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This Article is Banned by the CUNY Policy on Expressive Conduct

Stefanie A. Jones and Dominique Nisperos

For at least the past eight months, the CUNY Board of Trustees has been considering a university-wide policy prohibiting and policing what is alternately called “expressive conduct” or “expressive activity.” The proposed changes would fundamentally curtail the ability of students and faculty to disseminate information, gather in shared CUNY spaces, engage in peaceful protest, and participate meaningfully in their campus life.

The first version, dated 27 July 2013 and entitled “The City University of New York Policy on Expressive Activity,” was circulated to the University Faculty Senate and its committees at the end of October 2013, and has since generated significant dissent. A petition written by a group of CUNY students and faculty has generated well over a thousand signatures (to see it, visit: https://www.change.org/petitions/the-cuny-board-of-trustees-and-cuny-college-administrators-dismiss-the-proposed-cuny-policy-on-expressive-activity). The document’s agenda is revealed immediately: it begins with the premise that “freedom of expression and assembly . . . are subject to the need to maintain safety and order” (Draft 1, article 1.1). It also immediately asserts that, “expressive conduct must be carried out so as to ensure . . . the protection of property, and the continuity of the University’s . . . business operations” (Draft 2, article 1.1; unless otherwise noted, quotations refer to this more recent draft). The document then expands on the ways in which freedom of expression and assembly should be specifically curtailed.

For those unfamiliar with the document, the Draft CUNY Policy on Expressive Conduct:

• Grants CUNY Central and local CUNY campuses the right to decide “time, place and manner restrictions on expressive activities” (1.2).

• Prohibits CUNY employees, including faculty and staff, from participating in anything CUNY might consider a “demonstration” “at times when they are scheduled to perform instructional or other assigned work responsibilities,” (2.2) This clause is an unprecedented expansion of the authority of CUNY central and local administrators into the course content and classroom conversation, and is thus a threat to all faculty.

• Limits expression to designated places and times (2.1). These designated areas serve as a “free speech pen.” In addition, article 2.2 prohibits expressive activity within any University facilities unless a particular campus makes an exception.

• Directly prohibits “occupying” a University property or facility (3.3).

• The first draft of this proposal requires notice of a demonstration or expressive activity to be giv-
en to the building’s security personnel, which notice must include “location, date and time” as well as expected participants. After the receipt of this notification CUNY is permitted to apply “time, place and manner restrictions” (draft 1, article 2.1), including changing the date, location, and/or time of the expression. Although this isn’t specifically granted in the second draft, notice is still required and administrative or police interference with demonstration is not explicitly prohibited.

- Directly prohibits any action that “threatens to disrupt University functions or operations,” or “threaten[s] to destroy University property or other public or private property” without any indication of who decides what activity is considered threatening (3.2).

- Directly prohibits standing in front of doorways to or from “University property or facilities” (3.2).

- The first draft directly prohibited “shouting” and “using amplified sound.” The second draft still prohibits using unacceptable “amplified sound” or “making loud noise” (3.3). Students who violate these restrictions are subject to disciplinary action like expulsion, termination of employment, or even referral to “external law enforcement authorities.” (3.4).

- Permits the President and campus security to terminate demonstrations after only one warning, or no warning if the demonstration is considered a “threat,” and authorize police intervention (4.2 and 4.3).

- Limits tabling and the distribution of leaflets or other expressive material (5.1 and 5.2).

These limitations and the means of carrying them out comprise the majority of content of the document. The draft policy includes only information on how CUNY seeks to regulate and punish its students, facul-
ty, and staff, with no mention of how the university will protect free speech, or prevent brutality and abuses of power by the administration or public safety officers. Limiting opposition to the policies and practices of the university is the goal of, and the exact problem with, the CUNY Policy on Expressive Activities/Conduct. Any purported concerns about campus safety or freedom of expression are already decided at the campus level, or within already existing University policies.

This move by the City University of New York is especially wrong-headed given other movements across New York City to undo draconian policing policies. With stop-and-frisk in the news and on Mayor de Blasio’s cutting block, as well as the rising number of murders of trans* New Yorkers, it is now common knowledge that the disproportionate policing of young people of color and trans* and queer youth is an atrocity of justice right now, right here in our city. And who is the City University of New York meant to serve more than the people of New York? While increased security against expression might make certain older White male elites at 42nd Street feel more comfortable, that comfort is one-sided. It comes at great cost to those most marginalized among the CUNY community and New York City.

Such a policy not only legitimizes the continued use of surveillance and force against the very people that CUNY is supposed to be working for, it actively criminalizes activity that discomfits the CUNY elite. The CUNY Policy on Expressive Conduct cannot be “non-discriminatory” (1.2) because it produces — as well as reproduces — class and race hierarchies within the walls of our schools, and it must not be tolerated. For example, CUNY administrators are permitted to conduct their expressive activity, even at the expense of others conducting their scholarship business (under articles 4.2 and 4.3, the president is permitted to use campus security and the NYPD to halt what is perceived as a threat), while students and faculty (much more likely to be working class and people of color) are instead subjected to severe limitations by this policy. In addition to reifying material differences between (particularly White, wealthy, male) CUNY administrators and those students and faculty (particularly working-class students and students of color) who serve as lesser citizens, implementation of the policy depends on an idea of who is “threatening,” disruptive, and who has the right to use CUNY’s space. In practice, the affective impressions of threat, disruption, and entitlement are already classed and racialized. Disproportionately so for working-class folks, queer and trans* folks, and folks of color, freedom of expression is regularly under attack because of institutionalized stereotypes that represent these demographics as threatening and disruptive. A CUNY-wide policy on expressive activities should work to support and expand the freedom of expression for oppressed groups, not attempt to counter that freedom in order to defend the University’s “business operations.” These are class, race, and gender relations disguised as “legitimate interests” (1.2).

