CHANGING THE SYSTEM FROM WITHIN: THREE PHASES OF HUMAN RIGHTS POLICY STRUGGLES IN AN URBAN COMMUNITY COLLEGE

by

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Abstract

This case study documents the work of this researcher and others to transform oppressive ideologies and practices in an urban community college through human rights policy development and implementation. Analysis of policy processes examines how contestations of equity discourses by various organizational stakeholders influenced organizational constructions of equity as ideology, policy and practice. Policy struggles over the three administrations are examined using a typology of equity discourses defined as assimilationist (status quo: resisting human rights/equity), managing diversity (organizational benefits: liability protection, commodifying equity/human rights) and transformative (structural/curricular change). In this particular case study, a human rights crisis during the 1990’s led to substantive policy change as human rights was framed as organizational change. These changes were resisted and recuperated by the next cadre of change agents and senior and middle managers and human rights were administered as rights based complaints management. However, the large complaints bureaucracy was unable to contain underlying systemic issues and complaints increased dramatically. Management responded with neoliberal influenced managing diversity/cultural competency training, proposed as a customer service model to train faculty and staff how to deal with the Other - ‘culturally diverse’ clients/students. This discourse of
equity was challenged by this researcher (who was seconded to develop institution wide cultural competencies for faculty). This curriculum project was used to recoup some of the transformative elements of the policy and refocus institutional efforts towards system wide organizational change. This attempt at tempered radicalism was recouped by senior management and the competencies developed were contained in a single course during the next administrative turnover.

This research builds on the survey studies of equity practitioners by Westerman (2008) and Agocs (2004) that examine how the positionality of institutional change agents influences opportunities to advance equity in institutions (in areas of complaints management and/or employment equity). It differs from previous studies in three ways: first I expand the definition of equity as the totality of all institutional functions including curriculum. Second, in addition to examining the scope and impact of these ‘expert’ roles, this study examines the influence of larger societal discourses of equity, the motivations of managers and other important stakeholders such as unions in shaping what constitutes equity work, how this is embraced and/or resisted by change agents and others in spite of ‘official’ policy. And third, it is a historical case study examination of one institution over a sustained period of time.

The conclusions drawn from this institution’s policy struggles suggest that transformative equity initiatives can shift organizational cultures by changing the conversation about what constitutes equity work, however their effectiveness in bringing about structural change remains tenuous. Neocolonial societies are premised on relations of inequality, and dominant neoliberal discourses have imposed business models of managerial efficiency,
standardization and profitability on public institutions which ensures that managers will continue to translate the demands of equity-seeking groups into bureaucratic procedures.
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CHAPTER ONE

Introduction

The state’s version of multiculturalism – to generalize – is seen as something that’s offered to those who are outside a kind of mainstream Canadian family. And some mainstream discourses see multiculturalism as failed – done as a project ....multiculturalism comes out of struggle, that there are competing visions of what multiculturalism is and could mean and that it’s not a finished project as the state would have us believe. Official and state multiculturalism may have failed, but the idea is with us and it’s the only way, it’s the only idea we have for thinking about how we’re going to live together in heterogeneous metropolitan urban centers.  
(Walcott, 2006:21)

Canada is a country characterized by vast social and economic inequalities reproduced through race, class, gender, disability and other social markers1 (Yalnizyan, 1998; Nestle & Kanee, 2008). However, measures designed to ameliorate these conditions have made marginal gains. Disparities of wealth distribution have increased dramatically, and access to educational

