

## The Great Move Backward

By Charles Reavis Price

In many ways the move of the Graduate School community from 42nd to 34th street has been a step or two backward, not forward. We all were promised cutting edge technologies, new equipment, wonderful working spaces, and a new image. Maybe the smiling minority faces that adorn the new building's Fifth Avenue frontage are part of the attempt to develop a new image.

But what is happening inside the building is frustrating and troubling. We now work in a centralized bureaucratic environment that has taken away what little autonomy students, staff and faculty previously enjoyed. Important decisions about research needs such as utilizing special software or adding peripheral equipment has to be approved by one of our new chief bureaucrats, Vice President of Information Resources James Haggard.

The computer network, the NEW state-of-the-art network, is a big pain-in-the

ass, when it works. Only expletives can convey the feeling when it doesn't work, when you really need it to work, such as when I and my colleagues at the Howard Samuels Center had to coordinate a national conference with phones, electronic communication, and fax machine, that did not work at all at first.

How have we moved backward when our new building and image imply great strides forward? The CUNY Graduate

School is a Ph.D. granting institution of the third largest university system in the nation. But the entire school, for the past six months, has only one fax machine that consistently works. Information Services is jokingly referred to as Disinformation Services because they are understaffed and not thoroughly familiar with the new equipment. I have been told by insiders that there is a backlog of over 2000 requests for service.

The software we have access to is extremely limited: one psychology student desperately searched me out to see if I could help him find a copy of SPSS; it's not accessible for many. If you want it you have to request it from Information Services.

But then, Information Services has done a poor job of providing information. How many people in the Graduate School community know this? Even a task like printing a letter is a disagreeable chore. Where I work we have to "add" a printer each time we want to print, even one

page! Most people know how many screens one has to pass through to add a printer.

The Howard Samuels Center purchased new equipment, bought with funds procured through research grants, which is not usable now. We brought a new all-in-one fax machine but can't use it because it's analog. If you have a laptop, you can plug it in, but don't think about using it to electronically communicate. You have to use what is here at the Graduate Center. This is not progress—I thought years of planning went into this process.

As can be expected, the criticisms laid out here and in this issue of the Advocate will be met with promises that it will all soon be ironed out. The amount of human effort that has already been wasted would not be tolerated by any private sector organization. Doing what ought to be mundane and simple tasks generally require minutes of digression. For example, it takes me about ten minutes, round trip, to go the second floor to check for faxes. And this is when there is little traffic. On some days I have to

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### Message From the Editor By Mark Petras

Welcome to a "special" issue of the Advocate. In this issue, nearly every article is based around a central theme. The theme is: there are several specific, frustrating problems here at the new GSUC building, and something should be done to fix them. Articles in this issue will touch upon problems with our school's computers, printers, fax machines, financial aid, housing, etc. I hope you enjoy this issue.

## A Call To Action!

By Jocelyn Boryczka

In 1962, Students for a Democratic Society (SDS) convened in Port Huron and wrote a statement that galvanized the New Left. The Port Huron Statement reflected, among other things, student concerns about racial tensions and corporate liberalism. They thought such concerns could be addressed by rejuvenating participatory democracy and empowering the people. Students across the country read their "Call to Action" and mobilized a powerful student movement.

Today, students at the Graduate Center (GC) and the City University of New York (CUNY) share similar concerns. Racial tensions recently surfaced when the CUNY Board of Trustees Chairman Herman Badillo made disparaging, anti-Latino remarks directed at new immigrants from the Dominican Republic and Mexico. And, CUNY is currently phasing out remedial education at its senior colleges, a policy directly limiting equal educational opportunities for minority students. On the fiscal side, the GC and CUNY remain under strict budget constraints despite the economic prosperity and budget surpluses in New York. For these reasons and the others specified in this Advocate issue, this is an opportune time for a CALL TO ACTION to demand change here at the GC, CUNY, and beyond.

This special edition of The Advocate covers various, diverse student grievances. Here, I focus on how we can begin transforming the Graduate

Center into a more democratic institution where the administration respects and listens to student voices. More broadly, I want to consider a strategy for increasing student participation in a coordinated, on-going effort to take action for change on three levels: the Graduate Center, CUNY, and New York City.

I suggest three steps toward coordinating a GC student-based CALL TO ACTION:

### Step One: Communication

To address the grievances put forth in this issue, an open door meeting between GC students, faculty, and administrators should be held as soon as possible in order to address these grievances. This meeting will allow others to present further problems, open the door of communication between students, faculty, and administrators, and facilitate a response to these grievances by the GC Administration. Students may also use this meeting as a springboard for organizing further action.

### Step Two: Coordination

GC students organize a coordinated group to address issues at the GC, to fight the attack on the CUNY system, and to protest various New York City policies. Over the last few years, student groups and individuals from the CUNY campuses and the GC, including Doctoral Students' Council representa-

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## Contra "Jane Doe" I

By Stuart Liebman,  
Film Studies Certificate Program

My life has not been quite the same since December 7, 1999. Late in the afternoon that day, an article about me was published in The Advocate. The piece—two whole pages long—described itself as an "Editorial," although, as I shall suggest below, it was something quite different. The writer, who used the pseudonym "Jane Doe," concluded that I was a "certified racist." Jane Doe based "her" outrageous and utterly false allegation on what purported to be a very detailed account of a trial in which I and two colleagues from the former Communication Arts and Sciences Department at Queens College had been accused of discriminating against an African American student who had failed his first comprehensive exams in the Queens College Media Studies master's program in 1993.

The first thing your readers must know is that Jane Doe's presentation of the facts of the case is egregiously flawed, and that it is flawed for a simple reason. Despite the labored piety of her conclusion in which "she" expressed a desire to begin "a conversation about our university, looking into whom it appoints to represent itself in the role of Department Chair and Program Coordinator," Jane Doe really wished to recklessly and maliciously defame me and my colleagues Helen Cairns and Jonathan Buchsbaum who, collectively, have served this university with distinction for more than seventy five years. We have been innovators and facilitators in our curricula which, thanks to our efforts, now include courses in which the politics and ethics of the representation of many different minorities and national communities are analyzed. We have taught and assisted dozens of minority students, many of whom volunteered to speak on our behalf at the trial. In fact, prior to the filing of this very problematic lawsuit, our reputations have never been tarnished by even a hint of discrimination

of any kind, let alone of racism.

But Jane Doe obviously did not consider these facts at all; nor did she pause to consider the irreparable harm to our standing and the personal pain she would inflict by making her extraordinary charge. She simply proceeded to play fast and loose (and often sloppily) with the facts. She concocted her wild allegations by contriving quotations, quoting out of context, ignoring all evidence that contradicted her fantasy of what took place, falsely imputing thoughts and motives to a jury without the slightest documentary basis, and failing to cite specific sources (the old McCarthy trick), among other well-worn techniques of the semi-professional demagogue. And, of course, Jane Doe did all this without making the slightest effort to speak to any of those—with the possible exception of the plaintiff or his attorney—who had firsthand knowledge of the case.

As I hope should be clear by now, I consider Jane Doe's accusations not only to be utterly inaccurate, they are defamatory. Mark Petras has now seen the trial transcripts, the depositions and other court documents. It is my understanding that in this issue he will list many of the errors of fact, both large and small, that appear in the article and render it utterly unreliable and self-contradictory. She obviously did not think it important at all to investigate the case thoroughly and fairly; rather she resorted to the sorts of practices noted above which we, both established and emerging scholars, know to be illegitimate and to guard against. Even a comprehensive list, however, could not convey how systematically Jane Doe worked to obscure the facts of the case in order to contrive the most wild-eyed and biased account leading (that is: misleading) to her unfounded and reprehensible conclusion. To demonstrate the truth of what I have just claimed would require time and space which I do not now have, and I leave it to the judgment of this paper's readers to decide for themselves whether such a shockingly flawed work of scholarship would (and certainly: should) ever pass muster with thoughtful, fair-minded individuals. In my opinion, I repeat, her charges cross the line from legitimate editorializing into the vicious and yet somehow simultaneously sad realm of libel.

I have not chosen the recourse of legal action. I preferred somehow to transform my terrible personal experience into something productive and even positive rather than destructive of people's lives, time and money. In that spirit, through the offices of the Ombudsperson Rolf Meyersohn, I have met with the two principal editors of the paper and representatives of the Doctoral Student Council and its Media Board. I am pleased to note that a public retraction has been issued in their name. At least three of them have published or conveyed to me personally sincere apologies and I have happily accepted them. To date, only Mark Petras has been grudging in his response. From long discussions with him I gather that he believes he is defending First Amendment rights. He has stated that he does not wish to censor opinions

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## Contra "Jane Doe" II

By Jonathan Buchsbaum,  
Associate Professor  
Graduate Center/Queens College

I am writing in response to the Jane Doe "editorial" which appeared in the Nov/Dec. issue of The Advocate. My name is Jonathan Buchsbaum. I am currently the Graduate Advisor to the Master's Program in Media Studies at Queens College, where I have taught for over twenty years, and I am also a member of the Personnel and Budget Committee in the Media Studies Department. In these two capacities, I have extensive first hand knowledge of the material presented in such a patently inaccurate, distorted, and yes, malicious manner by Jane Doe.