In addition to these concerns, the Professional Staff Congress’s resolution in opposition to the policy raises several excellent points. In a recent resolution (http://www.psc-cuny.org/support-freedomdissent-and-assembly), the PSC concludes that “the draft policy (and its successor draft), if implemented, would have an impact on terms and conditions of employment and a dramatic impact on the intellectual, political and moral life of the University.” The PSC resolution also provides a brief history of CUNY’s violations of civil rights, violations rooted in the suppression of dissent. One noteworthy example is the 1940-42 Rapp-Coudert Committee which, “supported by the University Board, interrogated, fired, and imprisoned instructors and staff” because of their perceived political beliefs. Most importantly, the PSC notes that any CUNY Policy on Expressive Conduct would be in violation of the University’s commitment to freedom of expression. The Board of Trustees affirmed in 1981 that the “University pledges diligently to safeguard the constitutional rights of freedom of expression, freedom of association and open intellectual inquiry of the faculty, staff and students of the University” (CUNY’s Manual of

Fortunately, at a public meeting with students on 17 January 2014, Vice Chancellor for Legal Affairs, CUNY General Counsel, and the author of the Expressive Activities policy Frederick P. Schaffer asserted regarding the Expressive Activities Policy that CUNY will “either produce another draft, or not, if there’s a strong consensus that we shouldn’t have a policy along these lines.” We encourage you to make your views known to Vice Chancellor Schaffer at his office (646-664-9200) or through email (ogc@cuny.edu); or to communicate directly with Interim Chancellor (and former Graduate Center President) Bill Kelly (646-664-9100, or chancellor@cuny.edu).

At this meeting, Vice Chancellor Schaffer also noted the varied campus policies governing “expressive activity” that are already in place, that this proposal would supplant. In more disturbing news, however, when discussing the background of the policy Schaffer noted that “it was actually a group of distinguished professors that asked to meet with” then-Chancellor Goldstein to express some concerns around the police and security brutality at the Baruch protests of November 2011. “One of the suggestions at that meeting was that there was a lack of transparency as to sort of what the rules were relating to protests and demonstrations around the university, and that it would be desirable to have a policy.” Either Schaffer has misinterpreted the intentions of these faculty to generate the policy’s extreme CUNY-wide restrictions on top of already-existing campus policies, or our distinguished faculty are a significant factor in the troubling and unnecessary measures this proposed policy now sets forth. Neither of these is a pleasant thought. We call on those distinguished professors from that meeting to reflect on Schaffer’s characterization of their role and to take a stance on the resultant Draft CUNY Policy on Expressive Conduct.

Interim Graduate Center President Chase Robinson expressed reservations about the CUNY Policy on Expressive Conduct at the 11 December 2013 Graduate Council meeting. Indeed, the upcoming agenda for Graduate Council (the academic governing body of The Graduate School and University Center) features a resolution in opposition to the CUNY Policy on Expressive Conduct that was brought from the floor at the December meeting.

While the mounting opposition is encouraging, especially in light of Vice Chancellor Schaffer’s clear indication that opposition to the proposal will be taken seriously, a cynic might wonder how this opposition could still be twisted to turn a fight against excessive policing in the academy on its head. When the content of academic work comes into conflict with the really existing political conditions of the academy, scholarly rigor (including the rigor of political dissent) must take priority, or the university will be entirely reduced to a tool for corporate or political interests. And then where will we stand with the public during budget season?

We would like to propose a New CUNY Policy on Expressive Conduct (let’s call it the 02/14/14 draft). It can just read:

“The City University of New York fully supports the free exchange of ideas and expression of all points of view for all members of the University community, including political dissent, as integral to the mission of the public university.”

We hope that students, staff, administrators, and the distinguished faculty will offer their support.
On my way to class, I head to the subway station. Sitting there by the stairwell, I see a familiar face. It’s Kevin. I say hi. I say, “How’s it going, man?” He replies, “OK... Got any change today?” And I say, with regret, “Sorry, Kevin, not today. Take care, man,” and I go on my way. I wish I had change for Kevin every day. Sometimes before I leave the apartment, I remember I might see him, and I look around for some change. Or if I have already left home, during my walk, I check my pant pockets or that one pocket in my backpack where I sometimes stash a few coins. In a very real sense, it’s the least I can do.

The first time I met Kevin, he was outside a corner store in the neighborhood. I stopped and chatted with him, and eventually we got to talking about his life. Kevin had been in the hospital more than once.
been through a couple of jobs, his mother was sick. The soles of his shoes were worn out. He asked me on that first meeting if I’d buy him something to eat. We walked into the bodega together. We picked out what he needed - a roll of salami, a roll of bread, a package of cheese, some hotdogs, and a carton of milk. I wished I could do more, but what exactly might that be? I resigned myself, to the thought that the best thing for me to do, at least for now, was to be a friend.

In New York City, it’s almost impossible to go a day, even a trip to the subway, without seeing someone “down on their luck.” A woman walking the isle of the train asking for food or spare change, a man curled up on a piece of cardboard against a wall on the sidewalk at night, these are everyday scenes of despair in the city. I must admit I don’t really care for that expression “down on their luck.” It is dismissive of the real problem. Most of these people, if we’re being honest with ourselves, are victims of a system and a community without enough compassion. In America, the land of opportunity, I’ve often heard it said, if you’re “in the gutter,” it’s probably your fault, a sign of a defect of character, of not working hard enough. Most of us know that this isn’t true yet there are
many who remain homeless on the streets. We walk by them. We rationalize away reasons for not helping: I vote. There are people whose job it is to take care of them. There are places they can go. In short, it’s not my problem.

When I walk by, even if I simply greet and acknowledge the person in front of me, reply in full sentences which so few seem to do, and look them in the eye, or even give a few dollars, I feel as though by doing no more, I’m turning my back on some injustice in the world, that I have just let down a member of my community. This also weighs on me because I have a family member who almost slipped into homelessness. A part of me pulls at me and tells me that what I should do is stop and offer more. Perhaps I should at least offer to take this person in for the night or ask them if there’s someone I could call for them. And then, another part of me pulls in the other direction - a voice inside me says, “What? Are you going to do that for every person you see? Come on. You couldn’t possibly afford that. Your roommates wouldn’t understand. You can’t spend all your time trying to help everyone.”