1 In addition to class inequities produced by capitalist economic systems, anti-racists and critical theorists working on race inequity have studied how racial disparities in work organization, and academic and cultural production contribute to society-wide discrimination and minoritization (Bannerji; 1995; The Chilly Collective, 1995; Cox, 1997; Das Gupta, 1996; Dei and Calliste, 2000; Hill-Collins, 2005; James, 1996; Lee, 1998; Nazim, 2007; Razak, 1998; Walcott, 2003; Zine, 2001). Other differences that form the basis of inequality such as sexuality, disability, religion and age have received much less attention from researchers. Some studies reveal that forms of sexuality that contravene heterosexual norms produce disadvantages for lesbians/gay/bi-sexual and transsexual, gendered people (Creed, 2006; Khayatt, 1995). Recent surveys suggest that 25-66% of sexually minoritized individuals experience discrimination including job loss, lack of mobility, ostracism and violence (Beatty & Kirby, 2006). Similarly, people with disabilities have received the least benefit from the Federal Government’s employment equity program and experience high rates of poverty compared to other identity groups (Nestle and Jones, 2008). Older workers are negatively impacted by a number of stereotypes such as ‘low trainability and flexibility’ and face more bias in recruitment and selection, and performance evaluations (Perry & Parlamis, 2006; Cooke, 2006). Research on inequities continues to advance beyond the social to examine the masculinist reproduction of work arrangements and organizational cultures that emphasize how these forms of management are grounded in gendered ideologies, discourses and hierarchies (Moodley, 1999; James, 1989; Collinson & Knights, 1986; Irons & Moore, 1985). Collinson and Hearn (2006) brought attention to the ways in which hegemonic masculinities (e.g. white, middle-class, heterosexual, Christian, able-bodied) predominate in powerful organizational and managerial positions, while others are subordinated. Other studies examine the cultural and academic mechanisms that reproduce dominant discourses that function to mask the operation of oppression, but also point to the narrow analytical lens used by some of the aforementioned critical approaches that view oppression as binary relationships between oppressed and oppressors, ignoring the diversity within minoritized groups and how minoritized peoples also participate in reproducing oppressive discourses (Walcott, 2000; Sealy, 2000).
opportunities, affordable housing and a full range of jobs is still an issue for many individuals from minoritized groups in this society (Block, 2010; Galabuzi, 2005). Some scholars attribute this failure to myths of progress founded on Eurocentric notions of liberalism that function to reproduce inequality through economic, legal, educational, media and educational systems (Mandel, 1998, Rizack, 1998). Liberalism is rooted in the capitalism economic system and emphasizes individualism, the freedom of the individual to accumulate wealth. In this system the state attempts to create equality when inequalities are mainly the result of structural characteristics inherent in neocolonial capitalist economies. Liberalism dehistoricizes the founding of the nation state and the oppressive relations on which neocolonial societies are built. When the above ideas were formulated during the age of imperialism and colonization, democracy and freedom existed for free white males, not women, dispossessed First Nations, enslaved African peoples, indentured servants and others (Rogers, 1986). Legal scholar Patricia Monture-Angus (2002) points out that “Canadian’s foundations are not built on a principle of equality” (46) and European legal traditions ‘was and remains a central tool in delivering oppression and colonization to First Nations (52). The legal system legitimates inequality by treating economic, political and social conflicts, and independence/land claims issues as though these exist in a vacuum (Rogers, 1986). Furthermore, individualism’s myths of meritocracy ignore the social determinants of wealth continually perpetuating the othering of historically oppressed/dispossessed social groups by viewing their lack of ‘progress’ as issues related to ‘civilization’. As Rizack notes,

‘The daily reality of oppressed groups can only be acknowledged at the cost of the dominant groups belief in its own natural entitlement. If oppression exists, then there must also be oppressors, and oppressors do not have a moral basis for their rights claims. If, however, we are all equally human, with some of us simply not as advanced or
developed as others, then no one need take responsibility for inequality. Moreover, advanced, more civilized people can reconfirm their own superiority through helping those who are less advanced’ (Rizak Quoted in Monture-Angus, 2002:46).

Both liberals and conservatives embrace capitalist arrangements of power and privilege and conflate these with democracy. However, neither group accounts for the inherent inequalities that support this system. The former has historically promoted reforms and programs to broaden participation in the economic and social system, and the latter have attempted to restrict access by delegitimizing programs and measures to create more equitable conditions for minoritized groups (Rogers, 1983). The adoption of Keynesian state welfare policies in the early part of the twentieth century created programs and legislation aimed at alleviating structural inequalities. However, in the latter part of the twentieth century these reforms have been displaced by neoliberal and neoconservative discourses that appear to promote individualist market based freedoms but really promote freedom of corporations whose interests are seen as those of the common good (Boyd, 2010). Consequently, human rights and social justice programs are viewed as forms of political correctness because they contradict individualist notions of meritocracy.

In Canada, the pursuit of equality is mediated through human rights codes and government programs such as pay equity and employment equity. Using the Charter as an example, Mandel (1998) points out the paradox of achieving equity with the existing legal framework by noting, for instance, that claims which argue that every individual is equal before the law and has the right to equal protection and benefit of the law without discrimination, do not hold true when the grounds to which we must be equal are the very grounds upon which we are unequal in life (e.g. race, sex, age, mental or physical disability, gender, sexual orientation, etc.)
by virtue of historical relations, structural inequality and social power that reproduces inequality. For Razak (1998) the problem with rights based thinking is that it is premised on the notion that we are all (equal) individuals who contract with one another to live in a society where each of us would have the maximum in personal freedom (17). This emphasis on individualism and wholesale adoption of Eurocentric ideologies and cultural assumptions muddies the rights of historically oppressed groups when they use the courts to achieve justice. As Monture-Angus (2002) surmises in reference to First Nations independence claims, “Courts consider cases to be individual and isolated phenomenon and are rarely able to assess them within their historical and contemporary contexts.” (46)

In addition to rights based legal provisions, equality is mediated through government programs such as pay equity and employment equity. The dichotomy within the origins of liberal conceptions of equity is profound and in part explains the limitations within state and institutional programs that purport to achieve conditions of equity. On the one hand the principle of merit is used to justify social inequality and the principle of equal opportunity is used to justify equity. It is within this fissure that institutional cultures determine how these quasi-legal requirements and social goals of equity are taken up. Most institutions frame human rights as individually driven dispute resolution. Human rights policies establish standards of organizational practices and behavioral expectations aimed at preventing harassment and discrimination directed towards members of specified social identity groups.² In some instances