I would like to reassure your readers of the groundlessness of one of Jane Doe's central contentions. Jane Doe wrote that "Evidence shows that this system of grading is not blind and that racial favoritism occurred to the detriment of Derek Tolbert." No evidence presented at trial, let alone in the "editorial," supports this charge. Nor is it true that "The jury deemed that Mr. Tolbert's exam was, in fact, not graded anonymously." Here, as in many other parts of the "editorial," Jane Doe refers to an opinion of the jury. But to my knowledge the jury made no statement at all apart from the award of damages. At no time did the jury, or the judge, make any claims about the grading process or racism. Jane Doe presumed to read the thoughts of the jury and the "court" without the honesty of identifying those speculations as her own inventions. Rather, she concocted those attributions with the clear intent to mislead the reader and smear Professor Liebman.

Here are the relevant facts. The evaluation procedure for the comprehensive exams is designed specifically to guarantee anonymity of grading from beginning to end. All students receive sample questions prior to the exam day in order to help them prepare (the type and number of questions has changed since 1993, but the procedure remains the same).

On the day of the exams, students answer four questions during the scheduled period of six hours. The departmental secretary, following standard procedures, composes a grid for all questions of all students, with two professors assigned to grade each question. The assignments are distributed according to the expertise of the faculty members. The grid also indicates what third teacher should grade each exam question in the event that the first two teachers assign different grades, all of which are pass or fail.

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# Corrections & Clarifications

By Mark Petras

After the publication of the Jane Doe editorial in the last issue of the Advocate, I learned that the piece contained some incorrect facts. After hearing this, I went on a fact-finding mission to discover which facts were wrong. After my research, I did find some statements in the Jane Doe piece that were factually wrong. These mistakes I will attempt to correct with clarity. There are other points in the piece that I found to be not necessarily factually wrong, but in need of some clarification to be better understood.

First, the Jane Doe editorial quoted a Newsday headline as saying, "Jury Awards \$50,000; Queens College Professor Ordered to Pay Black Student Who Flunked Essay Test While Asians' Grammar Was 'Cut Slack.'" The actual headline was, "Jury Awards \$50,000; Queens College, Profs Ordered to Pay Black Student Who Flunked Essay Test While Asians' Grammar was 'Cut Slack.'"

Next, the editorial says Derek Tolbert was "so close" to perjury charges. While it is true that the jury did make this award, it is also true that at the time of the editorial's publication the judge was considering overturning the jury's decision.

Next, the editorial says the trial is in its seventh year. Tolbert had a meeting on Oct. 6, 1993, at Queens College to discuss his examination failure. Going by that date as a starting point, the Tolbert matter is in its seventh year, but to be clear about the legal language, the court case itself has been going on for about four years and nine months. (It was filed in November, 1994) The trial itself lasted 4 days.

The editorial says that at the time of publication it was uncertain who would be responsible for paying the \$50,000 to Tolbert. I am still somewhat unclear about the court's considerations over this issue. What I know at this point is that Prof. Liebman says there was no process going on as to who would pay, and that Liebman's attorney assured him that he would not have to pay any costs associated with the case.

To clear up any uncertainty on the part of readers as to who was formerly chair of the Department of Communication Arts and Sciences at Queens College and who is now, Helen Cairns was chair from January 1991 to May 1995. Liebman took office as chair in January 1996. He served until July 1, 1997, at which point the department split into two parts, and one part became the Department of Media Studies. Liebman then became Chair of the Department of Media Studies.

As a point of clarification, the editorial says "Prof. Liebman professed to 'cut slack' for the other students' grammar, but failed the African-American student on the basis of bad grammar." While it is true that Liebman used the phrase "cut slack," Tolbert and Liebman disagree over what Liebman meant by this. Tolbert argued that Liebman had said he "cut slack" for the

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## Chiefs

As the conflict between the editors was not brought to our attention prior to publication, we could not perform our charge. The fault for this error lies not only with the editors, but also with the Co-Chairs, who had an incomplete understanding of the role of the Media Board, and thus did not convey the proper procedure for resolving an editorial dispute.

The Advocate was unethical in publishing Jane Doe's "A Certified Racist Professor at Graduate Center?" for permitting the use of a pseudonym in an article that makes an extremely serious charge, for utilizing a sensational headline, for not contacting Professor Liebman to get his side of the accusation (prior to printing the article) and especially for allowing an article that rested

In addition, the "Jane Doe" article, an unsigned editorial, required a majority vote of the editorial staff to be printed, officially, two out of the three editors. In this case, the vote was 1 to 1. Due to precedence, the layout editor was not consulted, and the editor-in-chief exercised his responsibility over the editorial pages by making an executive decision. The unsigned editorial was not approved by a majority of the editorial staff.

Sincerely,

*The Media Board*  
*Jennifer Leigh Disney, Co-Chair for*  
*Communication, Doctoral Students Council*  
*Noland J. Bradshaw, Co-Chair for Business,*  
*Doctoral Students Council*  
*Susanna M. Jones, Co-Chair for Student*  
*Affairs, Doctoral Students Council*  
*Jocelyn Boryczka, Political Science*  
*Representative, Doctoral Students Council*  
*Ronni M. Greenwood, Steering Committee,*  
*Doctoral Students Council*

Misstatements of fact: The next issue of the Advocate will provide a detailed list of corrections of the erroneous facts that a

# Why The Advocate Is An Embarrassment

By Mark Noonan

The first issue of The Advocate this semester contained an article elucidating the sundry ways in which The Advocate sucks. The November/December issue by including Jane Doe's article "A Certified Racist Professor at CUNY?" confirms that not only does The Advocate suck, it is a publication that also engages in extremely shoddy journalistic ethics, a situation that should seriously worry the entire CUNY community.

Jane Doe's article accused Professor Stuart Liebman of racism allegedly based upon a court verdict that awarded \$50,000 to Derek Tolbert, a black graduate student at Queens College, "who flunked an essay test while Asians' grammar was 'cut slack.'" (As it turns out, a final verdict was not rendered until January 7th by a judge who found no evidence of bias of any kind — see "An Update on the Tolbert Case"). As managing editor, I had seen Jane Doe's article when it was first submitted to The Advocate. Upon reading it, I was extremely distressed. Although the piece did seem to accurately report a Newsday account from August 14, 1999 that a court jury ruled that preferential treatment had been given to Chinese ESL students while none had been given to Mr. Tolbert, Jane Doe's allegation that Professor Liebman was therefore a "certified racist" seemed to me to be a reckless jump in logic based largely on conjecture and not supported by sufficient factual evidence. Given the extremely damaging nature of the charge, the article's faulty logic and misuse of "evidence," as well as the sheer venality of the piece, I had asked The Advocate editor-in-chief Mark Petras to not publish the article. Pointing to the article on Herman Badillo's alleged racism "Inside Badillo's Labyrinth of Solitude" (which was to appear in the same issue) which carefully substantiated its claim by including "what Badillo actually said, followed by responses from the press and the community at-large, statements made by student organizations and individuals of the Graduate Center, as well as Badillo's justifications for his remarks following such reactions," I argued that Jane Doe's article did not follow the equivalent due care necessary when making an extremely serious charge and, unlike the headlining Badillo article, did not support its claims in a fair and logically consistent manner. My objection to publishing Jane Doe's article, however, was overruled. When I insisted that Professor Stuart Liebman, whose office is straight down the hall from The Advocate, should at least be contacted in order to defend himself against such a vile allegation, I was again overruled. When I suggested that a pseudonym ought not to be used when making such a serious charge (that the accuser should have the courage of his/her convictions consequences be damned), I was overruled again. And when I suggested that, in the very least, the sensational headline "A Certified Racist Professor at Graduate Center?" should be left to Hearst and turn-of-the-19th century "yellow" journalism, my view was disregarded once more. Lacking the authority to block publication of Jane Doe's article, I debated writing a disclaimer in the Nov/Dec issue stating my objections to the piece or writing an editorial in this issue. I chose the latter.

As things have turned out, it appears that the ethical issues involved in publishing

Jane Doe's article are conjoined with major errors of fact: not only were many of her facts flat out wrong, Jane Doe recklessly quoted statements out of context and failed to cite her sources with due care (see Mark Petras' article "Corrections and Clarifications" elaborating these errors). My concern in this editorial, however, is not with the now obvious error of publishing a piece that misstates facts, but that The Advocate's original willingness to publish Jane Doe's piece was a gross violation of journalistic ethics, an error for which it MUST apologize.

While there appears to be no set-in-stone guidelines that define ethics for journalism, in my opinion, common sense, common decency, fairness, and basic human courtesy must be the criteria followed by editors, publishers and media boards when considering articles for publication. In publishing Jane Doe's piece, all of these criteria, I believe, were disregarded.