Back home in Arizona, I found myself with similar thoughts, brought about by a slightly differ-
ent situation. When I was younger, my father made it a point to take me to the many Native American reservations in Arizona to see many things – the culture, the land, but also to see how the people there lived. Many of these places lacked basic amenities like running water. Some homes still had outhouses. And unemployment was common. As a child from the suburbs, despite having seen these things on TV and other media, it shocked me. I wondered why their situation was so different from ours. If it wasn't because they wanted things to be that way, then why wasn't anybody or the government doing anything about it? I couldn't help recognize the oddness of it all – our city paying for new street lamps, but no one paying for new roads or services on the reservations. I knew that if we really wanted to, even just us two – my father and I - could make some sort of difference. We could lend a hand, and it wouldn't take that much of our time or effort. And if we could help, maybe more people could as well, maybe enough of them could come forward so that things wouldn't be this way. But unfortunately, as we all know, such individual and collective acts are easier dreamt than made a reality. They do happen, but not as often as they should. Sometimes I wonder to myself: what is this doing to me, to all of us? If I had children and they saw this, what lessons would they be gleaning from it, from our actions, or rather, our inaction?

Jennifer Nedelsky reflects on this issue quite a bit in her book, *Law’s Relations: A Relational Theory of Self, Autonomy, and Law* (2011). One passage, in particular, highlights the sentiment I’ve been trying to express:

“What does it do to us to walk around a homeless person on the
street once a week or once a day? How does it affect us to routinely see such vivid examples of a lack of collective care, of the failure of multiple social institutions? At some level we must confront the question of how it can happen in a rich society that people are cold and begging on city streets. When we see a lineup of homeless people seeking shelter in a church on a cold winter night it must generate at least an unconscious sense that if something goes badly wrong for someone there may be only the most limited kind of help available: shelter for one night, if there is a space. We live with a knowledge of vulnerability to disaster and of callousness, of indifference to suffering that characterizes the community we live in. Or perhaps there is a knowledge that, for some, there is no community, only an indifferent collectivity. How can this not be frightening at some level (even if we tell ourselves it could never happen to us or anyone we care about)?”

In short, the present condition seems to harm us all in some way. In particular, it stirs up or reinforces in many of us a lack of faith in our fellow citizens, a lack of trust. It appears that, at the end of the day, no one would really help us should we fall into similar circumstances. In that case, one might think, we better just make sure to look out for ourselves.

Nedelsky sees all this as partly the result of legal property rights. That is, if I’m legally protected via property rights from having to give you shelter, I probably won’t. There’s much more subtlety to Nedelsky’s critique, but due to concerns of space, I’ll just say that I think there’s something to the idea. Another part of the story, not considered by Nedelsky, might also be the American emphasis on competition, on see-
ing the world as a zero-sum game rather than a collective project. But I’ll leave that aside for now since my intention in this article is to weigh in on a different aspect of the problem, namely the attitude toward homelessness in America.

In an episode of The Sopranos, Tony Soprano once asked reflectively, “Whatever happened to Gary Cooper?” The real question here being, whatever happened to people being like Gary Cooper, that is, to people looking up to and trying to emulate that Gary Cooper sort of attitude toward life and others? Thinking about the problem of homelessness in America, I can’t help but wonder whatever happened to Frank Capra, in particular, the community-oriented spirit we find in films of his such as Meet John Doe (1941) and It’s a Wonderful Life (1946). One thing I enjoyed about Capra’s films was the way they challenged their viewer. Capra appeared to hold onto this belief that if we would just extend our capacity for caring beyond our families and
ourselves to our neighbors in the broad sense, then maybe we really could make the world a better place, a Bedford Falls and not a Pottersville.

I’m not sure exactly how to fix the problem of homelessness in America. But one thing we can do is learn from what Capra was trying, to change our attitudes toward those we see on our city’s streets and in other impoverished situations, to start seeing these people as what they are, as fellow human beings. And yet, how we can do that is also a question that isn’t easily answered. In the end, it’s going to take all of us to deeply question what does it mean to care for others. I’ll finish with a line from one of the Capra films I mentioned earlier, Meet John Doe, a story about a homeless man turned political leader. It sums up the attitude I’ve been trying to get at quite nicely. John Doe calls for a move from caring about one’s self to caring about others, from hiding behind walls to reaching past them. He even
Upscale hair stylist Mark Bustos spends every Sunday like this. Source: https://www.pinterest.com/pin/101119954109158468/
makes a subtle move that could be interpreted as an allusion to property rights – something Nedelsky might relate to.

“We can’t win the old ball game unless we have teamwork. And that’s where every John Doe comes in. It’s up to him to get together with his teammate. And your teammate, my friends, is the guy next door to ya. Your neighbor — he’s a terribly important guy, that guy next door. You’re gonna need him and he’s gonna need you, so look him up. If he’s sick, call on him. If he’s hungry, feed him. If he’s out of a job, find him one. To most of you, your neighbor is a stranger, a guy with a barkin’ dog and a high fence around him. Now you can’t be a stranger to any guy that’s on your own team. So tear down the fence that separates you. Tear down the fence and you’ll tear down a lot of hates and prejudices. Tear down all the fences in the country and you’ll really have teamwork.”

Some Basic Facts to Consider As We Move Forward

• According to Coalition for the Homeless, in recent years, homelessness in New York City has reached the highest levels since the Great Depression. In March of this year alone, there were 60,144 homeless people, including 14,654 homeless families with 23,424 homeless children, sleeping at night in the New York City municipal shelter system. This doesn’t account for those finding sleep outside the shelter system on sidewalks and in subway cars. And there is no accurate account of exactly how many homeless there are.

• The primary cause of homelessness, particularly among families, tends to be lack of affordable housing, with eviction, doubled-up or severely overcrowded housing, domestic violence, job loss, and hazardous housing conditions often listed on surveys as the triggering factors.

• Research also shows that, compared to homeless families, homeless single adults have much higher rates of severe health problems, serious mental illness, and addiction disorders.

