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## **RETIREES NEWSLETTER**

**Professional Staff Congress  
Jack Judd, Editor**  
[psc-cuny.org/retirees](http://psc-cuny.org/retirees)

### **MONDAY, MARCH 2 CHAPTER MEETING: A SPECIAL WOMEN'S HISTORY MONTH**

**PRESENTATION.** Carrolle Charles, associate professor of Sociology at Baruch College, will speak on the topic: "Is Haiti the same as the Congo: the contentious debate between Haitian feminist organizations and feminist international observers regarding the significance of rape." Professor Charles is a frequent first hand observer of feminist activist organizations in Haiti.

The meeting is from 1-3 PM in the PSC Union Hall, 61 Broadway, 16<sup>th</sup> floor. Doors open at 12:45 PM with light refreshments and beverages awaiting you.

The Executive Committee meets at 10:30 AM on March 2 in the Justice Room on the 15<sup>th</sup> floor of 61 Broadway. EC meetings are open to retiree chapter members.

### **SUMMARY OF OUR FEB. 2 MEETING: GLORIA BROWNE- MARSHALL ON VOTING RIGHTS.**

*By Joel Berger, Vice Chair, Retirees Chapter.*

As snow and cold weather raged outside, a hearty band of retired PSC sisters and brothers gathered at the February chapter meeting for an energetic presentation on voting rights by Gloria Browne-Marshall, professor of constitutional law at John Jay College.



Prof. Browne-Marshall, a former civil rights litigator, observed that 2015 is a year of significant anniversaries: 150 years since of the passage of the 13<sup>th</sup> Amendment to the Constitution (1865); one hundred years since the founding of the NAACP, and the Guinn case (1915); 50 years since the passage of the Voting Rights Act and the march

across the Edmund Pettus Bridge in Selma, Alabama (1965).

Prof. Browne-Marshall wove important elements of the U.S. Constitution, aspects of widely held attitudes toward race, and history of social justice movements into a smoothly flowing narrative.

She traced how the Constitution and Supreme Court decisions defined the legal status of African-Americans, beginning with Article I, Section 2 of the Constitution ("Africans were counted as 3/5 of a human being in order to determine the number of congressmen from the state").



Herblock cartoon on the 1965 Voting Rights Act.

She argued that "people of African descent added a level of consciousness to the Constitution to make it real for a lot of people. The civil rights movement wasn't just about making Black life better. It

made all American life better. When the Supreme Court makes decisions, it doesn't affect just the Black community it affects the entire nation."

Amendments, she continued, change the Constitution, but sometimes create new situations. Looking at the 13<sup>th</sup> Amendment, which abolished slavery, Professor Browne-Marshall highlighted the phrase, "except for punishment of a crime..." which gave rise to the black codes -- those criminal laws put into place to prevent the progress of Black people. "This prison-industrial complex that we are wrestling with today began then," she said.

She described how southern states used the criminal justice system, character laws, and the "grandfather clause" to disenfranchise African Americans under the guise of race-neutral law. Oklahoma enacted such a law, restricting voting to only those whose parents or grandparents could have voted in 1868 or before. The Supreme Court declared this law unconstitutional in the Guinn Decision of 1915, but other laws such as the poll tax, and literacy tests remained in place.

The Chinese Exclusion Act of 1882 prevented Chinese immigrants from voting. Native Americans could not vote until 1924, when they became citizens.

Professor Browne-Marshall analyzed the recent case of Shelby, Alabama vs. Holder. That decision "decimated the Voting Rights Act of 1965." Justice Scalia said that

supporters of strong voting rights enforcement wanted "a perpetuation of racial entitlement." The Court ruled by a 5-to-4 vote that Section 4(b) of the Voting Rights Act is unconstitutional. Section 4(b) is the part of the Voting Rights Act that determines which jurisdictions are subject to pre-clearance by the Justice Department of their voting ordinances. The pre-clearance requirement was based on a jurisdiction's history of discrimination in voting.

The Court's majority ruling stated that the coverage formula is "based on 40 year-old facts having no logical relationship to the present day." (Justice Roberts for the majority.)

Concluding with a review of the expansion of voting rights over the years, Prof. Browne-Marshall focused attention on what certain states are doing now to suppress the vote. She said, "I tell my young people in the class: if your vote isn't important--if it doesn't matter, then why are people trying to stop you from using it?"

**SIGN UP FOR A SOCIAL SAFETY NET WORKSHOP!** The workshops are an antidote to the never-ending bombardment of political and media hype about austerity and the need for cutting the social safety net (e.g. Social Security, public sector pensions, Medicare, etc.).

With the help of a \$25,000 solidarity grant from our state affiliate, New York State United Teachers (NYSUT), the PSC Retirees Safety

Net Working Group is initiating a series of workshops across NY state for trade unionists, educators, community groups, seniors and social justice advocates.



Poster from the late 1930s

The workshops will help sort fact from fiction, provide tools for defending and expanding the safety net and, ideally, widen advocacy in your own circles and communities.

**The Safety Net Working Group is offering these workshops first to PSC retirees.** Your participation will help shape the workshops before they are offered statewide.

You can sign up for one of two workshops to be held at the PSC office:

- Monday, March 9, 1 – 3 PM.
- Friday, March 13, 1 – 3 PM.

A full lunch will be provided at each workshop. To enroll, send an email to [safetynet@pscmail.org](mailto:safetynet@pscmail.org).