After first reading about Derek Tolbert's case against the Queens College Communications Department as Jane Doe described it, I was struck by the fact that if

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Chinese ESL students were indeed given leeway in the evaluation of their exams and none was given to a student who happened to be black and whose native language was English, then wrongdoing did in fact occur. All students after all should be required to meet the same standards when taking the same test. If indeed Derek Tolbert was failed "on the basis of bad grammar," "poor writing," and "a lack of clarity" and Professor Liebman did indeed "cut slack" only for Chinese ESL students (a quote, by the way, taken entirely out of context by Jane Doe) then Mr. Tolbert had a case for alleging unfairness in the grading process of his exam. What was far from clear, however, (if these were indeed the facts which a judge has ruled they weren't) was Jane Doe's conclusion that failing Mr. Tolbert was due to Professor Liebman and his colleagues being "certified racist(s)". The only thing that Mr. Tolbert's case as described by Jane Doe made abundantly clear (if slack was indeed given to the Chinese students which it wasn't) is that grading fairly in a city university system made up of students from such enormously varied cultural, educational and language backgrounds is an immensely complicated issue that requires careful attention, reflection, and dialogue by the entire CUNY community.

In my opinion, Jane Doe's piece was not a dialogue, but a hurtful diatribe that circumvented extremely large, pressing, and important issues (such as the racial and cultural insensitivity of current language standards at CUNY or the disproportionate ethnic make-up of faculty to students) in favor of callow name-calling. As Jane Doe herself writes "racism in academia is often disguised in such a nuanced and institutionalized manner that it is generally difficult to pin down and prove." She is absolutely correct: institutionalized racism is still a tremendous

problem throughout academia and extremely difficult to legally establish, but, in my opinion, her article did the problem a grave disservice by attributing racism onto people who deserve fairer tribunals than her own piece provided.

Given what appeared to me to be unpersuasive grounds for calling Professor Liebman a "certified racist" and the extreme seriousness of the charge, Jane Doe's article, I felt, was entirely inappropriate for a responsible newspaper to print and extremely unfair to the accused. It was particularly unfair (and as it turns out entirely stupid given the number of factual errors in the piece) not to contact Professor Liebman regarding his view of the case prior to the article's publication.

Since Jane Doe's article appeared in The Advocate, I have met with Professor Liebman on two occasions and have been impressed by his openness to speak on the matter and the absence of any vindictiveness against his maligner and/or the publication which so asininely decided to publish her piece. While it was clear that the charges levied against him hurt immensely, his primary interests were for the true facts

of the case to be presented and to speak with Jane Doe about why she feels the way she does without even knowing him. In his office, he wondered out loud if she was aware of the role he has had over the years in helping recruit minority faculty to the Graduate Center, in introducing and supporting courses in Latin American Cinema at Queens College and GSOC as well as a course on African American film taught by Michelle Wallace in 1995, or the combined 75 years of teaching experience (unsullied by any previous charges of racism), he, Professor Helen Cairns, and Professor Jonathan Buchsbaum have collectively shared at Queens College.

By insisting that Jane Doe's article not be published, I was (and do not) in any way advocate censorship. Every writer is entitled to his or her opinion and has the right to express it with one simple caveat: if you are writing for a responsible publication, you must write responsibly.

When The Advocate first hired me, I looked forward to helping make the publication a serious forum for intellectual discussion, a showcasing of the writing talent CUNY graduate students clearly possess, and an opportunity for some sorely needed community building. By printing Jane Doe's article, the last issue proved that The Advocate is not only juvenile and irresponsible, but also destructive to the university at-large. Fortunately, I believe that changes have been implemented to insure that the publication of venal trash will no longer be possible in the event of an editorial dispute. But this safety valve does not alone rescue The Advocate from the throes of embarrassment. With a writing staff of one, The Advocate is only as good as the contributions it receives. For better or for worse, whether you like it or not, The Advocate is a reflection of the entire graduate school student body. Presently that reflection is looking ugly as can be. A beautifying kit, though, is available for us all. Either contribute to The Advocate on occasion as though your reputation as a graduate student depended on it (which it does) or demand that the paper be dismantled (and start your own publication). Just do something by writing something. You may just right something.



# In Defense of Jane Doe

To the Editor:

I have been asked by several members of the Graduate Center community to consider the anonymous Advocate editorial, "A Certified Racist Professor at Graduate Center?" and the Media Board's retraction of it.

A retraction under pressure reminds me, as a former Advocate editor, of the vulnerability of student press and, as a former DSC co-chair, of the vulnerability of the student voice generally. I never approved of anonymous articles, but the good reasons for student anonymity were obvious then, and can only be more so now.

Picking up on an individual case previously reported in a mainstream newspaper, the anonymous editorial raises the difficult and ongoing American historical theme of racial inequality, placed within the context of the Graduate Center and the administrative organization of post graduate studies.

There certainly are differences between Newsday's piece and the Advocate's. Newsday simply reports that "Jury Awards \$50,000; Queens College, Prof's Ordered to Pay Black Student Who Flunked Essay While Asians' Grammar Was 'Cut Slack,'" the jury's apparent finding that Queens College professors violated Derek Tolbert's civil rights.

The Advocate author takes this finding as a departure point for the deeper, less sensational, and more useful and important discussion of what such a decision and its civil rights implications mean for post-graduate education. That meaningful discussion rarely surfaces at the Graduate Center, nor will it occur now, distracted as it has been by the personal animosities the author incurred by a personal strategy. Controversy now will whirl around details of factual accuracy, around hair-splitting questions of editorial responsibility, around one individual, unknown author's intent, around the Advocate, an insignificant student newspaper, leaving

ing behind, silent and all unaddressed, buried under a rhetorical cloud of recriminations and angry dust, the jury's decision and the important questions attendant on unequal treatment.

I cannot comment on the accuracy of Newsday or of the editorial's statements beyond the court record; the necessary corrections are the responsibility of the editorial staffs. But I do not see that Newsday has retracted the article on which the Advocate piece is based, nor has Newsday been asked to do so, I imagine. The Advocate has not only been asked to retract, but, astonishingly and disturbingly, the Doctoral Students' Council's Media Board has retracted on behalf of the paper!

Astonishing because the Media Board was created solely for the purpose of protecting the Advocate from DSC meddling in editorial affairs.

A retraction under pressure reminds me, as a former Advocate editor, of the vulnerability of student press and, as a former DSC co-chair, of the vulnerability of the student voice generally. I never approved of anonymous articles, but the good reasons for student anonymity were obvious then, and can only be more so now.

According to the DSC By-laws, only the Co-chair for Communications has a seat on the Media Board. Four years ago, the three co-chairs agreed that the Co-chair for Finances also ought to sit in on Media Board meetings as a non-voting participant. But now I see that all three co-chairs occupy full voting seats. The DSC constitution does not explicitly exclude them from voting membership, but the creators of the Media Board clearly did not intend that the co-chairs all vote on the Board, much less that the co-chairs constitute a majority of the Media Board as they do now. The difficulty, given the typical

financial constraints of student life, of finding student volunteers for posts of even the smallest responsibility is often an excuse for co-chairs taking on all responsibilities themselves. It's a good and serviceable excuse, as I well know from having exercised it often enough, but perhaps not always the best policy then or now.

The Media Board should be put back in order. Only one co-chair should be voting on it and it should leave the Advocate's mishaps to the Advocate's editor. Certainly, neither Board nor paper should cave in at the slightest hint of controversy and indignation. Dr. C. Cairns' piquantly hyperbolic prose notwithstanding. It should be up to the Advocate staff to research, and correct where necessary, in an atmosphere of mutual respect among all parties, free from undue alarmism. The Media Board might then be able to devote itself more appropriately to defending the freedom of that vulnerable student voice, rather than scrambling to wash its hands of it with craven apologies.

One point in the article glares in my linguistic eye as worthy of closer attention. Dr. Helen Cairns — despite the jury's decision, a distinguished linguist, dedicated educator, researcher and administrator — Dr. Cairns testified, according to the author, "that ESL students have many 'non-nativisms' in their writing, and typically leave out articles." Where the ESL students are native Chinese speakers, her statement is a quite correct assessment of a familiar phenomenon. But it must not be forgotten that institutional and legal definitions of ESL (English as a Second Language) are entirely inadequate to a comprehensive understanding or treatment of second language and second dialect learning. Linguists generally agree that the notion of "a language" is more a political than a well-defined linguistic one. Second Dialect Learning — where dialects range from the very close and mutually intelligible to the very distant, unrelated and incomprehensible — might be a more coherent notion.

Racist assumptions, if they exist, often slip in where linguistic ignorance leaves a vacuum; sometimes mere naive linguistic ignorance can be mistaken for a virulent racism. Native speakers of non-standard dialects of English will show "non-nativisms" in their academic writing just as native speakers of non-English dialects will. But the non-linguist, unaware of dialectal differences, assumes that native speakers of whatever sort of English have no good excuse for their grammatical idiosyncrasies. This absence of linguistic understanding continues to reinforce racial stereotypes throughout our educational system, from preschool to post-doctorate.

I don't know what native dialect Derek Tolbert speaks. I wonder if anyone ever bothered to ask him.

Rob Hollander, Alumnus  
Formerly:  
Editor-in-Chief, Advocate,  
DSC Co-Chair for Communications,  
DSC Co-Chair for Finances.