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² Referred to as the ‘prohibited grounds’ of discrimination in provincial and federal Codes.
there are provisions for systemic (groups based) complaints however; procedures and processes function to individualize these cases.⁵

While codes acknowledge the pervasiveness of harassment and discrimination as features of society and its institutions, they do not establish processes to remedy harassment and discrimination outside of rights based complaints procedures. Proactive organizational change directed at transforming ideologies and systemic practices that reproduce inequity are entirely within the purview of societal institutions, institutional leaders and the particular tensions that extend the discourse of human rights beyond minimum expectations of rights based processes. Antiracist, feminist, First Nations, Queer, union and other activists have drawn attention to the failure of these mechanisms and over time have forced governments and institutions to respond to specific conditions that normalize oppressive ideologies and practices and give rise to complaints in the first instance. Consequently, in institutions where transformative approaches go beyond minimum expectations of rights based complaints procedures and education for prevention, it is usually the result of protracted conflict and activism (Hibbert & Sekyi-Otu, 1984).

Within the educational system, urban boards of education are examples where political mobilization by parent and community groups in the 1970’s and 1980’s exposed systemic discrimination contributing to high drop out and failure rates of Black and minoritized youth (Dei, 1996). The result was the establishment of instructional infrastructure at the provincial and

⁵Young (1993) and Henry (2011) have exposed the ineffectiveness of Human Rights Commissions because of internal staff prejudices, length/structure of the process, chronic underfunding and the essentialist structuring of designated group criteria for complaints. Many internal organizational procedures and mechanisms are subject to the similar criticisms compounded with a lack of trust in the process. Consequently, only a fraction of individuals who experience or perceive conditions of harassment and discrimination use these mechanisms (Barnes & Mercer, 2005; Jones & Nestle, 2008).
municipal board levels to initiate programs aimed at structural changes such as curricular transformation, employment equity and culture specific programming and services (Lee, 1985). Most of these initiatives did not directly challenge the inherent structural inequity of the economic system.

Government initiatives such as the Federal Contractors Program (1986)⁴ that voluntarily promote systemic approaches to fairness in hiring practices was the first time that postsecondary institutions were prompted to develop measures to address manifestations of harassment and discrimination. Prior to this most universities did not have human rights policies; initial programs that addressed inequity were organized by faculty to promote awareness of the ‘Chilly Climate’ for women faculty and students (Hall & Sandler 1982). The first university to establish human rights policies prior to this did so as the result of faculty and student activism to get the institution to address ongoing harassment and discrimination of racialized and female students as shifting demographics exposed latent racism and sexism on the university campus (Hibbert & Sekyi-OUT, 1984). The college system through the Ontario Women’s Directorate initiated an affirmative action program for women in 1985.⁵

By the 1990’s a number of studies documented the pervasiveness of harassment and discrimination by faculty and administrators in Canadian university and colleges (Bannerji et al, 1991; Chilly Collective, 1995; Osborne, 1992). As human rights and equity goals gained

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⁴ In the mid-1980’s racialized and feminist activists as well as numerous studies brought employment discrimination into the public discourse. The federal government study, Equality Now (1984) and the Royal on Equality in Employment Commission (Abella) confirmed that Aboriginal, racial, gender and disability bias were pervasive reality in employment systems based on the ruling by the Commission. The federal contractor’s program was adopted by the federal government (conservative) to encourage fairness in hiring processes; these are voluntary but establish frameworks to support equity in employment and institutional reporting on these initiatives. Institutions and private sector companies that do more than $200,000 in business with the government are covered under this program

⁵ This occurred during the first phase of this study Chapter IV.
traction in public discourse, governments and some organizations responded with public policy during the 1980’s and 1990’s in North America. Neoconservative opponents of these developments responded with a concerted effort to build a discursive infrastructure to shift public opinion (Apple, 1993). During this period, Ontario’s Harassment and Discrimination Prevention Document (1993), which made it mandatory for all colleges and universities to develop human rights policies, and the Employment Equity Act (1992) (which had similar requirements as the Federal Contractors Program) created fertile ground for a massive backlash against human rights policies in universities and colleges. Canadian neoconservatives piggybacked on the ‘culture wars’ brewing south of the border where neo conservatives demonized and ultimately delegitimized equity initiatives as an assault on reason, meritocracy and the academy itself. Previously obscure groups such as the Society for Academic Freedom and other neoconservative voices claimed that human rights and equity policies were ‘special interest’ incursions in a neutral academy that was above such ‘politics’; that political correctness had gone awry, and that the thought police was invading North American campuses. The normalization of this discourse of equity was in large part facilitated by mainstream media (Bloom, 1987; D’Souza, 1991; King & Singh, 1991; Smith, 2003). In Canada, Trent University’s faculty union led the attack on equity policies by juxtaposing the principles of academic freedom and human rights as oppositional to each other (Fekete, 1995; Smith, 1995). In Ontario, the fallout from