• African-American and Latino New Yorkers are also disproportionately affected by homelessness.
The thought of Brazil instinctively invokes images of the festive carnival, the beautiful beaches of Rio de Janeiro, beautiful women dancing to the rhythms of samba, or the recent 2014 World Cup games. These images of blissful paradise precede any inkling of political turmoil when thinking of the largest country in South America. On 1 January 2011, Brazil witnessed a significant moment in history as its first female President was inaugurated into office. It was a significant feat, especially in light of Brazil’s increasing influence as a rising superpower on the global stage. During the inauguration ceremony, former President Luiz Inácio Lula da Silva had the honor of placing the presidential sash on his Chief of Staff and protégée, Dilma Rousseff, secure in the belief that the Partido dos Trabalhadores (Workers’ Party) would remain in power. When elected as the leader, Rousseff’s confidence must have been soaring, and the declared victory may have even been surreal for a moment. However, on 17 April 2016, President Rousseff would face another surreal moment when a congressional vote from the lower house succeeded...
What led to the Impeachment of Brazil's First Female President?
in commencing impeachment proceedings against her. This motion, which required 342 votes for its approval, gathered 367 votes in its favor. On 12 May 2016, the Senate too voted to move forward with an impeachment trial against President Rousseff thus suspending her presidential duties for six months. Her vice-president, Michel Temer, is now serving as interim president until the outcome of the trial determines whether or not Rousseff can finish her presidential term until 2018. When thinking of Brazil of late, political turmoil precedes blissful paradise.

Such news no doubt stirs front-page headlines, and may even serve as a grim reminder to all heads of state in the world (including dictators) that their right to executive powers is not indiscriminate and absolute. The last time Brazil experienced a presidential impeachment was in October 1992 when the Senate passed a motion to proceed with an impeachment trial against former President, Fernando Collor de Mello. The people of Brazil were protesting and demanding the impeachment of Collor de Mello for his suspected involvement in bribery and other forms of corruption. His presidency was suspended for six months and his vice-president, Itamar Franco, took over the reins as acting president. Collor de Mello eventually resigned two months later, but that did not stop the Senate from finding de Mello guilty of corruption charges, thus preventing him from holding an elected position until 2000. These charges were later taken up at Brazil’s Supremo Tribunal Federal (Supreme Federal Court), where he was acquitted due to lack of evidence. Although history has a tendency to repeat itself, President Rousseff appears resolved to not give up her presidency and is quite adamant in fighting these impeachment proceedings.

When evaluating Brazilian politics, pandemonium seems to be the best way to describe Rousseff’s time served in office. In her first term, Rousseff enjoyed almost eighty percent approval ratings, supposedly due to low unemployment, expanding social welfare benefits, decreased electricity and food costs, and the implementation of more social programs aimed at reducing poverty and hunger. At
one point, she was deemed more popular than her predecessor, President Lula da Silva, who was believed to have had a successful presidency. Rousseff seemed to have a prominent political future ahead. Yet her troubles appeared to start with the 2013 Confederations Cup riots, when thousands of protesters mobilized in several cities, raising awareness on issues such as high transportation fares, the need for more investment in education, health services, infrastructure, and the forced relocation of several people to make comfortable accommodations for tourists for the upcoming 2014 World Cup games. Public demonstrations continued throughout the World Cup games where protesters decried the rampant political corruption, the increased level of evictions, and the high costs of constructing and maintaining stadiums taking precedence over social services that many are lacking. In the nation that boasts of the most number of World Cup titles, the tenor of the people’s chants was anything but festive and optimistic. Furthermore, there have been labor strikes in the hydroelectric dam projects in the Amazon with workers demanding higher wages and better working conditions. Residents living in the vicinity of these dam projects are worried about being displaced from their lands and the environmental and economic consequences of such construction projects.

Had Brazil won the 2014 World Cup, things may have calmed down for Rousseff. Although she won the 2014 elections, President Rousseff received only fifty-two percent of the vote while her opponent, presidential candidate Aécio Neves, won the rest. These close margins demonstrate that her previous high approval ratings were gradually declining. It certainly didn’t help matters when, in the spring of 2015, the Operação Lava Jato (Operation Car Wash) investigation revealed that Petrobas, Brazil’s state-owned oil company, was awarding building contracts to construction firms in exchange for bribes to several political officials. This led to the arrests of João Vaccari Neto, the treasurer of Rousseff’s political party, José Dirceu, the Chief of Staff for former President Lula da Silva, and Eduardo Cunha, Speaker of the House.
of the lower house of Congress. On 4 March 2016, Brazilian police forces arrested and detained former President Lula da Silva on charges of fraud in relation to the Petrobas scandal. Lula da Silva denied all allegations of corruption, and President Roussef, in a tactical maneuver, came to his aid by naming him her Chief of Staff, thus providing him judicial immunity. President Roussef served on the board of directors of Petrobas from 2003 to 2010, and has hence been facing harsh criticism by the both the citizens and politicians of Brazil for not raising awareness of this fraud going on under her watch. Although she claims she had no knowledge of the Petrobas illegal activities and that she is innocent of any wrongdoing, the majority of Brazilians are not convinced. With Brazil suffering from its worst recession and dealing with high unemployment and inflation rates, with the Panama Papers scandal revealing the names of prominent politicians involved in tax evasion, and with mass protests demanding Roussef’s impeachment, this was the perfect opportunity for both the Congress and the Senate to seize power from Roussef. It was ripe for the politicians to wash their hands clean, and to show to the people of Brazil that their voices were being heard.

As of now, Roussef’s approval rating is ten percent. The other demands raised by protesters have yet to be met, and the politicians appear to transition away from left-leaning politics to advance their own agendas, be it political or personal. Despite having a minority support from both citizens and politicians of Brazil, Roussef does not appear to be resigning from her post as her predecessor Collor de Mello did. Protecting her mentor Lula da Silva backlashed and tarnished her image. Not paying attention to the local mass protests was a poor judgement call not just for Roussef but for all politicians. The constant shuffling of cabinet members and aides amidst corruption charges and scandals during Roussef’s term has left the interim President Temer with a disoriented government to handle. Both the congressional and Senate voting to impeach Roussef confirms that her destiny as President is no longer in her hands and that she must await the outcome of her trial. All that is certain is that when playing the game of roulette with politics, you will never know if the odds are in your favor or against.
CUNY by the People, for the People

Rachel J. Chapman and Conor Tomás Reed
Art and Photos from GC Students Assembly Counter-Office Hours, April 19, 2016.
Credits: Shima Houshyar, Elena Chavez, Miriam Gabriel, and Sara Noe.

At the turn of the twentieth century, the founders of the progressive public school movement envisioned a public education system that recognizes the humanity of each student, prepares them for democratic participation in life, and advocates their fullest potential for the greater good. Education was to be by the people and for the people, to the benefit of all. However, today, democratic participation is nearly absent in the pedagogy, policy, and practices of public education, including here in the City University of New York and the Graduate Center. Neoliberal pressure to transform public education into a corporate model for maximum profit overwhelmingly prioritizes austerity policies over decades of research, activism, and public outcry for locally controlled and equitably resourced democratic education. The philosophy of “do more with less” has become the accepted norm, with states continually slashing millions of dollars from public higher education, leaving students to take on nearly fifty percent of the operating costs, over $1 trillion in loans.