## Update on the Tolbert Case

By Mark Petras and Mark Noonan

On January 7, 2000, United States District Judge Bernard A. Friedman handed down a judgment overturning the jury's decision to assess \$50,000 in punitive damages against Queens College, Professor Stuart Liebman and Professor Helen Smith Cairns in the Derek Tolbert lawsuit. Mr. Tolbert, an African-American male, had alleged that his failure on his comprehensive exam in Media Studies was the result of race discrimination. The judge ruled that the defendants in the case did not in any way grade and/or treat Mr. Tolbert unfairly. Judge Friedman writes: "Viewing the evidence in the light most favorable to plaintiff, and giving him the benefit of all reasonable inferences, it is clear that plaintiff

failed to prove that his race played any role whatsoever in influencing the manner in which defendants treated him."

The judge adds that the plaintiff's entire case against Professor Liebman is based on the "cut slack" quote and that "no reasonable jury could find, based on the 'cut slack' comment, that Professor Liebman discriminated against plaintiff based on his race in failing plaintiff's essay answers, or that he gave preferential treatment to students of other races."

The judgment reads: "The court has granted defendants' motion for judgment as a matter of law. Accordingly, IT IS ORDERED AND ADJUDGED that judgment be and is hereby granted for defendants and against plaintiff. Costs to be permitted in accordance with law."

# Bad Review, Worse Politics

To the Editor:

I hesitated to respond to Dave Gerardi's gross excretion on the Brooklyn Museum's recent exhibition of British art, "Bad Art, Worse Politics." But confronting aggressive ignorance can be part of the job of being a grad student at CUNY. And besides, it was embarrassing.

Gerardi is clearly unsympathetic to contemporary art, yet he chooses to review an exhibition of some of the most recent and advanced. Why? Is it merely a quaint modernist notion to believe that it is an intellectual's job to support advanced expression and questioning creative intelligence?

In a period of extraordinary and rapid concentration of capital resources around information and cultural production, a rampant commoditization that is reaching deep into academia, the intellectual responsibility to honor independent non-commercial creativity might be perhaps more sharply felt.

Gerardi doesn't feel like it. Reviewing contemporary art for him is more an occasion to display coarse and brutal opinions. Maybe he's a postmodern intellectual who has joined the culture wars by slaking his sword on some artist-flesh.

Still, he kicks off his campaign on two left feet, describing a Damien Hirst piece as an "amateurish vivisection." Really, don't you think the cow was dead when Hirst cut it?, and if you can find an amateur to build steel and glass tanks like Hirst's, you can start your own Marineland.

The reviewer dismisses Chris Ofili's meticulously constructed, densely patterned work as "bland and contrived...silly." His eyes fail him before this work, since he cites Ofili's spoken descriptions of his work from the exhibition's acoustic guide. These words apparently disappoint Gerardi, since Ofili "allows the critic...two much leeway" in interpretation. Hunh?

Those who object to Ofili's Virgin Mary, we are told, are objecting to form, not content. Is the image of an African woman as the Virgin Mary a matter of form? Perhaps it should be. But I don't believe so many black elected officials would have joined the group speaking against Giuliani at the demonstration in front of the Brooklyn Museum if the mayor's choice of a target had not been a pretty clear covert appeal to white racists.

Gerardi's analysis of the mayor's "political maneuvering" is strictly local. Giuliani's a national GOP star, and a bright one. In addition to the "stealth" racism of attacking an image of the mother of God depicted as an African, Giuliani made a valiant sortie in this country's ongoing culture wars. If

The editors' choice of pull-quote is Gerardi's kiss-off: "Contemporary art is a mess of status whores, talentless neophytes, and wannabe intellectuals." But our reviewer has the courage to call their bluff. If Gerardi polishes his style, he can write for *New Criterion*.

he loses the senate and Bush wins office, it may be good enough to make this pro-choice conservative palatable to the nation's right-wing power-brokers. Giuliani couldn't be a worse attorney general than John Mitchell, now, could he? Gerardi's recent art history it seems is based on the "massive work" of critic Robert Hughes.

"Sensation" was a historically important show which occasioned strong reactions in its European venues. New Yorkers are lucky the Brooklyn Museum risked so much to bring it here. Intellectuals owe their local cultural institutions unqualified, even "clever," support when they are assaulted by the local Singapore-style thugs.

(This corporate mega-media production was roasted at last year's College Art Association for ripping off dozens of scholars; there are no notes and no bibliography.) Our Advocate reviewer draws on Hughes' analysis of 1980s art market manipulation, a "big business" which had the ultimate disastrous consequence, Gerardi tells us, of glorifying poor draftsmen.

If Gerardi believes this regressive cant, and desires to hold contemporary art to the time-honored standards of Renaissance craftsmanship - "yo!, drop that plastic and get back to oils and bronze!" — he should stick to shows at the Frick. (Be sure to check your politics at the door, Dave, unless you're coming from the Metropolitan Club.)

Our reviewer lays his cards

on the table when he says: "post-modernism" — by which flacid mid-'80s term I guess he thinks the work in "Sensation" is well-described — means that art is exhausted of originality and anything goes. This is a patently philistine argument; at the least it is retardataire.

The editors' choice of pull-quote is Gerardi's kiss-off: "Contemporary art is a mess of status whores, talentless neophytes, and wannabe intellectuals." But our reviewer has the courage to call their bluff. If Gerardi polishes his style, he can write for *New Criterion*.

There's a shortage on the right of cultural writers who can even pretend to know what they're saying. But he'll have to read up on his de Souza, Glazer, and Blume to properly defend traditional artistic standards. Then brush up on his Matthew Arnold.

Simply to call Rachel Whiteread's quietly impressive and objectively pretty work (I think it's beautiful) "clever" is cheap. To call Tracy Emin a "raging narcissist" and imply that she's a "status-whore" is to fling sexist gibes at performance-based work that took great personal risks. Gerardi there echoes many British male reactions to Emin's work; grosser reactions of that type comprise the subject for Sarah Lucas' work in "Sensation." If you wanna be a gunsel for the trad-val gang, Dave, you can't rough up the ladies. To consider this cheap writing at length is depressing, especially when there are so many more inter-

esting issues around this exhibition. (Untouched, for example, is the question of art patronage by British advertising mogul Charles Saatchi, the man whose ads helped put Thatcher in office.) "Sensation" was a historically important show which occasioned strong reactions in its European venues. New Yorkers are lucky the Brooklyn Museum risked so much to bring it here. (Just what they risked remains to be seen; Giuliani is not finished.) I believe intellectuals owe advanced art their respectful attention. (Just because it doesn't take hours to read it doesn't mean it's not well thought out.) They certainly owe their cultural institutions unqualified, even "clever," support when they are assaulted by the local Singapore-style thugs.

Alan Moore  
ABD, Art History; CUNY-GSUC



# Great Step Backward

# Basta Ya!

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visit the fax machine five or six times. One hour gone down the drain. These problems must be immediately tackled and solved. Someone has to stand up and take charge. But what has become conspicuous since the move is an absence of visionary and proactive leadership. It is clear that students are not a priority, nor is creation of a research-friendly environment. The purchase of scores of celeron computers is not a solution, although the idea of buying lots of new computers is good.

The creation of an ombudsperson position is not the solution to the problems. It merely gives the illusion that there is someone who cares about the inconveniences we are experiencing and that this person will work to solve these problems. But it is doubtful that the ombuds officer can do anything about the problems that I am describing. We need strong, forward-looking leadership that is willing to work with students and faculty to make the Graduate School a top-flight institution instead of a high-priced joke.

## The Minutia of a Breakdown

The first time I was out of the office for several days I found that our new voice-mail system is designed to delete messages that are not picked up within ten days. Even saved messages will be automatically deleted. Who in the hell asked me if I wanted these messages deleted? Doesn't S-A-V-E mean keep? If I decide to save a message I have reason and I don't need Disinformation Services to decide what I will hear and what messages are important.

On Saturday, October 24th, I went to the Graduate School to organize some things that needed to be addressed for the upcoming week. I arrived at just before six o'clock expecting to work for two hours (previously we were allowed to stay in the new building until 8 o'clock on weekends). I knew exactly what I needed to do and how long it would take. I was told that the building was closed. Mind now, I'd spent about 45 minutes in traffic just to get to the new Graduate School. I asked why I'd never heard of this new policy. I was told that the decision came from above, straight from the lofty office of Vice President Bruce Cohan. I asked why I hadn't heard of this very important decision. I was told no memo had been circulated. I was told to return on Sunday, and to come earlier. I left without throwing a tantrum because I could see that the security guards were just as befuddled as I was. I returned at four in the afternoon on Sunday. This time security told me the building was completely closed.

What great planning and foresight have gone into the new Graduate School and University Center. We are actually losing productivity. Doesn't someone in administration or wherever these autocratic, unilateral decisions are made, understand that one of the perks of the academic game is to be able to work WHENEVER you feel the urge! Faculty and students working on projects and their own research need flexibility to work late, on weekends, whenever they feel creative or their schedules allow. But now some prescient administrator has decided that it is better to limit use of the new Graduate School and University Building.