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6 Phase two of this study, Chapter V.
7 The relationship between freedom of expression and freedom from discrimination has been hotly contested within the academy and the legal and pedagogic implications remain fuzzy and undefined in many policies. Consequently, human rights staff are constrained by narrowly defined perimeters of work and may be wary of venturing into this highly unstable discursive terrain. However, purposefully tackling these thorny academic human rights issues are critical if we are to advance human rights and equity in the policies and practices of educational institutions. Another complicating factor is the different relationship to legal precedents in Canada and the U.S. with regard to this issue. In Canada the Charter does not establish a hierarchy of rights between freedom of expression and
the culture wars was the mainstreaming of neoconservative discourses. In 1995 a Tory government was elected on this particular platform, and equity and social welfare programs, along with labour and employment standards were eliminated and/or eroded. Many universities and colleges eliminated their equity offices and programs during this period (Shefman, 1997).

Neoconservatives successfully recouped liberal individualist market ideologies by discrediting equity and justice programs that attempted to open access to societal resources. Most importantly however, was the commodification of social and cultural difference within neoliberal managing diversity discourses of equity. The shifting demographic realities of the workplace were an opportunity to refashion equity with the management of diversity, new markets and clients, and managing difference for conflict reduction, productivity and efficiency (Prasad & Mills, 1997). Within this neoliberal technique of governance, diversity ‘works to individuate difference and to conceal the continuation of systematic inequalities’ (Ahmed, 2007:236). Various levels of governments embraced these discourses, and agencies such as the Conference Board of Canada actively promoted them to the public and private sector (Martino, 1999). Since universities and colleges operate in a political arena where they compete for government grants/research dollars, it is in their interest to adopt approaches that meet criteria for funding. Many corporate and government granting programs stipulate demonstrable ‘diversity/cultural competency’ programming as essential institutional criteria for grant applicants. Carter (2008) has pointed out that corporations have a vested interest in adopting particular diversity models and promote specific discourses of equity that meet their particular

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8 Phase three of study, Chapter VI.
needs. Consequently, as chronic underfunding and managerial ideologies take root in post secondary education, administrations embrace corporatist ‘managing diversity’ approaches over radical models because it caters to their interests within the broader socio-economic structures. With the college system, these implications are much more significant since government directly through the Council of Regents in Ontario direct academic and social policy.  

A decade after the neoconservative backlash all post secondary institutions, public institutions and some private institutions now have diversity/human rights policies and offices. However, within this broader context, universities and colleges articulate their human rights obligations very narrowly as rights-based, complaints-driven processes. This governance framework restrict how human rights can be taken up: mandates require ‘experts’ in dispute resolution and complaints management, human resource professionals train employees to be ‘culturally competent’ and train managers how to protect the legal liability of the organization. These roles are not positioned to change oppressive ideologies and practices in curriculum and administrative structures. Systemic issues of discrimination and human rights organizational change are not part of institutional agendas unless required by the Federal Contractors Program. Westerman (2008) has pointed out that existing protections within human rights policies have been further undermined with the inclusion of grounds such as ‘respectful workplaces’ and ‘personal harassment’ that draw attention away from traditional power cleavages that perpetuate inequities and minimize the seriousness of human rights issues by lumping them with non-human rights issues.

Most human rights offices have little influence and institutional power since they are generally located within the middle administrative strata, usually reporting to a Vice President, 

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9 This is taken up in more detail in Chapter VII
occasionally the President. Additionally, they have no oversight from internal and external stakeholders. In most instances, systemic organizational change initiatives such as mandated employment equity that have no enforcement or accountability mechanisms, are more rhetoric than reality as demonstrated in employment demographic statistics of public institutions (Agocs, 2006; Goldberg, 2007; Henry et al, 2011). The management of these obligations is usually housed within the human resources functions and there is little planning and coordination with other human rights activities to ensure that institutions go beyond lip service to incorporate them into strategic plans, mission and value statements. This has led some observers to suggest that they are part of the apparatus of ruling relations designed to serve managerial interests by containing larger political issues and translating the demands of equity seeking groups into managerial and/or commercial processes such as liability protection and organizational branding (Fraser, 1989; Neal, 1998). Transformative equity programs may be initiated by individual human rights workers/officers; however advocacy and innovations generally originate outside of formal institutional mechanisms and are initiated by student organizations such as women’s centers and individual departments that have made curriculum transformation or fair hiring practices priorities.

