

## [Intersecting Picket Lines: Free Speech, Palestine, and the CUNY Contract](#)

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On June 20, five days after the Professional Staff Congress (PSC) teachers and staff union reached a [tentative contract agreement](#) with the City University of New York administration, the Board of Trustees (BoT) convened a public hearing on a proposed policy for “[Freedom of Expression and Expressive Conduct](#).” This Orwellian measure could criminalize any unsanctioned meetings, speak-outs, and marches on CUNY campuses, and by the CUNY lawyer’s own admission, was tailored to counter recent Black Lives Matter and Palestine solidarity actions. At the packed hearing, three dozen students, faculty, staff, and alumni railed against the BoT, demanding that the proposed policy be scrapped.

Even though the new contract was brokered only after the PSC threatened to strike, and establishes concrete gains for various constituencies, it’s by no means a radical agreement. Some members have already vowed to pursue a no-vote. The 10.41% salary increase (compounded for 2010-2017) doesn’t surpass inflation, the three-year adjunct appointment system (instead of reappointments each semester) won’t apply to most adjuncts who teach the majority of CUNY classes, and management will be able to hire a new coterie of star faculty with exorbitant salaries (call it the [Paul Krugmanization of CUNY](#)), thus wrenching the two-tier wage disparity gap even wider.

It’s no coincidence that the CUNY administration delayed negotiations so that the PSC membership vote to ratify the contract and the BoT June 27 vote to curtail free speech would both occur when most of the CUNY community is dispersed for the summer. However, because the PSC has fought for a contract along narrow demands, in the face of increasing political crises at CUNY – over labor austerity, free speech, U.S. militarism, and Palestine solidarity – the union leadership is now scrambling to mount a broad, multi-sectional opposition to a policy that would inhibit the right to amass a picket line.

This tenuous situation demands that we rethink the strategies that guide labor organizing on college campuses. In preparation since 9/11, the CUNY administration and New York government have now

fully entwined the languages of anti-racism, law and order, and fiscal responsibility to enforce a shock doctrine of structural underfunding and repression. But if a defense of free speech and anti-imperialism is fused with the struggles of organized labor, a new opening for a broad and combined struggle can emerge. If CUNY's movements are to reverse this assault, they'll have to force the union to move past the economism of their contract campaign and embrace struggles that speak to the lives of their members, New York, and the wider world.

## **City University in the World**

CUNY is the largest public urban university in the United States. It employs fifty thousand teachers and campus staff in several unions, and relies on unwaged intellectual work by over half a million students, mostly working poor immigrant youth from around the world. Both the wealthy elite and social movements have long recognized CUNY's institutional role as a social bellwether. At various points in the twentieth and twenty-first centuries, the university has become a primary site of economic, social, and ideological restructuring – as well as resistance – in which struggles over CUNY became epicenters for national, and even global, conflicts.

We see this dynamic, for example, in the early 1940s, when the [Rapp-Coudert Committee](#) held closed-door disciplinary hearings to fire more than fifty CUNY educators (predominantly Jewish) in the College Teachers Union who were suspected of being Communists, a few years after several dozen CUNY students and teachers had returned from fighting fascism in the Spanish Civil War. Rapp-Coudert laid the groundwork for Senator Joseph McCarthy's House Un-American Activities Committee (HUAC) to wreak havoc over a generation of radical lives.

CUNY again became a fulcrum upon which the U.S. state and capital, reeling from the 1975 defeat in Vietnam and the resulting economic crisis, extorted concessions from the working class via the reduction of social programs like free college education. After Black, Puerto Rican, and Asian student-led campus strikes in the late sixties and early seventies transformed CUNY with ethnic and gender studies and Open Admissions, President Gerald Ford insisted that New York City impose tuition at CUNY and lay off contingent faculty en masse in order to escape from a manufactured fiscal crisis which [Ford's cabinet](#) reframed as irresponsible self-indulgence: like “a wayward daughter hooked on heroin... You don't give her \$100 a day to support her habit. You make her go cold turkey to break her habit.”

## **Campus War Zone**

More recently, the post-9/11 relationship between CUNY and U.S. imperialism has developed to the point that the university is now a prominent target for both military recruitment and counterinsurgency. Since the mid-2000s, as the United States became mired in the occupations of Iraq and Afghanistan, recruiters' presence intensified at CUNY colleges, especially after the 2008 economic crisis. In November 2011, days after the Occupy Wall Street eviction, the CUNY administration imposed a five-year annual tuition increase by approving a [police assault on peaceful protestors](#), and then [evacuating an entire campus building to hold the vote](#). During this same year, CUNY reviewed a [policy paper](#)

calling for the Reserve Officers Training Corps (ROTC) to be re-embedded at CUNY in order to diversify its officers.