Maybe deep down they really want this place to be like a factory. You know, you punch the clock as you go in and again

when you leave, and make sure to leave all your work there until the next day. And speaking of punching the clock, the latest rumor is that all college assistants will be required to punch in at the front of the building. Imagine that. The CUNY Graduate School Factory.

Those members of the Graduate School community who are not regular users of the building tend not to notice the problems. For many of them everything is great. But for those of us who spend long hours in the building on a regular basis, well, long days seem far too long. We are tired and angry. We do what we do because we are committed to work that is satisfying, although low paying. To treat us as we are being treated adds insult to injury.

Yet, we can make the G-SUCK better. First, the administration should come clean. We need a town meeting. Our administrative mandarins must become responsive to the needs of students, staff and faculty. I, for one, want to leave this place better than I found it. But we need leadership and vision. We lack that now. We need a five-year plan or ten-year plan that puts students, staff and faculty at the center of everything.

We have to end the old, detrimental habits. You know what a Giuliani or Badillo would say. Only at CUNY can what should be great progress forward turn into a great move backward.

## Call to Action

continued from page 1

of Trustees' meetings and against Herman Badillo. By coordinating such efforts, GC and CUNY students could rally large numbers of students to protest various and diverse issues. Initially, this student group may seek a charter from the Doctoral Students Council and begin outreach to other groups on the CUNY campuses.

### Step Three: Conceptualization

After communicating and coordinating, GC and CUNY students draft a "New York City Statement" that offers a vision for the future and places its specific actions within the broader political context. The issues confronting us are shared by many students around the nation. Consider two examples. As corporate culture infiltrates higher education, profitability usually outweighs learning in decision-making processes. And, universities exploit adjunct labor and use adjuncts to replace full-time positions. A "New York City Statement" could summarize the serious problems that confront higher education, and, most importantly, it could recommend specific strategies to bring about significant change.

By taking these three steps, and others, we can mobilize students and coordinate serious political action to address problems here, in the CUNY system, and higher education. Let this be an initial CALL TO ACTION.

By Michelle Ronda

You've seen that message, haven't you? If you've journeyed to the new GSUC and logged onto the network, you have. Ever wonder why it takes so long? Why the system is so obviously slow that the Information Resources folks were so inspired to tell you to be patient? My sources tell me that each time you log on, the server checks every single file on your hard drive. But this could be misinformation - the people at Information Resources don't tell you why to be patient - this is the explanation floating around the GSUC. Even the MTA has figured out that riders feel better knowing why they are stuck in the tunnel when being asked for their patience.

I have come to believe that we are more patient than we should be. On Thursday, December 23, I was sitting at home ready to check my GSUC e-mail account, as I have done daily since the system stabilized itself enough for me to be lulled into a sense of security to use it regularly. As I tried to check my mail, I got a message that my password had expired. Thinking this must be a joke, to have this happen the night before a four-day holiday weekend for the folks at Information Resources, I persisted. The message of my expired password persisted. In the "good old days" of the former GSUC, one received a message of warning when e-mail password expiration time drew near. In addition, one could change that password from remote locations. Apparently, this is no longer the case at the new, suffocatingly-technologically-centralized GSUC (as an aside, this centralization frenzy seems to extend to trash, as well, as there seems to be two waste baskets for every floor and those located in the rest rooms, but I digress.)

I came to this knowledge about password expiration on my own.

I called Information Resources early on Tuesday, December 28. I was told that the problem had nothing to do with my password. The problem was that the "exchange server" was down. No one could check e-mail. I wanted to clarify. "So this message has nothing to do with my password?" "No." And can I change my password remotely when it does expire? "Yes, you should be able to, I think so." Being skeptical by nature, I phoned a friend inside the GSUC. She logged on with my username, and changed my password. MAGIC! I could suddenly check my e-mail remotely. This sort of cutting-edge tech support inspires all sorts of trust in graduate students. I know the Information Resources staff is small and over-worked; however, that is no excuse for the spread of misinformation via the help line. The Information Resources web page might be testimony to how stretched the staff is: the last news update was dated 3/10/1999.

To be fair, e-mail access has been improving since the move, but other troubles persist. Want to print? Well, you can, as long as the network is up and running. In the old GSUC, if the network went down (which often was, accompanied by a network-wide warning, so as to give you time to save the file on which you were working), you were able to print if you worked in an office that had printers. In the new GSUC, once the network goes down, all printing

see Basta Ya, page 9

# Housing in New York City Without West Hall:

## Tips for Finding and Keeping an Apartment Without Getting (Too) Ripped Off

By Kim Spanjol

With the tremendously high occupancy rate in New York City and skyrocketing rents, it is a wonder how anyone manages to live in Manhattan anymore - particularly a poor struggling graduate student like myself. Even most Graduate Center students who were previously able to get housing through CUNY will no longer have that opportunity. The contract for West Hall on 44th Street, which housed about 180 graduate students, was not renewed. In its place, CUNY has reserved 10 three-bedroom apartments at South Hall on 18th Street. As reported in a previous issue of The Advocate, the thirty students occupying that space don't have such a great deal - the rooms in South Hall cost \$715 per month (\$105 more a month than rooms at West Hall were) and are only about 10 by 10 feet or less. So, with the Manhattan rental situation as it is and the severe lack of student housing available from The Graduate Center, more CUNY Ph.D. candidates are moving into the outer boroughs. As more people on the whole are doing the same, it has become difficult to find good apartment deals outside of Manhattan as well. Lack of adequate student housing is an important issue that must be addressed and dealt with. Until it is, I'd like to share my experiences and offer some information that has been helpful to me in my search for shelter.

I was lucky enough to move into a reasonably priced one bedroom apartment in the Hell's Kitchen area about four years ago when a dancer friend of mine, who had been residing there for a long time, signed a contract with a South American Ballet Company and moved to Santiago, Chile. I happily moved in, although I knew eviction was a possibility since I wasn't on the lease. The

inevitable happened, and I came home to find an eviction notice posted on my door last November. I was suddenly faced with needing to find a new place to live in the middle of a busy semester.

Too spoiled after having experienced the convenience of living in Manhattan to venture very far, I was determined to find an apartment in the same area. The challenge was to find something reasonably priced, and I wanted to avoid paying broker fees. Here are some of the useful things that I found out and tried in my quest for an affordable apartment while dealing with an eviction:

1. Stalk supers and tenants in the area where you want to live. I stopped supers while they were taking out the garbage. I found out about many apartments this way, including the one I eventually moved into. I avoided paying broker's fees, although it is a good idea to give the super something. Instead of cash, I gave my super an old futon I was getting rid of anyway, and we were both happy.

2. Tenants in New York City have extensive rights - something landlords DO NOT want you to be aware of. My former landlord harassed and threatened me with phone calls and visits from him, his lawyers, and my old super. Do not be intimidated! According to the New York City Commission on Human Rights, about 300,000 New York City tenants are served with eviction papers each year (approximately 4% of the city's population) and only about 25,000 are evicted.

Even in cases where tenants are evicted, it can take a long time for the eviction to occur. Another CUNY doctoral student, Nickie Phillips, confirms this with her eviction story (seems like every New Yorker has one...). She writes:

In order to avoid thousand dollar brokerage fees, I rented/subletted an apartment in midtown Manhattan. I paid my rent every month to the tenant I was subletting from. I made the checks out and he promptly cashed them. (He told me he wanted to "sublet" because he didn't want to give up the apartment because it had been in his family for so long.) About ten months later, I started getting notices from the Realtors saying that I had not paid rent. The eviction process had begun. Well, of course I was completely shocked. It turns out that the guy was keeping the rent money for himself (for almost 1 year!) and was not paying a penny to the landlord!! I didn't try to fight it. I just used the few months that I had left to find a new apartment. Lesson learned: In Manhattan, it takes almost a year to be evicted, so if you don't want to go to the trouble of going to court and fighting it out, there should be plenty of time to find another place.

Take that time to learn what your rights are. A great website to start with is Tenant Net (<http://tenant.net>). Tenant Net is an invaluable resource for tenants and prospective tenants, covering many areas of life as a renter in New York City. The site is especially strong on up-to-date public policy information of concern to tenants. For those who still think tenant laws were no more than a reaction to post-WWII overcrowding should read Jacob Riis' "How The Other Half Lives" 1890 expose on NYC living conditions as well as Abbie Hoffman's classic "Steal This Book" (so our yuppie friends paying "market rents" can remember their roots when they were yuppies.)

3. If you do end up in court and can't afford a lawyer, or want to take your landlord to court, free legal consultation is available in the Housing Court Building. Come prepared with all documents supporting your case and utilize these services. Be prepared to WAIT.

4. If you know or suspect that you live in a rent stabilized building, your landlord can only raise your rent 1.8% above what the tenant before you paid. It is VERY common for landlords to hike up the rent over and above this price, and can get away with it if you wait too long to do something about it. If you suspect that you are being overcharged, go to DHCR (Division of

Housing and Community Renewal) to obtain certified copies of annual apartment registration (a printout of the rent paid by prior tenants from 1984 to the present). The address of the DHCR office is downtown at 25 Beaver Street. There is no charge for this service. Remember to bring a copy of your lease and a photo i.d.. If you are being overcharged, you may file a DHCR Rent Overcharge Complaint Form, although it is often more efficient to speak with your landlord directly and work something out if possible. For excellent, free legal advice on this and other housing matters, stop by the office of Housing Conservation Coordinators at 777 Tenth Avenue (between 52nd and 53rd Streets), (212) 541-5996. Even if they can't help directly (this depends on which neighborhood you live in) they can certainly direct you to the right place. For more information from DHCR directly, call the Rent Infoline at (718) 739-6400.

