHOR



MANUEL F. AYAU

Born and raised in Guatemala, Ayau has been cotton farmer, rice farmer, civil engineer, educator and writer. His entrepreneurial ventures include production of industrial gasses, hydroelectric facilities and the industrial manufacture of ceramic tiles. In Guatemala, in addition to Universidad Francisco Marroquín, he has been founder or cofounder of the Chamber of Industry, the Center for Economic and Social Studies (CEES), the Guatemalan Securities Exchange and proReforma, a civil association for constitutional reform.

Ayau earned his B.S. in mechanical engineering from Louisiana State University in 1950 and was awarded an honorary doctorate from Hillsdale College in Michigan. He has been designated a Distinguished Alumni by Louisiana State University and received the Foundation for Economic Education's Founder's Award in 1996. International board memberships have included Liberty Fund, Philadelphia Society, Foundation for Economic Education and Mont Pelerin Society.

He lives on the shore of Lake Amatitlán in Guatemala with his wife, Olga. They have six children.

When Ayau started UFM, statist, populist and Marxist ideas were converging in a huge wave of followers in Latin America. Sometimes armed, sometimes peaceful. In a country that has had as much violence as Guatemala, what he did takes on a level of personal risk that is almost heroic.

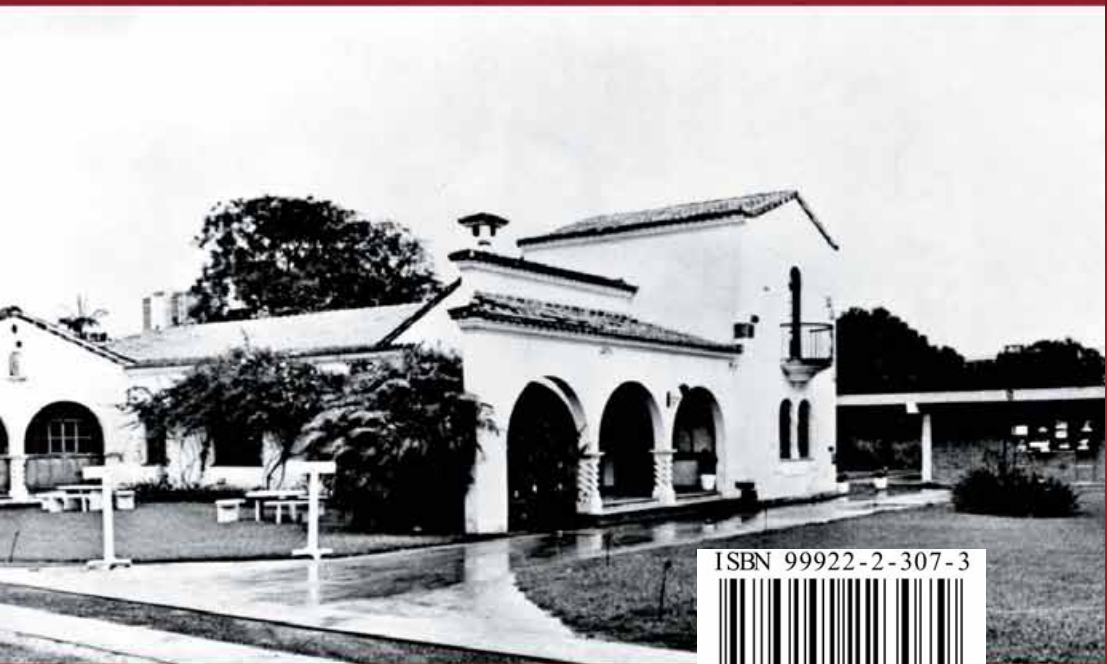
Carlos Alberto Montaner, author and journalist
Madrid

It is thanks to intellectual promoters like Ayau that ideas and institutional models advance in the world.

Martín Krause, economist
Buenos Aires

UFM is not an isolated case of a small university in a remote spot of the world. Rather it is a true example to follow. It shows that it is possible literally to found an "idea factory" with a lasting and well defined classical liberal profile. I know of few institutions in the world that have inspired the creation of such an important repository of persons who not only understand but are committed to all aspects of liberty.

Roberto Salinas, philosopher and economist
Mexico City



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