Then in fall 2013, former military general David Petraeus began teaching a CUNY class called “The Coming North American Decades,” and ROTC set up shop in three other CUNY campuses with little to no regard for campus governance procedures. Although Medgar Evers College successfully removed ROTC, [it remains at City College and York College](#). Meanwhile, student activists were surveilled, arrested, and suspended as campus organizing spaces were seized. As [journalist Peter Rugh](#) put it, “America’s most diverse university was turned into a war zone.”

During this post-9/11 period I’ve briefly sketched out, the political situation at CUNY also dramatically shifted in terms of solidarity with Palestine and opposition to the surveillance of Muslim students, two issues which began to coalesce on CUNY campuses as the movement against the wars in Iraq and Afghanistan waned.

[In 2005](#), Palestinian civil society issued a global call for boycott, divestment, and sanctions (BDS) against Israel until it complied with international law and universal principles of human rights. Critiques across CUNY and New York City of the Israeli military’s unchecked aggression on Gaza heightened during Israel’s winter 2008, November 2012, and summer 2014 carpet bombing campaigns. All funded by \$8.5 million U.S. government dollars a day, these three conflicts altogether killed 3,900 Palestinians and 90 Israelis, left many more wounded, and demolished social infrastructure (such as hospitals, schools, electricity and water supplies) along similarly asymmetrical figures in an effort at total destruction of daily life in Gaza.

This carnage could have potentially felt distant, were it not for Zionist organizations, college administrators, and government officials’ more local attempts of repression on CUNY campuses. If student revolts once aspired to “bring the war home,” more recently this pro-Israel coalition has done so differently in its attempts to fire and suppress CUNY [faculty](#) and [students](#) who dared to critically teach, learn, write, and organize for Palestine. Instead of being silenced, Palestinians and their anti-imperialist accomplices at CUNY (in groups such as Students for Justice in Palestine and CUNY for Palestine) – many of them women, LGBTQ, and gender-nonconforming folk – began to more insistently share stories of what people in Gaza and the West Bank endured under the U.S.-backed Israeli military.

CUNY faculty and graduate students also helped lead a wave of several national academic associations and unions passing BDS resolutions against the Israeli government and academic institutions. The CUNY Graduate Center’s own student government passed an [academic boycott](#) in April 2016 after a two-year campaign. These boycott resolutions were implicit strikes against occupation, understood as clearly drawn picket lines for academic labor.

## **Surveillance and Selective Anti-racism**

Links between wars against Arabs and Muslims abroad and at home also deepened when, in the fall of 2011, [journalists exposed](#) that the NYPD had conducted surveillance of Muslim student groups at eight

CUNY schools from 2003 to 2006. Another NYPD spying operation would begin in March 2011 at Brooklyn College. An informant embedded herself in Muslim friendships circles, in Students for Justice in Palestine (SJP), and in a “Unity Coalition,” which organized SJP, the Black Student Union, Puerto Rican Alliance, Dominican Student Movement, and other left student groups. This resulted in fall 2015 revelations of the entrapment of two young women in a fabricated ISIS terrorist plot.

CUNY professor Jeanne Theoharis warned in the [\*Intercept\*](#),

[T]hese tactics are not renegade actions. They are consistent with the NYPD’s and the FBI’s approach to Muslim communities after 9/11. They reveal how an “investigation” becomes a perch from which to spy on a community for years, how politically active and religiously conservative students become targets, and how efforts to form coalitions between students of color become suspect.

I draw this chronology to situate why, in the last year, CUNY has suddenly become an epicenter of struggle around educational austerity, “expressive conduct”-policing, and BDS. This history helps to explain why in fall 2015, as the PSC organized civil disobedience and rallies, and mobilized for a strike vote, Cuomo and NY legislators suddenly proposed a half-billion dollar state funding cut to CUNY’s budget, harkening back to our 1975 emergency status.

Based on a [letter by the Zionist Organization of America](#) that cited a skewed series of “anti-Semitic” events at CUNY (defined only with regard to Jewish students, not to Arab students who are also Semitic), the NY Senate announced in March 2016 that they would “deny additional funding for CUNY senior schools until it is satisfied that the administration has developed a plan to guarantee the safety of students of all faiths.” Even though state funding was ultimately restored to CUNY, the irony, of course, was that this massive gash in the budget would have also hurt Jewish students, faculty, and staff.

Nevertheless, a self-described CUNY task force on anti-Semitism called pro-BDS [Professor Sarah Schulman](#) and [SJP student leaders](#) into closed-door disciplinary meetings reminiscent of the Rapp-Coudert Committee and the rise of McCarthyism to underscore a “[Palestine Exception to Free Speech](#).” In the last few weeks, [Governor Andrew Cuomo](#) introduced a bill to specifically attack individuals, student groups, and institutions that advocate BDS. The CUNY Board of Trustees also seized the momentum to introduce the policy on “Freedom of Expression and Expressive Conduct.”