Good Luck!

## Financial Aid Fiasco

Name withheld at writer's request

During the first week of classes at The Graduate Center, I thought about purchasing a hard hat. Who thought it was a good idea to let students roam around, looking for classrooms that are impossible to find, with the building still a construction site? The second week of classes I went to the library to get some reading done, but that was impossible due to a fire alarm going off every 30 seconds. I understand that in the long run, the GSUC's move into the former B. Altman building will be good for everyone, so these things I can forgive. What I find truly appalling is the financial aid situation. All I can say is that I'm grateful that past experience has already taught me not to depend on Grad School fellowship and loan checks - otherwise I would really be in trouble right now.

The Financial Aid Office decides that they will now pay out fellowship checks in one lump sum - and that they will be mailed to our homes automatically, rather than have us pick them up. That's all well and good, but when were they planning to tell US that? I was expecting monthly checks as in the past. Then of course, I

missed the deadline for submitting all of my forms by one day, so the date that I would receive my check would be delayed for over a month! Why not tell us when those deadline dates are? Not that it would matter - I couldn't get an appointment with a financial aid counselor until the deadline date had passed, so it would have been more annoying to know that I was missing it in advance.

It's hard enough to keep up with the pressure of school without worrying about finances. It is especially stressful to have to wait well into the semester for a check after an entire summer of limited or no funds. I was forced to pay my September rent and bills over two months late. Any complaints made directly to Financial Aid of course fell on deaf ears. I was treated like an infant and told that I was completely to blame for the whole situation because I didn't get my forms in earlier. All I'm asking is that their policies be clearly stated and circulated so that I can respond to them. I'm tired of finding out about important dates and protocol after the fact, and then being punished for not complying with them. Is that too much to ask?



# 1984 at 365?

**With each invasion of our freedom they discipline us to acquiesce... We're not starting down a dangerous slope, we are already half way down**

By Roberta Pikser

What is security? It is the feeling of safety and freedom from danger. It is also freedom from care, apprehension, or doubt. It is also protection or defense. These are the first three definitions in the Random House dictionary. How warm and fuzzy they sound. But more and more, just as George Orwell foretold, certain words, in this instance "security," have come to mean the opposite, in practice, of what we take them to mean in theory.

The proliferation of checkpoints as people are entering the building and the libraries of the graduate center is invasive and increases feelings of care and apprehension. We are being told in deeds, if not words, that we are in constant danger. Is this true? Do these invasions of our time protect us? From what? From whom? Do we feel more secure? I don't. Checking of bags as one leaves the libraries is understandable. It makes theft a bit more difficult. If theft were the issue, however, we would be searched as we leave the building. So control of theft cannot be the issue.

What, then, is the point of checking identification as one enters the CUNY buildings? It appears to serve no useful purpose. And having to show one's identification is not terribly intrusive. The guards are polite, even friendly. At most, it is an inconvenience, unless one has left one's identification at home and cannot get to class. This inconvenience is not, however, pointless. The lack of freedom to circulate is the first step in a process of intimidation. Knowing that we have to stop and be checked trains us to be compliant to ever more intrusive measures taken against us: the students, or the citizens. It is a point on a continuum of the increasing fascism that marks our society. It is a point on the continuum of the random stopping and searching of automobiles in my neighborhood. It is a point on the continuum of sudden break-ins with attendant shootings which the police carry out, often to find that they have made a mistake.

If CUNY were the only place that this intrusive behavior were seen, a protest against it might be taken to be caviling, but we undergo these incursions more and more in all aspects of our society, starting with CUNY, continuing through the large corporations which control our lives more and more every day, and ending with the incursions of the government. Having to stop and identify oneself before one can go to work or to study is another instance of the increasing invasiveness of all those in power into the lives and privacy of those on the lower rungs of the social ladder. This invasiveness, with its message of intimidation, subtle though it may be in some instances, happens on every level of the society outside of the university and now it is happening in our little world of CUNY.

There is always some reason that can be given for every step in the increasing control of a population, and each step provides an excuse for and an opening for the next. The Mayor is concerned about crime, so he criminalizes those who want to drink a beer on the street in front of

their buildings. It's nothing. Maybe it makes the neighborhood more elegant, whatever that means. Or maybe it prevents people from congregating to talk. It certainly inhibits street life, and street life helps make a community safe, because there is always someone looking out for you. If the community cannot provide protection for its residents, the only place to look for help when there is a problem is to the police - back to authority. Often the police don't enforce this law. But they can if they want to. This silly little law is a means to more social control of the populace. Marijuana is criminalized and the jails are full of young African-American men who have smoked a joint and gotten caught. The situation would be ridiculous if it were not so tragic. Yet, the criminalization of marijuana is a small law representing a minor incursion into our lives.

To be fair to CUNY, this is not the only place that the invasive and intimidating power of the state makes itself present. Children cannot enter their schools freely. You cannot enter an airport freely. Reasons are always given, yet none of these measures seems to work to increase our safety. These issues are all related, but they are large in scope. We are here at the graduate center and it is here that we can focus our attention.

Each incremental invasion of our freedom is nothing in itself, but little by little they discipline us to acquiesce to authority and its demands. We are not starting down a dangerous slope, we are already half way down it, and its incursion into our school lives is particularly distressing because the university is presumably one of the last refuges of some sort of freedom, no matter how repressive the rest of the society.

What does this societal invasion of our lives have to do with the simple demand that we show an identification card? Am I not making a mountain out of an anthill? No. Anthills run deep and wide beneath the ground. The entire school system, including the university system, is a training ground for the larger society. It is in the schools that we are trained to think and act the way society wants us to think and act. Perhaps this is not the issue that you choose to make one of your battles right now. But, please, the next time you show your identification, think about the implications of what you are doing. And watch out for the next tiny incursion. Note the ease with which you become more and more compliant. Don't wait too long before you become outraged. Authority doesn't give up power. Authority always wants more. Authority doesn't like to be held accountable, or even to be questioned. Think about this the next time you read about the police killing a small boy, or beating someone in a station house, or shooting someone who is trying to enter his apartment house. Think about this the next time you find you can't gather on the steps of City Hall. Think about this when you see police conducting random searches, or you hear that the star of a Broadway musical was caught up in a police security sweep and couldn't get to his performance. Think about this the next time you have to show your identifica-

tion. First the other fellow, then each of us.

Remember the words of Martin Niemöller: "In Nazi Germany, first they came for the Communists, but I was not a Communist, so I did not speak out. Then they came for the Social Democrats, but I was not a Social Democrat, so I did not speak out. Then they came for the trade unionists, but I was not a trade unionist, so I did not speak out. Then they came for the Jews, but I was not a Jew, so I did not speak out. Then they came for the Catholics, but I was not a Catholic, so I did not speak out. Then they came for me, but by that time there was no one left to speak out."

Do you think I am being hyperdramatic? Hysterical? Perhaps. But think about it.

## Basta YA!

*continued from page 7*

comes to a grinding halt. I assume the new centralization makes life easier for Information Resources, but it is difficult to see how this centralization improves life for the rest of us.

Want to send or receive a fax? For a while you could, by making the journey to the back of the library, though. Some sources told me the fax server was not really powerful enough to handle the job. And now? Well, according to the Information Resources webpage: Fax services at 365 Fifth Avenue will be provided by a central fax server that will integrate with our NT network. Once the service is implemented, faxes sent to you will go directly into your department's Exchange mailbox. In the meantime, you may send and retrieve faxes on the second floor near the Information Resources department.

A friend on staff at the GSUC reports that this implementation is complete, and she now receives not only faxes, but also voicemails in her inbox as well. As I understand it, most staff cannot access voicemails through PCs, so they may serve as clutter more than convenience. Additionally, if faxes are distributed via e-mail, then we are even more reliant upon the server, which may not inspire confidence in staff and students.

How can things be improved? I have always found the title "Information Resources" ironic, as the office consistently keeps much to themselves. To begin with, we need to know in advance when the mail server will be unavailable. Now, they may not know either, which may speak to a higher level problem with the technology chosen. Students also need to be able to remotely change passwords. I believe all students should also have access to full text resources from remote sites, as well, but this option is only currently available to faculty and adjuncts. We need a system that is not so centralized that one small problem will prevent hundreds from accomplishing the tasks at hand. And, for crying out loud, we need some waste baskets.

# Corrections & Clarifications

Chinese ESL students' bad grammar. Liebman, on the other hand, argued that everybody in the exam was cut slack for poor or hurried grammar (due to the time constraint), and the only allowance made for the Chinese ESL students is that they were allowed to use a translation dictionary during the exam.