Check out the Safety Net Working Group's booklet, *Defending the Social Safety Net - A Call to Action*, available as a PDF at [psc-cuny.org/SNbrochure](http://psc-cuny.org/SNbrochure).

**IV. LET'S CELEBRATE SOCIAL SECURITY.** Whether we're tooting the horn for Social Security's 75<sup>th</sup> Anniversary (first benefit check issued), its 77<sup>th</sup> (when it was found constitutional by the Supreme Court) or its 80<sup>th</sup> (when first signed into law), it's worth noting that these are hard-won celebrations. Social Security has been under attack the entire time.

When he first proposed Social Security, FDR received blistering critiques from political and social-policy scolds, who denounced what they saw as redistribution of wealth and the creation of a large bureaucracy. The biggest threat may have been posed by Louisiana Senator Huey Long, known as The Kingfish, who was campaigning for the White House on his own populist plan. Long [blocked Senate funding](#) for the new program for seven months, but before his attacks could derail Social Security, he was assassinated.

Fast-forward to today, and the battle continues. Once the Republicans assumed control of the House of Representatives this year, they wasted little time in approving a measure trying to put Social Security "reform" back on the table as a

precondition to shoring up the program's funding. This has placed the incomes of millions of disabled Americans at risk in another of Washington's games of political chicken.



In 2010, President Obama compared attacks on Social Security to those aimed at his signature health care law, the Affordable Care Act. Obamacare has been the subject of one major U.S. Supreme Court decision, and there's another significant ruling scheduled soon. Three lawsuits about Social Security managed to reach the high court, and the constitutionality of Social Security was not decided until [May 24, 1937](#). Soon we can look forward to popping the cork on the 80<sup>th</sup> anniversary of that milestone.

Meanwhile, the Social Security Administration continues to do what it does best—spend enormous amounts of money on a program that now far exceeds the dreams of its creators. Today the agency collects payroll taxes from [210 million](#)

[workers](#). It pays out well north of \$800 billion in annual benefits to some [60 million](#) retired and disabled beneficiaries. And it remains a financial lifeline to older Americans, providing [90% or more](#) of the income of 22% of elderly couples and 47% of elderly singles.

### **An Expanding Program**

Along the way, Social Security has changed greatly since it first began. In 1939, moving beyond its initial focus on workers' retirements, the program began making payments to their spouses, children, and survivors. The monthly payment of benefits began in 1940. A major boost in benefits was approved in 1950 and again in 1952, and disability benefits were added in subsequent years. In 1962 the age of early retirement was lowered to 62.

One of the biggest changes was the creation of Medicare in 1965. The Social Security Administration was made responsible for administering Medicare. In the early 1970s, the agency took over another new program called Supplemental Security Income, providing benefits to qualifying low-income persons, which has since had enormous impact in its own right.

Annual cost-of-living adjustments, or COLAs, were added in 1972 and have had an enormous effect helping retirees maintain their standard of living. Recent proposals to change the way the COLA is calculated have triggered a new wave of attacks, with those who want benefit cuts arguing

that the current formula is too generous. But other observers insist that seniors need more protection.

Amendments to shore up Social Security's financing were enacted in 1977 and, on a larger scale, in 1983. That last reform established today's current rules for retirement ages and the start of federal taxation of Social Security benefits.

In 2000, the [Retirement Earnings Test](#) was changed so that people who reached retirement age would no longer see their benefits reduced if their work wages exceeded certain levels. "This was a historic change in the Social Security retirement program," the Social Security website states. "From the beginning of Social Security in 1935, retirement benefits have been conditional on the requirement that the beneficiary be substantially retired."

Given today's contentious mood in Congress, the 2000 amendments may have been historic for another reason: They passed without a single dissenting vote in either house of Congress.

## V. BREAKING BREAD AT THE FLORIDA BRANCH LUNCHEON.



The PSC's annual Florida Branch Benefits Seminar and Luncheon on Monday, February 9 at the Lakeside Terrace in Boca Raton was a rousing success. More than ninety PSC retirees broke bread over an excellent meal, received updates about benefits, renewed their connections to the union and university and responded to calls to defend public higher education and the safety net.

Paul Levitz (Florida Branch Chair) and his Florida team organized and orchestrated the event. Speakers included Donna Costa, Associate Director of the Welfare Fund; Mike Fabricant, PSC Treasurer; John Hyland, Co-Chair of the PSC Safety Net Group; and Bill Friedheim, Retirees Chapter Chair.

Mark your calendar! Next year's luncheon is set for Monday, February 8, 2016 at the Lakeside Terrace.

## VI. LABOR GOES TO THE MOVIES: *OUR DAILY BREAD* (2005, Germany-Austria)



Nikolaus Geyrhalter's 2005 documentary is a visually stunning exposé of industrial farming and food production. The jury at the Ecocinema International Film Festival in Athens, in awarding *Our Daily Bread* the best film award, noted: "This film is exceptional in revealing the truth about an issue we all know but all want to forget: what is really in our plate. The way of revealing this truth was exceptional too, in the matching of the expressive means with the subject. The cold mechanical eye of the camera is filming the cruel industrial way of producing food today. The result was shocking like a punch to the stomach." Here we are shown the apocalyptic cost incurred to support our modern diet.

Friday, March 13, PSC Union Hall, 16<sup>th</sup> Floor, 61 Broadway. Doors open at 6 PM. A discussion will follow the film. Light refreshments provided.