

32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66

Whereas, on September 20, 2016, the administration of the SUNY Geneseo cited Governor Cuomo’s Executive Order when cancelling funding for an event featuring a speaker critical of Israeli policies; and

Whereas, on September 9, 2016 CUNY Chancellor James B. Milliken released a report⁷ based on an independent investigation of alleged instances of anti-Semitism on CUNY campuses; the report concluded that the “tendency to blame SJP for any act of anti-Semitism on any CUNY campus,” is a mistake. The report found that SJP was not responsible for any of the most controversial instances of alleged anti-Semitism at the CUNY campuses, and concluded that while the situation is “hardly perfect”, the charge of “unchecked anti-Semitism” at CUNY is baseless; and

Whereas the courts have affirmed that advocating or opposing a boycott is protected speech,⁸ and

Whereas, the right of members of a university community to form associations for the pursuit of particular political or policy objectives is guaranteed by the Constitution, which explicitly protects both the freedom of speech and the right of the people peaceably to assemble; and

Whereas, providing the space to articulate strongly held views on all sides of critical issues, however controversial, is one of the essential elements of a university’s mission; and

Whereas, CUNY’s own history of purges of faculty accused of holding unpopular political beliefs in the 1930s,1940s and 1950s⁹ demonstrates that politically motivated attacks on free speech, often pursued under the guise of protection of safety, damage the University’s moral standing and the education of its students; and

Whereas, respect for diversity of beliefs and experience is especially important at CUNY, one of the most racially and ethnically diverse universities in the country, and one where the interaction of faculty, staff and students from different backgrounds has helped to generate breakthroughs in thought and research; and

⁶ <http://forward.com/news/breaking-news/350054/new-york-city-council-votes-40-4-for-anti-bds-resolution/>

⁷ <http://www2.cuny.edu/wp-content/uploads/sites/4/page-assets/news/newswire/assets/CUNYReport.pdf>

⁸ See the landmark civil rights case, NAACP v. Claiborne Hardware Co.: https://en.m.wikipedia.org/wiki/NAACP_v._Claiborne_Hardware_Co.

⁹ Steve Leberstein, "Shooting Rabid Dogs: New York's Rapp-Coudert Attack on Teachers Unions" in Robert Goldstein, ed., *Little 'Red Scares': Anti-Communism and Political Repression in the United States, 1921-1946* (Farnham, England, Ashgate Publishing, 2014), p. 313.

67 Whereas, the Professional Staff Congress/CUNY, as a union whose mission includes
68 advancing the interest of CUNY faculty, staff and students, has a strong tradition of
69 opposition to all forms of repression and bigotry; and
70

71 Whereas, the PSC has an equally strong history of asserting the importance of free
72 speech, free assembly and open debate—provisions that are the lifeblood of a university;
73

74 THEREFORE BE IT RESOLVED, that the PSC reaffirms its unequivocal condemnation
75 of all forms of systemic discrimination including racism, anti-Semitism, Islamophobia;
76 and
77

78 Resolved that the PSC opposes any attempt to deny public funding to CUNY based on
79 the constitutionally protected speech or actions of its students, faculty and staff;
80

81 That PSC affirms that the Governor’s Executive Order 157 and City Council resolution
82 1058-A, by condemning protected forms of speech and assembly, present a chilling effect
83 on the freedom of speech;
84

85 Resolved that the Professional Staff Congress call on the CUNY administration, New
86 York City and New York State to treat all accusations of discrimination and repression
87 seriously and equally, and to affirm its support for freedom of speech and assembly for
88 all faculty, staff, and students at CUNY.