Next, the editorial says that by failing Tolbert, Liebman deprived him of an M.A. in Communications. First, although the Newsday article says it is a Master's in Communications, the degree he actually would have received is an M.A. in Media Studies. Second, while it is true that Tolbert could not receive his degree without passing the exam, it is also true that he had the opportunity to take the exam again, but did not. Third, due to the nature of the grading process, in which there are four professors that graded Tolbert's exam, Liebman alone could not have deprived Tolbert of an M.A. by failing him. Other professors also had to give Tolbert a failing mark for him not to receive a degree.

The editorial says that after Tolbert failed his exam, shortly thereafter he received an M.A. in English from Queens College. According to the Queens College Registrar's Office, Tolbert received an M.A. not in English, but in Secondary Education with a major in English. The Newsday article reported that Tolbert received a Master's degree in English.

Next, the editorial says, "The court found sufficient evidence suggesting that Tolbert was a victim of racially motivated discriminatory practices." Since the court is composed of both the judge and the jury, it cannot be said that the court determined anything at the time the Jane Doe piece was published; it was the jury that made a decision. But as I will look at later, attributing certain claims to even the jury has been questioned.

Next, the editorial refers to Title IV of the 1964 Civil Rights Act as being allegedly violated. It was actually Title VI of the 1964 Civil Rights Act, as well as some other statutes, that the plaintiff based his case on.

The editorial at one point refers to Professor Ganders, an adjunct. The name is actually Professor Gander, not Ganders. Also, Gander is a full-time, untenured assistant professor, not an adjunct.

The editorial says that when Tolbert asked Liebman, Cairns and Gander why he failed, "he was told that it was due to his allegedly poor writing and lack of clarity." Jane Doe used the word "allegedly" here because Liebman says that he never said poor writing was a reason Tolbert failed. Tolbert made a different claim, based on his interpretation of the "cut slack" quote.

The editorial quotes Liebman as saying "We [the professors grading the M.A. exam in Media Studies] cut slack. We have Chinese ESL students and we allow for that." This quote does appear in the minutes of the professors' meeting with Tolbert, with one additional period after "cut slack." In other words, in the minutes of the meeting, there are two periods after "cut slack," which Liebman says signify an ellipsis to indicate words left out in between the two statements.

The editorial says that all the Chinese ESL students who took the exam, passed it. The fact is that one of the Chinese ESL students failed one of the four exam questions.

The editorial says, "When [Tolbert]

stated that his writing was better than some of the Chinese ESL students, with whom he had previously taken classes, and who had all passed the exam, he was told by Stuart Liebman that these students were given leniency." To clarify this point again, Tolbert claims that Liebman's "cut slack" quote meant that Liebman was giving leniency to the Chinese ESL students for their grammar. Liebman denies this claim.

The editorial at one point says that Tolbert asked Helen Cairns "to remedy the unfair practice, to cease an admittedly discriminatory grading system." First, Liebman says that Tolbert did not go to Cairns to remedy an unfair practice, but simply to discuss why he failed the exam. Second, using "admittedly" here is problematic because no one admitted it was a discriminatory grading system; Tolbert claimed in court that it was a discriminatory grading system.

Next, the editorial says, "The strongest factual discrepancy was found in Liebman's own words in his deposition. He claimed at first he did not make the statement regarding 'slack,' or that he did not mean that, and then could not remember in what context he had made the comment." According to Liebman, he never claimed he did not make the statement about slack, but rather in court said consistently that he could not remember the context in which he had made the statement.

Further, the editorial says "the statement about 'cutting slack' was part of Prof. Liebman's direct response to the plaintiff's question as to why Tolbert, as an English writing instructor, had his writing graded more harshly than the passing Chinese ESL students." The plaintiff did argue that Tolbert had his writing graded more harshly, but Liebman says the plaintiff's lawyer never posed a question to him phrased in that manner.

Next, the editorial says that "the jury also deemed that Mr. Tolbert's exam was, in fact, 'not graded anonymously.'" Now is a good time to raise the issue of the jury's mindstate. At several times in the article, Jane Doe makes observations about what the jury deemed or decided. Liebman says that the jury did not provide a written explanation or rationale for its decision that would support all of Jane Doe's claims about the decision. At presstime for this issue, I was still trying to obtain an exact, documented account of what the jury decided. Fred Brewington, attorney for the plaintiff, says there exists what he called a "jury verdict sheet" which outlines the rationale of the jury's decision. I have not yet been able to obtain this document he refers to. From another source I have heard there is a jury checklist sheet. At presstime for this issue, I had not yet been able to obtain this document.

The editorial says that Tolbert's exam appeared on a grading grid in a "not so arbitrary manner." To clarify, the plaintiff's attorney implied in one of his questions that Tolbert's exam appeared on the grid in a not so arbitrary manner. Liebman says that it appeared on the grid in an entirely arbitrary manner.

The editorial says that Professor Buchsbaum had made derogatory remarks about Tolbert, saying he had "acid reflux." From what I have seen of the court documents, Buchsbaum did not say this. The phrase "acid reflux" was brought up by a friend of Tolbert's on the witness stand, who said that she had once seen Buchsbaum

with a look of "acid reflux" on his face after having spoken with Tolbert.

The editorial refers to a court summary that states, "The defendants failed to produce any objective, indisputably race-neutral uniformly applied grading criteria that would explain such unequal treatment and its impact on the plaintiff." Liebman says he has seen no such court summary, and says that the quote might be from the judge's decision considering a motion to dismiss with summary judgment, which is a preliminary ruling. At presstime for this issue, I was still trying to determine exactly which document contains this quote.

The editorial quotes page 31 of Liebman's deposition as saying, "No checklist exists to determine if the exam's content was the sole basis for the grade received." This quote does not appear on page 31 of Liebman's deposition. There is a quote on page 31 of his deposition referring to a "checklist," but the quote reads, "Other than the bare bone skeleton of objective, quote, unquote, criteria that we discussed just a moment ago, there is not a checklist, except the kind of checklist that professors keep in their minds."

The editorial discusses a "lawsuit concerning discrimination against this very same department at Queens College in which a faculty professor of color was not given full-time status, despite holding two Ph.D.s as well as having published several books. The same Stuart Liebman is also implicated in this case." First, the "faculty professor of color" goes by the name of Tomas Lopez-Pumarejo. He was denied tenure, not full-time status. Second, the professor has published one book and several articles, not several books. Third, although Lopez-Pumarejo has told me that he intends to pursue the matter as a lawsuit if he is allowed to do so, the matter has not reached that stage. Thus far, there have been two union grievance hearings and a hearing with the State of New York Human Rights Commission. Also, Liebman objects to the charge that he is "implicated" in this matter. This is the extent of his involvement: First, Liebman served as Lopez-Pumarejo's mentor in the tenure process. Second, like many others, Liebman had a vote on whether Lopez-Pumarejo should get tenure. In the voting process, which is fairly intricate due to the different levels of committees involved, all votes are kept confidential. Third, Liebman attended one of the union grievance hearings, and the Human Rights Commission hearing.

The editorial says that "two years ago, the Communications Department at Queens College changed its name to the School of Journalism and Media Studies and now has its own Dean." In the actual process, the Communication Arts and Sciences Department split into two parts, one of which became the Department of Media Studies. On July 1, 1998, the Department of Media Studies became part of an initiative in which a "School of Journalism, Media and Information Studies" was created. This school now has its own acting dean.

The editorial also says that this School of Journalism, Media and Information Studies has given honorary Ph.D.s to high profile media figures. Queens College itself grants honorary Ph.D.s, not the School of Journalism, Media and Information Studies.

The editorial also mentions a

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# Contra Jane Doe I

and that he cannot possibly check all the facts contained in submitted articles and must rely on the honesty of the writers.

I understand his difficult position, and I share his commitment vigorously to defend those who wish to express diverse and controversial or provocative views. But, as Mark Petras is (or should be) well aware, there are certain types of articles that clearly call for greater probity and testing before publication. The fact is that he simply did not exercise the kind of care and concern in checking even the smallest facts that would have been necessary to avoid the fiasco he helped to produce. He should know that simply by labeling a tract as editorial speech and even distancing himself from its content does not insulate its publishers as well as its authors from liability for reckless and malicious libels. And did not Mark Petras also compromise himself by acceding to Jane Doe's vicious claim by highlighting it in his large bold headline? The question mark he used in the article's title may save him from the charge of responsibility for libel, but it cannot relieve him of the burden of having adopted the techniques of sensationalist gutter journalism. Is that the kind of Advocate that students at the Graduate Center want?

And, I want to argue, Mark Petras made a serious mistake in agreeing to publish such a piece from someone who he was not able to assure me was even a member of the Graduate Center community. That is, Mark Petras, the representative of the DSC, broke the DSC's own published rules (of which, he admitted, he was ignorant) (See "Retraction") by allowing someone to print "her" venom under the cover of a pseudonym, without requiring her to get the facts correctly and without giving a second thought to the potential injury such a flamboyant and unfounded piece would have on the community and its members. Does it really serve the interests of graduate students to put an unwarranted taint on a successful and popular program that introduced courses on gays, and Latinos and African Americans in the cinema and television at then Graduate Center? And does it not cast a rather different light on my attitudes and commitments if you know that I, the Film Studies Certificate Program Coordinator, actively solicited or supported the introduction of such courses?