This past year at the GC, we’ve suffered $4.5 million in cuts due to the vetoed Maintenance of Effort (MOE) Bill by Governor Cuomo, and $2.5 million more will be cut in the next academic year. Hiring searches have been cancelled, full-time vacant positions continue to go unfilled, fellowship stipends remain well below the living wage, and the “adjunctification” of higher education deepens as graduate students take on additional classes when low-wage, high-stress adjunct teaching doesn’t pay the bills. With abiding energies from #BlackLivesMatter and the movement for economic equity for the “99%” both on and off campuses, GC students, faculty, and staff have met with President Robinson and Provost Lennihan over a dozen times to demand how and why certain programs felt these budget cuts more strongly than others. Meanwhile, we’ve pressured the administration to remedy the appalling state of diversity (in all its forms) at the Graduate Center. “Let us do our jobs” has been their standard response, offering little clarity, rationale, transparency, or levels of professional courtesy to us. And when we ask for more student and faculty participation in the budgeting process, we are told we have too many meetings to attend as it is.

When pressed at his April 19 Office Hour as to why in the wake of such severe cuts, CUNY administrators and trustees make ten to twenty times more than GC
fellows and adjuncts, President Robinson scoffed, “it would be grotesque to even consider cutting such salaries.” It’s no wonder, then, that the first few sentences of CUNY’s mission statement reads:

“The Legislature intends that The City University of New York should be maintained as an independent system of higher education governed by its own Board of Trustees responsible for the governance, maintenance and development of both senior and community college units of The City University.”

Out of sixteen Trustee members, not one is an undergraduate student, only one is a former educator, and one is a graduate student, while the rest come from the corporate business sector, appointed by Governor Cuomo and Mayor de Blasio, with little or no input from the student and public community. In 2011, after the Board of Trustees voted to increase tuition by thirty percent, they voted in 2012, 2013 and again in 2015 to increase top CUNY administrator salaries by forty-one to fifty percent. The two most recent Cuomo appointees to the Board were previous city mayoral candidates: Bill Thompson serves on the Siebert Brandford Shank investment banking firm, while Francisco Ferrer is the Vice-Chairperson of the Metropolitan Transit Authority (MTA) and serves on the Mercury Public Affairs, LLC. public strategy firm.

Apparently deciding how to “do more with less” is so difficult that it requires upwards of fifty percent pay increases for CUNY administrators, while seventy percent of teaching faculty are given minimal pay, resources, and support to teach more students in larger classes. Ironically, administrators reassure us that these shifts move us towards a stronger “CUNY Value,” even as they place a greater burden of instruction, curriculum, and mentorship responsibilities on adjuncts and graduate students, daily campus upkeep on poorly paid staff, and more expensive and scarce course requirements on students, thus starving the already skeletal system of CUNY. Graduate students and adjunct professors worry whether they will be given enough classes to cover their monthly rent, while the list of administrators – and some faculty – making over $200,000 continues to grow at the GC and across CUNY:
**Top Ten Paid at the Graduate Center**

1. $556,970: Bill Kelly, Professor, Graduate Center
2. $349,016: Chase Robinson, President
3. $324,494: Ayman El Mohandes, Dean, School of Public Health
4. $268,569: Cathy Davidson, Professor of English, Director of Future Initiatives
5. $239,147: Terry Huang, Professor of Public Health
6. $238,266: Jay Golan, Executive Director of GC Foundation, VP for Institutional Advancement
7. $218,952: Talal Asad, Professor of Anthropology
8. $217,223: Sebastian Persico, Senior VP for Finance and Administration
9. $205,495: Ruth Milkman, Professor of Sociology
10. $205,426: Herman Bennett, Professor of History

**Top Ten Paid at CUNY**

1. $556,970: Bill Kelly, Professor, Graduate Center
2. $546,394: Matthew Goldstein, Retired Chancellor
3. $490,568: James Milliken, Chancellor
4. $402,943: Lisa Coico, President, City College
5. $377,544: Felix Matos Rodriguez, President, Queens College
6. $349,016: Chase Robinson, President, Graduate Center
7. $325,598: Jennifer Raab, President, Hunter College
8. $324,494: Ayman El Mohandes, Dean, School of Public Health
9. $313,574: Michelle Anderson, Dean, School of Law
10. $308,074: Kevin Gardner, Professor of Chemistry, City College

**Source:**
SeeThroughNY.net. Salaries do not reflect additional funding from College Foundations, corporate advisory board positions, award funds, private donations, tax exemptions, etc.
Those who have been at the GC for only a few years may be surprised to see one of our English professors, Bill Kelly, listed as the highest-paid CUNY employee. Bill Kelly served as the GC Provost (1998-2005) and President (2005-2013) before moving onto a one-year interim role as CUNY Chancellor, before our current Chancellor, James Milliken, took over. While well-liked among some in the GC community, Kelly proved his mettle to the Board of Trustees in February 2013 when he asserted that the Graduate Center would not be a “roach motel” in which students “check in and don’t check out.” In response, almost twenty GC students co-wrote an open letter to Kelly that concluded: “We are not pests to be trapped and poisoned. We are workers and students. CUNY is our workplace and our intellectual home, and we will not stand idly by to watch it dismantled by neoliberal ‘reformers’ who would eagerly turn it into an elite, corporatized institution for a privileged few.” (http://gcadvocate.com/2013/02/11/my-phd-program-is-not-a-roach-motel/)

The second highest-paid CUNY employee, retired former Chancellor Matthew Goldstein (1999-2013), doesn’t even work here any longer. Goldstein draws an “Emeritus Chancellor” post-retirement salary for five years while continuing to chair JP Morgan Mutual Funds – the same Chancellor who presided over the dismantling of Open Admissions, countless budget cuts and tuition increases, and heightened police attacks on campus dissent. This record of our past and current GC Presidents and CUNY Chancellors shows an emerging trend in the concentrations of power at CUNY and in New York City’s cultural, economic, and political institutions: those who oversee worsening austerity, roll-
backs on student and worker diversity, and selective “merit-based” (read culturally biased) aid are rewarded with a seat at the table of the one percent.