## Intersecting Picket Lines

The government and administration have fused these crises into a new political economy at CUNY – we can use this shift to meaningfully connect our struggles, not keep them isolated in retreat. The PSC repeatedly vocalizes its defense of CUNY’s mission to provide quality education to working-class people of all colors and backgrounds. However, the union has maintained a limited contract focus that is already hampered by enduring adjunct inequalities, while not taking a public stand on these anti-BDS bills, McCarthyist hearings, student surveillance, and the policy on “Freedom of Expression and Expressive Conduct.” In so doing, the union has one arm tied behind its back, right when it could further expand upon a recent landslide [92% strike authorization](#) and subsequent contract offer.

This moment is haunted by the old racist song repurposed by Paul Gilroy to examine race and class under neoliberalism, that “[There Ain’t no Black in the Union, Jack.](#)” In other words, labor movements are always at risk of eliding concurrent struggles that affect its most marginalized workers and support bases. These issues are not being officially recognized by the PSC as part of our picket line, even if they have become a central means by which many of us organize as laborers, and have pivoted the directions of our university’s institutional life.

More widely, a class re-composition is taking place to gather various kinds of workers – athletes, artists, dockworkers, educators, healthcare workers, journalists, retail workers, scientists, students, and beyond – under the “one big union” of BDS to coordinating rank-and-file cross-industry actions that link apartheid and imperialism abroad with austerity and policing at home. Because CUNY students and workers have had to vigorously defend our right to speak on Palestine and on the surveillance of Muslims, we’ve radicalized the contours of a new free speech movement that is concerned with different “trigger warnings” of Israeli apartheid and Homeland Security on our campuses.

Our movements can learn to both “[oppose and propose.](#)” We can demand a fair CUNY contract while taking a stand against political repression. We can oppose ROTC military science programs, while expanding resources for valuable spaces like the [CUNY Graduate Center’s Middle East and Middle Eastern American Center \(MEMEAC\)](#) that are at risk of being underfunded to death. We can protest when [rape-apologist IDF soldiers](#) are invited to speak on campuses, as we host the annual Palestinian students’ [Right 2 Education](#) tour nationwide. We can refuse to cooperate our academic labor with Israeli universities, and form new partnerships with Palestinian universities, as [Rabab Abdulhadi at San Francisco State University](#) has initiated with An-Najah and Birzeit.

Like our unions (and universities), BDS is a means, not an end. Moreover, the protection of free speech is not to be decorously enshrined by any top-down policy, but directionally honed and pushed beyond what the bosses and lawmakers deem permissible. Only through these intersecting picket lines can we address all the aspects of a contract campaign within a larger struggle to transform CUNY. In the words of [Tidal Magazine](#), an anti-colonial movement journal,

Boycott is a necessary yet limited tactic. Each “win” is but a small part of a coordinated exertion and intensification of pressure. The value of Boycott lies as much in the economic damage it could do to the target as it does in the conversations, bonds, and spaces that are formed in the process of organizing. These are the foundations of any future liberation,

beyond Boycott and beyond BDS itself.

City University of New York students, faculty, and staff, like the U.S. labor movement, are stuck between two forms of class composition: one that is bound by parochial bread-and-butter demands, and one in which our actions can reverberate around the world as they transform our working and learning conditions here. Which side are we on? Improvements over wages, benefits, and job security are real advances against the university and state elite, but they cannot be divorced from these interrelated conflicts that have catapulted CUNY into a local/global battleground.

We must collectively ask why the PSC and many other campus unions – as their leadership and membership are currently configured – have not been adequate forces for making such political demands. But perhaps struggles at CUNY can experiment with strategies to escape this impasse, finding ways to link the union to other struggles, to wider communities, to build associational power. In these broader coalitions, and relying on deep community ties, PSC members can urge the union to refuse to ratify a contract until management desists from its efforts at austerity, curtailment of civil liberties, and endorsement of U.S. and Israeli occupations, which are all integral facets of our workplaces. During the past year, we mobilized for a strike which garnered wide support across the university and New York City. We can use this momentum to strike at the heart of empire, and in the process, help redirect the course of social movement unionism.

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*On June 23, half an hour after this article was published, [Politico](#) announced a statement by CUNY that “A proposed policy will be considered by the Board of Trustees at a later time, following additional consultation and discussion.” Meanwhile, [The Nation](#) reported that Governor Cuomo continues to pursue a BDS Blacklist, in a clear violation of the First Amendment. Later in the evening, the Professional Staff Congress Delegate Assembly voted 111-11 to approve the contract as it stands for ratification by the union membership.*