This study examines the conditions and motivations that have led to three distinct phases of human rights work in one institution over two decades. In the late 1980’s, coinciding with major shifts in student demographics, this case study institution gained a reputation as a hostile place for minoritized students and employees because of allegations of widespread harassment and discrimination. By the mid 1990’s, when the Tories rescinded equity policies, most colleges

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10 York and Guelph being notable examples - the offices were established amid a crisis or controversy and the reporting structure was usually in the mode of crisis management.
and universities abandoned these initiatives; this institution expanded the scope of its equity framework to address areas such as curricular change and continue with employment equity. This study examines the internal conditions that made this possible and yet unsustainable in the long run. Phase one examines how managerial discourses of equity were contested by key stakeholders as major demographic shifts in the student population led to a massive spike in incidents of harassment and discrimination creating an organizational crisis. Phase two examines the efforts of human rights workers, unions and committed senior administration to use crisis and state intervention as opportunities to move the work beyond dominant assimilationist discourses to develop transformative organizational change strategies by re-articulating human rights functions beyond complaints management. Phase three looks at the professionalization of these function as ruling interests resist and recuperate neoliberal discourses of equity as complaints management and set up programs to capitalize on corporate globalized needs for ‘diversity management’ and cultural competency.

1.1 Locating the Researcher

I am not a neutral observer in this particular study since I am directly involved in the work and institutional site that is the subject of this research. In addition, I have been involved in anti-racist/anti-oppression work in numerous institutional and community locations as a student, community activist and institutional human rights worker. However, I subscribe to Olesen’s (1994: 165) position that the researcher’s experience is a resource rather than a problem to be overcome in the research process.

Quantz (1992) suggests that researchers filter (and thus understand) the findings, accounts and interpretations through their own values. These values are mediated by the researcher’s own
social location (e.g., race, class, gender, age, sexual orientation, and religion), politics and ideologies, provoking the demand for reflexivity and transparency as a necessary condition of critical research. I locate myself as an outsider. Experiences in my life have consistently positioned me nationally, culturally, racially, and politically in unfamiliar territory. For instance, I was born in Jamaica, a predominantly African Caribbean country. My early years with my birth mother were not experiences of privilege as she was a single mother raising three children. At the age of seven I went to live with my father and was situated in a lifestyle of relative affluence. This formative juxtaposition of realities provided me with the lens of an outsider. This perspective was heightened as the family moved regularly to different countries, primarily in the Caribbean. I was keenly attuned to experiences of difference, witnessing racism (among racialized groups, as well as white supremacy directed at racialized groups), sexism, classism, heterosexism, amid the political violence of neocolonialism and imperialism. Through the political influence of reggae and reading about ‘third world’ liberation movements I developed a deep desire to expose and challenge injustice and oppression. My work as a social activist began in high school and through university I was able to locate issues of identity oppression within the broader structures of neocolonial/capitalist white supremacist patriarchy (hooks, 1990). As a racialized (South Asian) male with an intersecting analysis, I am positioned as an outsider whether as an artist, activist or institutional worker. My cultural work as a dub poet was characterized as appropriation during the era of identity politics (1980’s) as some individuals attempted to police the porous boundaries of social/racial identity whilst ignoring the creolization processes of the Caribbean. Consequently, I am very critical of cultural workers and activists
who promote a single identity focus of oppression because this approach can function in certain contexts as terminal points of oppressive ideologies and practices.

As a critical researcher, I start from the assumption that all research is political, socially constructed, and historically embedded (Fonow & Cook, 1991). This approach counters positivistic research methodology and methods that purport to achieve some form of objectivity and argue instead that scientific knowledge is embedded in social relations of power (Lather, 1991: 52). Critical approaches to the study of organizations calls for “reflexivity” on the part of the researcher and demands that researchers include themselves in what is being studied (Fonow & Cook, 1991; Gouldner, 1971; Hammersley & Atkinson, 1983; Stanley, 1990). This requires the researcher to reveal who he/she is and how their location shapes the research process. Reflexivity and transparency, on the part of the researcher, reinforces the fact that part of that which is being researched in the process of knowledge production is both shaped and limited by the researcher’s personal history, as well as the institutions within which such research takes place (Zine, 2004: 110, quoted in Nazim: 2008: 70). James Clifford (1986) points out that representation of data are ‘partial truths’ that employ a set of selective devices, such as highlighting, editing, cutting, transcribing and inflecting. For example, researchers decided on and ask the interview questions, select the narratives and decide how they are to be analyzed, interpreted and formatted to fit research interests, questions, frameworks and agendas.

Simultaneously being the researcher that examines institutional roles and policy work that I was involved in during the period of this study, I acknowledge that my position as an ‘equity practitioner’ is not neutral. As an ‘outsider’, I am cognizant of the inner workings of power and structures of domination of which I am implicated as someone trying to change the system form
within. Using Agocs (2004) typology of institutional human rights workers I position myself as a ‘radical’ and not a ‘tempered radical.’ However, I have strategically operated as a tempered radical in some institutional contexts because the organization culture was hostile to equity and human rights. Agocs describes radical human rights workers in postsecondary contexts as having a strategic and structural analysis of organizational change and at times functioning as a whistle-blower to identify and oppose organizational injustices, whereas tempered radicals use their influence, limited resources and credibility to support small change projects that make a difference within the organization (220). Westerman (2008) and Agocs (2004) have documented through surveys with Canadian equity practitioners in colleges and universities that many identify as tempered radicals.