In a resounding rebuttal of these conditions, ninety-two percent of CUNY academic workers in the Professional Staff Congress (PSC) say “STRIKE!” Out of over ten thousand PSC members across CUNY who voted between May 2 and 11, including seventy percent of GC PSC members, ninety-two percent support our union authorizing a strike to settle a six-year contract battle with CUNY management. The union has newly activated several hundred members in rallies, marches, strike authorization tablings, phone-banking, department rap sessions, email updates, and one-on-one outreach to co-workers. While the PSC leadership has announced that it would not consider preparing for a strike until the fall, the strike authorization vote will potentially pressure a contract to be settled by the summer. This landslide vote, combined with the defeat of the five-year annual tuition increase and a half-billion dollar cut in state funding, show how the past academic year culminated in several victories for the CUNY movement that were by no means foreseeable without the organizing efforts of GC masters and doctoral students, faculty, HEOs, CLTs, and librarians in the PSC, as well as hundreds more unionized campus workers in DC37, International Alliance of Theatrical Stage Employees, SEIU, and Teamsters.

To be sure, the PSC strike mobilization doesn’t necessarily ensure a well-rounded contract campaign for all. Despite the potential for a robust organizing campaign from below, many rank-and-file PSC adjuncts are still out of the loop or formally disempowered, while strategic decision-making is bottlenecked at the top. In turn, this becomes reflected in the contract’s priorities. Most in the union leadership and bargaining team do not consistently push for better working conditions for long-time adjuncts and graduate students. A pay raise across the board would maintain the huge rift in wage disparity between the seventy percent adjunct faculty and the thirty percent tenured/tenure-track faculty – a majority who make $3,000 per class, a minority who make over $200,000 per year, and all those in between. A redistributive wage demand can and should be implemented by the bargaining team; wealthier faculty should use their institutional leverage to help end the two-tier wage system to the benefit of the majority of their fellow PSC members. Furthermore, broader participation by everyone in the PSC can prepare us to vote down any paltry contracts from CUNY management or our own union leadership.

How can we transform CUNY from a starving skeleton run by greedy private interests towards a fully funded and more democratic education system? What do we need to get back to a free CUNY with open admissions and free tuition as well as faculty evaluations based on student-centered pedagogy and a living wage and secure workplace for all, especially our adjuncts? To start, how about student/faculty/staff-elected Chancellors, College Presidents, and Provosts; a Board of Trustees with majority student and community membership; and monthly open community meetings with administrators? Or joint social justice campaigns between the PSC, other unions in CUNY, neighborhood organizations as well as student unions that welcome direct and creative democratic actions, dedicated to a more equitable university and city? The possibilities are endless and require the voices of students and academic workers like yours to be at the forefront! What do you think is needed for a more democratic CUNY? We want to know: share your comments with us gcstudentsassembly@gmail.com!
Earlier this month, New York City was host to the African Film Festival, organized by the conjoined efforts of the Film Society of Lincoln Center and the Brooklyn Academy of Music. The half-month long event, spanning from the May 1 to May 15, showcased myriad films relating to and engaging with African society, politics, and culture. In addition to films situated in the continental context, a variety of the selected works engaged with broader diasporic issues as well. On 5 May, I had the opportunity to view Queen Nanny: Legendary Maroon Chieftainess, directed by a descendant of the Jamaican Maroons, Roy T. Anderson. It was shown as the first half of a double feature alongside Donna C. Roberts’ and Donna Read’s Yemanjá: Wisdom from the African Heart of Brazil. Before proceeding any further, it must be noted that both films are worth seeing, particularly for those interested in Afro-American social and religious formations as well as the ways in which peoples of African descent contested elite, namely European, social structures both in regards to historical processes and in contemporary society. This review focuses solely on Anderson’s film.

Gloria Simms as Queen Nanny Source: http://jamaicans.com/queen-nanny-maroon-director-roy-anderson/
and its portrayal of the Maroons as the arbiters of freedom in colonial Jamaica.

Queen Nanny is officially described as follows: “Nanny was a queen captured in her homeland and forcibly transported across the Atlantic Ocean in the belly of a slave ship. In the New World, she rose up to become the leader of a new nation — of free Africans. However, not many people outside of Jamaica know about the legendary warrior chieftainess of the Jamaican Maroons. She is the only female among Jamaica’s seven national heroes, and her likeness appears on the country’s $500 bill, yet little is known about her. This landmark documentary, conceived by award-winning Jamaican-born, New Jersey–based filmmaker Roy T. Anderson and history professor Harcourt T. Fuller, unearths and examines this mysterious figure, who led a band of former enslaved Africans in the rugged and remote interiors of Jamaica in their victory over the British army during the early to mid-eighteenth century.”

The documentary has three central themes throughout. The first, as the title and above description indicate, revolves around “uncovering” the mysterious character of Nanny, her purported military and diplomatic successes against the British, and her central role amongst the Windward Maroons communities. The second thematic focus of the film is that of the contemporary relevance of Nanny in Jamaican society, and the third concerns the way the documentary deals with the broader impact the Maroon society had in Jamaica, both historically and in the present.

Anderson’s film begins with an interrogation of the various myths which shroud Nanny’s historical figure. The first issue for Anderson was establishing whether or not she actually existed. While some dispute has persisted on the matter, there is ample historical evidence that such a woman did exist, and at the very least was an integral part of the Windward Maroons in the early to mid-eighteenth century. This evidence comes not only in the form of popular oral histories but is buttressed and verified by archival documentation. After quickly dispelling any notion that Nanny was potentially a figment borne out of Jamaican folklore, Anderson’s film attempts to establish Nanny’s origins in Africa, a much more challenging task to accomplish. Anderson interviews various people (as he does throughout the film), including scholars, activists, politicians, and contemporary Maroons, in order to give the audience some semblance of “who Nanny was.” We hear that she was possibly a slave from the barracoons in what today is Ghana. Alternatively, we hear that she emigrated to Jamaica as a free woman, on the deck of a slave vessel rather than in its wretched holds, and that she was possibly a slave owner herself. The latter is a fairly dubious assertion, and Anderson’s film propagates the view that Nanny was likely an enslaved person as she journeyed across the Atlantic. The audience is led to believe, and quite convincingly too, that Nanny was a member of the Akan speaking peoples of Western Africa and a Coromantee (an Ashanti slave). This last bit is highly believable and likely true.