I fully accept the idea that under certain circumstances student (or faculty) whistle-blowers might need to resort to

pseudonyms in order to bring issues to public attention without fear of retribution. But surely such a privilege should be limited to bona fide members of the Graduate Center community. Permitting those who have no stake in our affairs to publish unwarranted and inaccurate accounts about who we are and what we do opens the door to precisely the kind of abuses that Jane Doe's article represents. WHOM, after all, does Jane Doe represent? Has she been an agent or a dupe of interested parties to the lawsuit? Whoever Jane Doe is, I want to be clear on one point: nothing justifies the shoddy way in which she conceived her intervention in my life or in the arena of our community's concerns.

I have told the students of the Doctoral Student Council and the Advocate editors with whom I spoke that one of the most frustrating aspects of this entire sorry business has been my inability to confront my accuser. I have no desire to pursue Jane Doe in court. I simply wish to persuade him or her that she has seriously misunderstood what the case of Mr. Tolbert is all about, and that by doing so she has unnecessarily caused personal injury to me. Hear me out, Jane Doe. Step out from behind the veil of secrecy; have the courage of your convictions; don't let Mark Petras bear the burden you imposed on him alone. It does not matter if you are a student, here or not. Ask Mark Petras to contact Rolf Meyersohn and through his office let us meet. Let me try to show you how your presentation of the case is inaccurate, how your argumentation is wrong, how your methods of research were misguided, how your conclusion is fatally flawed. Let us debate this in the spirit of this great institution according to the elementary standards of decency in public debate that we all believe in and attempt to inculcate. Let me try to persuade you that it is only by considering alternative points of view that the truth of a situation can be discerned. I will be happy to meet with you alone or with anyone else present. I will bring my documents; you bring yours.

If Jane Doe does not accept my offer, I—and I would like to think all of us at the GC—will have to conclude that she has no real interest in engaging in a true dialogue about the issues of race and grading policies and academic standards and faculty leadership in a free and fair-minded way.

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"departmental newsletter" put out by the School of Journalism, Media and Information Studies. The publication is actually a college magazine.

The editorial says that Liebman was "accused of racism and academic misconduct in an article on the front page of *Newsday*." The *Newsday* article does not use the terms "racism" and "academic misconduct," but rather says, "Professors at Queens College violated the civil rights of an African-American graduate student by flanking him while going easy on two Chinese students during a final exam, a jury in Brooklyn federal court has found."

The editorial says Liebman "was accused and found guilty of violating Title IV of the 1964 Civil Rights Act." Again, it was Title VI, and, since this is a civil case, the proper word here is "liable," not "guilty."

Lastly, the writer's claim that Liebman is a "certified racist," is, of course, not a "fact," but rather the writer's opinion.

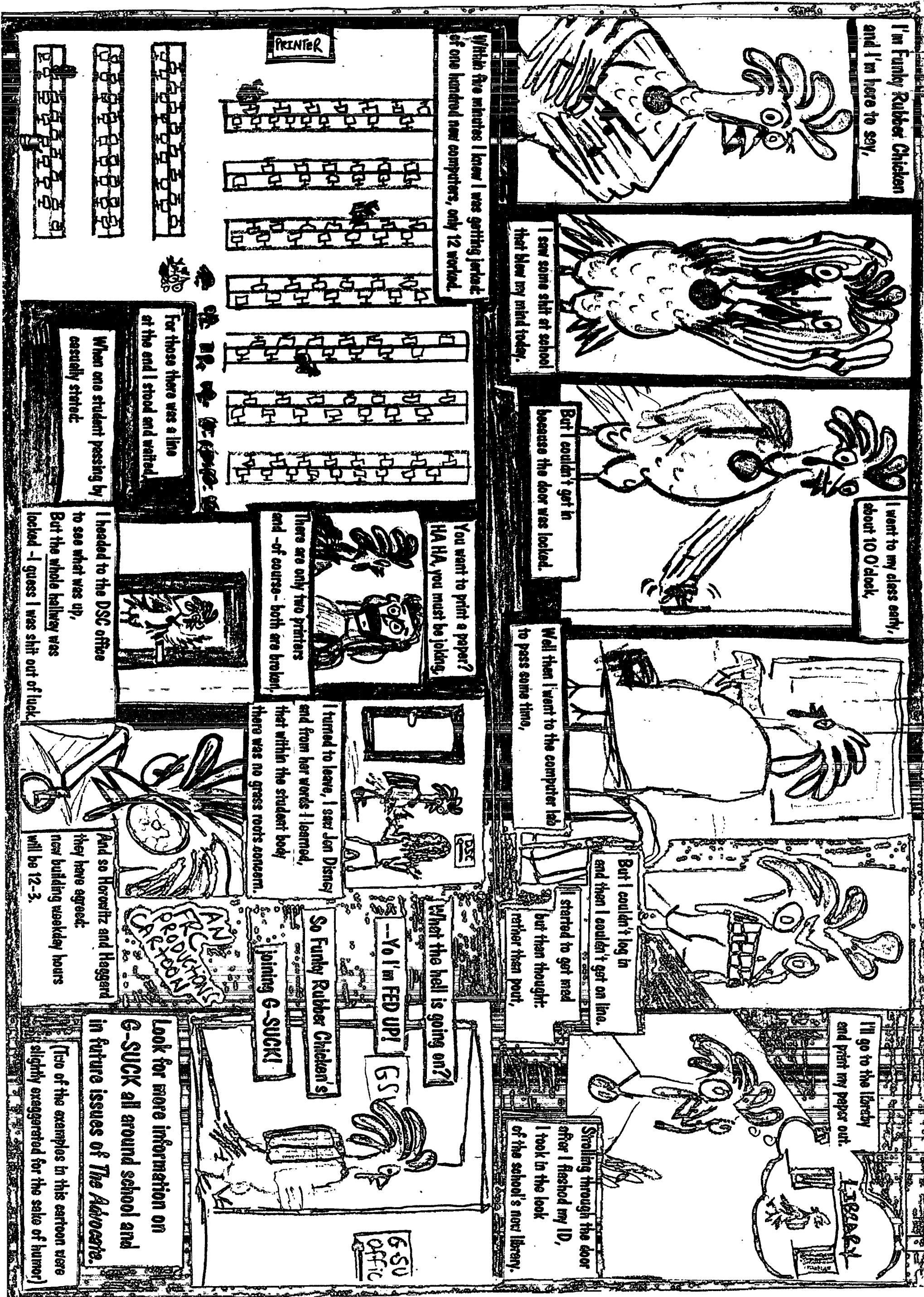
*Attention writers: Expressing your opinion is fine, but get your facts right! The Advocate editors cannot be expected to check the accuracy of every single fact in your submissions.*

# Contra Jane Doe II

Teachers receive photocopies of each exam with a letter and number on each exam paper, not a name. Thus, no teacher knows the identity of the student who wrote any exam answer, nor do I. Once the teachers have submitted the grades, the secretary informs me of the results. Only at that point do I know the results and the names which correspond to each answer. Students who fail any questions have the opportunity to retake those questions a second time.

A former graduate student in Media Studies, Derek Tolbert, qualified to take comprehensive exams, the last requirement for the Master's Degree, in the spring of 1993. Mr. Tolbert failed all four questions. Without knowing the identity of Mr. Tolbert, two teachers failed Mr. Tolbert for each exam question. The integrity of the grading process was maintained at all times for Mr. Tolbert, as for all students. He never attempted to resit the exam, despite our best efforts to assist him. Instead, he sued in Federal Court, claiming violation of Section VI of the Civil Rights Act of 1964. Jane Doe simply accepted the plaintiff's allegations without providing any evidence, by manufacturing the jury's opinion, and by imagining that the allegations were facts.

Any member of the Doe family, of course, is entitled to his or her opinion, or even to the use of such obviously faulty logic with malicious intent. But what is most troubling about the "editorial" is the distressingly ignorant decision of the Editor-in-Chief, Mark Petras, to publish such an unfounded personal attack. A university fosters free and open inquiry and discussion. It also promotes rational protocols of intellectual exchange, including logical argument, accurate marshalling of evidence, and careful examination of competing positions. Jane Doe's article demonstrates a reckless contempt for these values and is an insult to the graduate students who sponsor The Advocate. Mark Petras alone, over strong opposition from the Managing Editor Mark Noonan, made the decision to publish the pseudonymous article, after his own stunningly inadequate fact-checking. I urge him to acknowledge that this was an error of judgment and to print a public apology to Professor Liebman. I do not view his error as either malicious or unforgivable. Refusal to recognize and acknowledge a mistake, however, is another issue. Mark Petras was responsible for unfairly maligning Professor Liebman's reputation, in a particularly painful way. His ability to acknowledge an error will testify to his fundamentally sound character. We all make mistakes, and their gravity of course varies. But our courage in taking responsibility for our mistakes is the bedrock of our integrity.



Note: In future issues of The Advocate, Funky Rubber Chicken will be writing an advice column and answering questions submitted by Graduate Center students. E-mail your questions to [funkyrubberchicken@yahoo.com](mailto:funkyrubberchicken@yahoo.com)