I believe that tempered radicals and radicals (e.g. deliberately brought in during a crisis) can ultimately function to prop up oppressive systems by presenting the appearance that change is being made. Equity practitioners largely function as gatekeepers who participate in the legitimation and reproduction of harmful discourses, oppressive ideologies and commercialized educational processes that operate in oppressive neoliberal capitalist systems, which functions to privilege some social groups and marginalize and exclude others (Bacchi, 2001; Carter, 2008; Fraser, 1989; Kumashiro, 2000; Neal, 1998).

Most of my institutional work within the system as a ‘radical’ change agent has ended with my dismissal (downsizing and constructive dismissals). This has generally occurred when I have exposed or challenged bureaucratic procedures that constrained efforts to achieving substantial change, exposed or challenged unethical behavior and practices of middle and senior managers, or developed programs that were considered ‘too radical’ for the organization (usually because
these involved power sharing with minoritized communities). For instance, as a community development worker I founded the youth activist group MYA (Malton Youth Alliance) to pressure the local school board to adopt a human rights policy.\textsuperscript{11} However, this activity ran up against government funding criteria for multicultural programming (Srivastava, 2007), the managerial prerogatives of this agency and resistance from school board officials (Meyerson & Scully, 1995; Fraser, 1989).\textsuperscript{12} Work with anti-racist educator Enid Lee on anti-racist curricular and organizational transformation initiatives at a Metro area school board was interrupted through deliberate underfunding because some of curriculum development work was seen as ‘too political’. The two year human rights policy development process at York University which included curriculum transformation as a central feature (this was supported by academic department representatives on the committee) was excluded by the administration during the final phase of policy development. It became obvious that the function of the office was to translate activist demands into managerial activities rather than structural change. When the managerial approach was resisted, the administration eventually declared that the function of the office did not involve advocacy and it became largely a complaints and anti-harassment education office.\textsuperscript{13} One of the most toxic environments I’ve attempted human rights

\textsuperscript{11} MYA was made up of youth from both Separate and Public Boards. It was multi-racial/multicultural and had a relatively even distribution of genders. Issues around sexual orientation were openly addressed, but a decision was made by the group not to address this issue specifically at the conference because of the backlash around raising issues of racism and our funding and organizational perimeters were restricted to race, class, gender, culture.

\textsuperscript{12} Boundary work is a term coined by Nancy Fraser (1989) to characterize work carried out by experts within who work within institutional structures and are constrained by the institutional context in ways that may cause them to become detached, depoliticizing arbitrators of politicized claims.

\textsuperscript{13} In two instances, rather that receive complaints that would have been bogged down in the managerial bureaucracy I recommended and/or assisted with activist strategies that presented more possibilities for structural change. In one instance a number of students took over the president’s office after Black students were routinely racially profiled by security forces – they were constantly stopped and asked to show ID to confirm that they were students. This
organizational change was at a rural community college. The culture within this college tolerated expressions of discriminatory ideologies and some Deans and senior administrators were openly hostile to equity initiatives. At a senior management meeting to discuss the rising costs associated with the Students with Disabilities Office for instance, a Dean remarked, ‘Where are all of these people coming from, we didn’t have this problem ten years ago.’ I did not go along with a number of managerial decrees including getting rid of the manager of the Student with Disabilities Office because he was ‘too much of an activist in the portfolio.’ I was downsized as soon as the Harris’s government rescinded all human rights initiatives and the equity portfolio was removed as an institutional function.\(^{14}\) I have worked at the institution that is the focus of this study for the last 15 years. After developing and beginning the implementation process of the college’s human rights framework I was hired into faculty. Since then I have moved back and forth from faculty to administrative secondments using my relative security as a union member to advocate for human rights organizational change over the last thirteen years.

I believe that by exploring the experiences of human rights policy struggles I can expose the ways that universities and colleges perpetuate the status quo through structures intended to bring about equity through various techniques of resistance. In addition, I examine how these hegemonic processes have been challenged by various stakeholders, particularly institutional change agents who engage in acts of radicalism to challenge specific conditions, or acts of

\(^{14}\) There were a number of downsizings of administrative staff at this time as the provincial government slashed education funding.
tempered radicalism to bring about incremental change (Agocs, 2007; Meyerson and Scully; 1995; Westerman, 2008).