The film proceeds to briefly discuss Nanny’s time as a slave and quickly shifts to exploring her role as a military and spiritual leader of the Windward Maroons. Mixing historical fact with myth and folklore, this portion of Queen Nanny seems a bit muddled. There is a lengthy segment dealing with the myth that Nanny was so feared by the British by virtue of her skills of catching bullets, often reportedly with her buttocks. While this
mythology is interesting and at times amusing, there is no interrogation of the overtly sexualized representation of Nanny and much of her purported military skills are presented as some sort of quasi-magical prowess. Granted, there is sufficient evidence to suggest that Nanny was in fact not a military leader, but rather a spiritual and political leader within the Maroon polity. This is convincingly demonstrated in Michael Craton’s book *Testing the Chains*. Nanny’s alleged military role, while being lauded by the film, is incidentally downplayed when the film discusses the treaties signed with the British. It was not Nanny who was the signatory of the treaty but Quao, another Maroon leader (the military head of the Windward Maroons) who was the principal Maroon involved in the negotiations. However, the film portrays this fact not as evidence for Nanny’s non-participation in the direct military ventures the Maroons waged against the British but rather as a way to absolve her and her legacy from the detrimental terms of the treaty signed between the Windward Maroons and the British (I will discuss this more later in the review).

As mentioned above, the other themes in *Queen Nanny* are Nanny’s legacy to modern-day Jamaica and the wide-ranging legacy of the Maroons as they relate not only to contemporaneous Jamaican Maroon communities, but also to Jamaican society more broadly as well as beyond the circum-Anglo-Caribbean world. Anderson interviews a few women politicians, mostly from the center-left People’s Nationalist Party, including Prime Minister Portia Simpson-Miller, on how Nanny’s legacy has influenced their own
politics and ascension in what is typically an “old boys club.” The film would have been better served if Anderson interviewed Jamaican women who have legitimately challenged the status quo, as Nanny did in her heyday. Instead, this portion of the film grotesquely valorizes the way certain lackeys of the Jamaican state deploy a caricature of Nanny in order to distort and appropriate her revolutionary legacy, as opposed to portraying radical individuals confronting issues of injustice and oppression at an everyday basis.

Anderson’s film also deals with the legacy of the larger history of the Maroons and how these histories have influenced contemporary Jamaica as well as their wide-ranging effects beyond the island. It is this portion of the film that one should find most problematic. While the cultural and social significance of the Maroons should not be understated, Queen Nanny, however, willfully and intentionally obfuscates and elides large portions of Maroon history in an effort to present a purely triumphalist narrative. Granted the diasporic linkages between Jamaica and West Africa (present-day Ghana specifically) are evidenced through the representations of Maroon culture throughout the film. Anderson is able to demonstrate this by examining the correlations between language, food consumption and cooking techniques, religious practices, as well as cosmological understandings which resonate within both the Maroon communities of Jamaica and present day Akan-speaking communities in Ghana.

Furthermore, interwoven through the film’s historical documentation, Anderson follows a group of contemporary Maroons, historical researchers, and people otherwise invested in the legacy of Nanny, as they traverse the rugged terrain of Jamaica’s Blue Mountains in search of her grave at the site of one of the original Maroon villages. This section, in all it parts, also helps the audience understand the Maroon legacy in Jamaica in general and Nanny’s revered role in particular. The sections on the film dealing with the cultural legacy of Nanny or the Maroons is not what causes consternation, rather it is the political significance of the Maroons and how their history is mobilized over the course of the film.

To be clear, my criticisms which follow are concerned more with how Queen Nanny portrays Maroon history in a highly selective manner rather than with the representation of Nanny herself. As it regards Nanny, the historical errors and the occasional presentation of myth as verifiable fact notwithstanding, Anderson’s film does a superb job of uncovering a vast amount of information about a fairly enigmatic and mysterious figure in Jamaican and British imperial histories. But notwithstanding Nanny’s portrayal in Queen Nanny as nearly copacetic, his broader representation of Maroon history and significance leaves much to be desired. Anderson quite accurately presents the Maroons as stalwart freedom fighters. As a group of ex-slaves, liberated not by royal decree or the beneficence of the master class, their flight from bondage was self-manumission. And the Maroons in Jamaica, both the Leeward and Windward Maroons, continually harassed the British planters and military, often drafting other slaves into their ranks. And as Anderson tells the audience, the Maroons went to war with the British Empire, who arguably possessed the most powerful and technologically advanced fighting forces on the globe at the time. All of this is presented in a manner which envisages the Maroons as a righteous and morally sound group combating the ills of chattel slavery and colonial empire. And this is a fairly valid interpretation and rendering of this portion of Maroon history. However, the problem with the film is the disconnect between this period of Maroon socio-political progressiveness and the subsequent history of betrayal, which implicates the Maroons as integral to the continuation not only of chattel slavery but of the very imperial avarice which they had previously struggled against.

The First Maroon War, which had been a low-intensity conflict since the British seized Jamaica from the Spanish in 1655, reached its zenith in 1731, after which treaties were signed in 1740 and 1741 with the Leeward and Windward Maroons respectively. While the treaties provided for Maroon autonomy and of-
fered certain Maroon leaders extensive plots of land (including Nanny, who received a rather extensive parcel), one of the provisos was that the Maroons would be obligated to be slave catchers and enforcers of plantation justice meted out to any runaway slaves they would happen to come across. Furthermore, the Maroons were obligated to assist the British military and the colonial militia in times of foreign invasion as well as during episodes of internal social unrest.