1.2 Analytical Framework

The framework of analysis used in this study is anti-racist but it also draws on feminist and postcolonial approaches to the study of organizational change. These critical theories have brought attention to the nature of oppressive relationships and structures within institutions and the failure of managerial strategies to achieve meaningful change (Agcos, Burr & Somerset, 1992; the Chilly Collective, 1995; Henry & Tator, 2006; James, 1996; Morgan, 1996; Nkomo & Cox, 1996; Razack, 1998; Thomas, 2008; Lopes & Thomas, 2006). A major focus of these approaches is to examine why organizational equity objectives espoused by institutional human rights policies fail to achieve stated goals. Anti-racist/feminist and critical approaches share a number of commonalties in proposing change within organizations:

(1) they historicize oppressive relationships and challenge functionalist/managerial assumptions about the inevitability of oppressive relations in society (Lee, 1984; Lee & Lutz; 2005; Mirchandani & Butler, 2006; Prasad, 2006);

(2) they provide analytical tools to demonstrate how hegemonic processes function to manufacture, legitimate and perpetuate Eurocentric, patriarchal, heterosexist and to some extent classist ideologies (Chesler, 2005; Dei & Calliste, 2000; Smith, 2004);

(3) they study organizational and societal structures and practices embedded in common sense notions of citizenship, justice, work and schooling that mask privilege and oppression (Abu-Laban and Gabriel, 2002; Dei, James, Karumananchery & Zine, 2000; Razack, 1998; Walcott, 2007; Wilson and Zine, 2000); and most importantly,
(4) they document the material, social and psychological impacts of oppressive structures and practices on minoritized peoples (Bannerji et al, 1995; Bishop, 2005; The Chilly Collective, 1995; Edward-Galabuzi, 2006; James, 2003).

Of particular concern to this study are the ways in which the nation state and its institutions address oppressive relations based on difference and the ways in which these are contested particularly in policy initiatives aimed at achieving social equity and cohesion. This study argues that the ongoing failure to achieve substantive change is partially rooted in dominant neocolonial discourses of equity that over time continue to obscure and/or make irrelevant historical, cultural, economic and unresolved sovereignty relationships. These dynamics intersect with oppressive dimensions that include gender, sexuality, religion, class, and ability among others. These tensions produce social and material consequences in terms of the access, control and ownership of resources along with associated cultural/social benefits (Mirchandani, 2006; Prasad, 2006). They play out in contested notions of citizenship and belonging, location of indigenous peoples, role and purpose of immigration, demographic makeup, as well as the possibilities of multiculturalism as a concept (Lee and Lutz, 2005; Prasad, 2003; Steckly, 2003; Thobani, 2007; Walcott, 2003). As organizations enact policies to achieve equity, procedures and structures generally fail to address the fundamental inequities that the society is based on. As a result, these initiatives are resisted and recuperated by dominant discourses. This study looks at how these dynamics played out at one institution.

Post secondary institutions are bureaucratic organizations, developing strategies to address specific oppressive/discriminatory conditions such as Eurocentric/male
centered/heterosexist curricula, or discriminatory hiring practices will necessarily be mediated through managerial discursive processes. Institutional change is filtered through instrumentalist methodologies such as strategic planning, analyzing organizational context, determining achievable goals, identifying specific strategies, planning when and how to develop and deploy these strategies, determining what resources need to be acquired, building coalitions/strategic alliances and implementation and evaluation (Chesler, Lewis and Crowfoot 2005, Lopez and Thomas, 2006, Benveniste, 1989; Bryson, 1988). The bureaucratic procedures that frame the issues are discursive since they frame how the problems are defined by dominant ideologies, organizational leaders, government, and activist groups. Consequently, these may be taken up institutionally as political correctness that must be resisted; rights based complaints management, cultural competency training, organizational branding, conscientization, or procedural reform (employment equity and curriculum transformation).

### 1.3 Methodology

This study applies two assumptions about organizational change to determine which apply to the policy struggles in this organization. Westerman (2008) and Myerson and Scully (1995) have argued that substantive organizational change can be achieved over time through incremental acts of tempered radicalism. Whereas, Jones & Stablein (2006) suggest that substantive policy measures aimed at challenging institutional oppression are eventually resisted and recuperated by management structures. This is similar to Fraser’s (1987) studies that demonstrate that the demands of equity seeking groups are translated into bureaucratic procedures that neutralize radical organizational transformation.
The following questions guide our examination of the three phases of policy struggles against a typology of equity discourses (described further along):

1. How do various administrations respond to the issues of discrimination and harassment?
   a. Are there discrepancies between institutional rhetoric and managerial practices? Are there internal and external dynamics variables that may explain this?
   b. What are the experiences of minoritized groups and how are these acknowledged and taken up by management?
   c. Was there resistance and backlash to equity initiatives and how were these addressed by management?

2. How do particular discourses of equity influence administrative directions and stakeholder resistance during the three periods under examination?
   a. How do dominant discourses of equity influence the development of organizational policy and administrative practice?
   b. Were there specific factors that shaped or constrained the policy development process during different administrative periods?
   c. How are dominant discourses contested by tempered radicals and other stakeholders within the institution?
   d. How are human rights practitioners positioned in terms of equity discourse/organizational change under the periods examined?