Queen Nanny briefly mentions that one of the provisions of the treaty between the British and the Windward Maroons was that the latter would serve as slave catchers and help quell rebellion or invasion. A cursory reference in the film to this effect is not sufficient and helps in maintaining Anderson's vision of the Maroons as a homogenously progressive polity. This omission is even more of an issue when one considers the film's insistence that the Jamaican Maroons were the flag bearers of freedom. It is true that they indeed were at one point in time, but Anderson's film makes it seem as though this moral position was maintained throughout Maroon history well into the present. Anderson's failure to demonstrate the nuanced and complicated version of Maroon history in Jamaica is in the service of perpetuating the tradition of revering Maroons as righteous warriors against injustice. Again, while this is true and accurate for a certain period of Maroon history, such a representation ignores the disastrous socio-political consequences of Maroon collusion with the British. And while Queen Nanny focuses its historical narrative on the period of Maroon resistance, the linkage of Maroon struggles of the past to present day Maroon communities (and Jamaican society more broadly) without attending to the later periods of their political degeneration results in a myopic history. If we consider that the Jamaican Maroons were integral to the suppression of the Baptist War and the Morant Bay Rebellion, then one cannot simply posit that the Maroons were and are historically exemplary freedom fighters. On the contrary, their role in quashing the Baptist War, a 30,000 plus slave rebellion from 1831-1832, arguably prevented immediate emancipation (as opposed to gradual emancipation via “apprenticeship” which the British enacted soon afterwards), and their subsequent complicity in catching and executing the principal organizers of the 1865 Morant Bay Rebellion (a labor revolt in eastern Jamaica) only served the interests of the British colonial elite.

It may be taboo for one to call the Jamaican Maroons reactionary, but they certainly were for a certain period of their history. This is particularly important for people of color to understand. Very much in the same vein that it is taboo in some circles to argue that it was African elites and not European merchants who sold slaves along the African littoral to eager captains awaiting to turn a profit on their cargoes in the new world, this aspect of Maroon history is not readily reckoned with or examined. Anderson's film, therefore, plays into the clap trap of identity politics which is currently en vogue. History, no matter how seemingly contradictory or unsavory to popular conceptions of morality, must still be accurately represented. Despite this glaring issue, however, Anderson's Queen Nanny is a film which rebuilds a once mythical figure of the African diaspora, demonstrating her socio-political power and how it helped in shaping Jamaica. While its deficiencies must be recognized and addressed, they do not indict the film or make it unworthy of a wide viewership. On the contrary, Queen Nanny should be seen by all who have a concerted interest in Afro-American history, the African diaspora, or Jamaican culture.
Gordon Barnes is a PhD student in the History Program. He researches elite ideology and subaltern violence as well as the transition from slavery to freedom in the 19th century British Empire.

Shawn Simpson is a PhD student in the Philosophy Program. He is also a teaching fellow at Brooklyn College.

Rachel J. Chapman is a doctoral student in Urban Education with interests in race, class, gender, and immigration.

Conor Tomás Reed is an archivist, activist, doctoral student, and CUNY writing fellow; a collective member of Lost & Found; and a co-founding participant in the Free University of New York City.

Denise Rivera is a MA student in the Liberal Studies program, International Studies track.

Stefanie A. Jones is a Ronald E. McNair Scholar, an educator, an organizer, a doctoral candidate, and a critic and philosopher of modern political economy.

Dominique Nisperos is a doctoral student, a student fellow, teacher, comedian, and former Co-Chair of the DSC.
Dear students,

The Doctoral Students’ Council has been engaged in various struggles at the Graduate Center this year as we have seen and felt the material consequences of New York State’s disinvestment in CUNY’s students. We have been in solidarity with student organizations across CUNY, as well as the Professional Staff Congress, in their fights for lower tuition and a fair contract.

When the GC administration de-prioritized diversity, accessibility, and affordability, citing budget constraints, the DSC understood that these are precisely the values to protect and focus on during a budgetary crisis. As soon as its second plenary meeting for the year, the DSC adopted a resolution against increasing tuition (link on QR code A), and consequently, working with other CUNY-wide student groups, successfully pushed the Board of Trustees on a tuition freeze. At its December plenary meeting, the DSC adopted a resolution calling for increased diversity (link on QR code B) of both faculty and students at the Graduate Center, where we learned that only 14% of GC full-time faculty are of color, no current senior administrators serving as Vice President or Dean are of color, and, in the last decade, the GC has enrolled about 7% Black students (a 4 percentage point increase since 1967) and about 9% Hispanic students (a 7 percentage point increase since 1967). Further, the DSC has highlighted the following specific demands this year:

1. Tuition remission beyond the 5th year: We've started a campaign (link on QR code C) to build awareness and bring about change in this very important fight about the value of our labor in CUNY classrooms. Currently, as we amass more experience through teaching, the value of that labor decreases because of both fellowship term-limits and the 5-year limit on tuition remission. We've demanded (link on QR code D) that the CUNY administration extend tuition remission to 16 semesters as a minimum benefit for our dedication and service in CUNY classrooms.

2. Accessibility services: The Graduate Center is the only CUNY College without an office for accessibility services (sometimes called disability services). We commend the Office of Student Affairs for working with the DSC on this very important issue, but we also note its limitations. For years the administration has been indicating support for such an office but has balked at actually materializing it. A recent survey on accessibility at the GC indicated that students with various disabilities have problems accessing the building, dealing with heavy doors, navigating pantries, and working with accessible technology. In one small, but directed response, students added doorstops to many of the doors on the elevator banks for each floor. But that is of course not enough - change must come from the institution and the administration needs to stand behind all its students.

3. All-gender bathrooms: It is essential that we ensure that transgender, and gender non-conforming students feel included at the GC. Having one all-gender, single stall bathroom is a small, but ultimately token, step. Separate but equal has not worked before and will not work now. The DSC has advocated for replacing some existing gendered bathrooms with all-gender bathrooms. This is an essential material condition for survival for many GC students. The initiative would be practically a no-cost investment in diversity at the GC; all that the administration needs to do is replace signs and ensure that it is committed to supporting all its students regardless of gender identity.

Through these and many other efforts, the DSC has placed diversity, accessibility, and affordability at the top of the agenda, and reminded the administration that these are the core values that a public university should never forget. Accordingly, the DSC is here as a resource for the preservation and continuation of these core public higher education values, and commits to relentlessly advocate for them at the levels of the individual programs, the Graduate Center, and the entire CUNY community.

As usual, we will be open during the summer, though with reduced hours. Please stop by 5495 to learn more about the DSC, get coffee, buy movie tickets, and contribute further to what we do.

In solidarity,
Hamad Sindhi
Co-Chair for Communication
Doctoral Students Council"