3. Are there any discernable systemic achievements in each of the periods under study?

4. What can other stakeholders learn from this particular case study regarding human rights policy development and implementation?

To examine the three phases of policy struggles this study constructs a typology of three equity discourses (outlined below and in Table 1). It also provides a template to identify how the institution responded to the conflicting demands for particular equity approaches from conflicting constituents such as business, mainstream media, and minoritized community groups, unions and the state. Identifying features of dominant equity discourses in the three administrative phases studied enables this researcher to identify specific variables that constrain policy formation, frame policy content, and determine implementation strategies. For the purpose of this study, the following key variables serve as comparators within each of the three
discourse (but are by no means an exhaustive list): dominant ideological assumptions about equity/human rights that influence work and managerial culture, dominant equity discourses in staff/faculty training approaches, views of the state, initiatives defining institutional expectations of equity, impetus for human rights policy development, human rights policy focus, positionality of human rights staff, organizational practices and infrastructure to address human rights issues, experiences of minoritized students, faculty and staff, and resistance strategies to ruling relations within the organization, and levels of unions and students activism (Goldberg, 2007; Kumashiro, 2000; Singh, 2004). The typology of equity discourse also allow for critical insights about issues that shape policy struggles and why particular policy items are either accepted or resisted by hegemonic centers within the organization. This typology is developed for comparative purposes and therefore recognizes that dominant organizational discourses are always contested, contextual and in a state of flux. The three narratives of organizational equity are not intended to represent fixity. Equity approaches overlap in all of the administrative periods and are, porous, contextual, and site specific micro/macro variants of organizational dynamics. However, by constructing three distinct approaches, we can observe how dominant discourses of equity are framed as ideology, policy, institutional practice and how these are contested by various stakeholders over the two decades of this study. Neo-conservative ideologies (Table 1A) inform ‘assimilationist’ discourses and to some extent ‘managing diversity’ discourses (Table 1B). ‘Transformative’ discourses for the purposes of this study cover a broad spectrum of feminist, anti-racist and critical approaches (Table 1C).

1. Assimilationist (Table 1A) discourses of equity within educational institutions view human rights advancements as encroachments on morally and culturally superior Eurocentric
value systems. Adherents of these perspectives argue that over the last few decades the social fabric has been unraveling because of “political correctness” and advancements in state-driven social policy such as labour legislation, the welfare state, multiculturalism, and human rights legislation such as gay marriages. These developments threaten the governability of the state, the capitalist economy and threaten the ‘traditional’ (heterosexist) family. These discourses establish binaries of “us and them” by juxtaposing privileged social identities against those that are minoritized. The yardstick by which society is measured within this approach is predominantly European, heterosexual, Christian, able-bodied and middle-class, and capitalism is conflated with democracy. There is much cynicism over measures to address societal inequities because of the default to meritocracy which focuses on individual achievement. Since these discourses assume that the society is based on principles of equality, minoritized groups are characterized as “special interest groups” that hide behind the banner of human rights to gain special privileges that result in “reverse discrimination” (D'Souza, 1991; Henry, 2011; Scott, 1992). As managerial discourses, they dominated many work environments well into the 1980s in North America (Table 2)\(^{15}\). When these discourses are dominant within organizational cultures, human rights/diversity programs function as part of the bureaucratic apparatus not because they are seen as prudent or socially responsible managerial practices, but because they are required by legislation (big government); the Federal Contractors Program\(^{16}\) is one such example. They may also exist because the organization may have been forced to adopt human

\(^{15}\) Table 2 suggests that dominant discourses of equity operating in the larger society may influence internal dynamics through the normalization of particular human rights discourses. However, internal organizational discourses of equity and dominant societal discourses of equity are not always congruent as was the case in this organization where localized conditions created policy responses that contradicted external developments.

\(^{16}\) Voluntary employment equity program for institutions that do more that $200,000 in business with the federal government. Very similar to Ontario’s Employment Equity Act, though is has not received a similar backlash.
rights policies as a settlement arising out of an external human rights complaint. This was most often the case in the 1980’s as human rights legislation was tested. Most managers in these organizations won’t publicly subscribe to transformative perspectives and generally spend more time getting around human rights policies than implementing them. They may overtly subvert state sanctioned programs and legislation (Jackson & Hardiman, 1994; Phillips, 1992).

The unqualified assumption that principles of meritocracy and professionalism protect and ensure the operation of equity and fairness implies that failing to succeed within organizations is the result of individual flaws and by implication group flaws when large numbers of certain social groups fail to advance professionally. With gender, women don’t advance as fast as men because they are not ‘competitive’ and ‘take time out’ of career paths to have babies and these arguments are discursively framed so that women are viewed as ‘less committed’. Discrimination is considered an individual act and not embedded in ideological, cultural and political systems and practices. Therefore, human rights legislation is not only intrusive, it goes against the principles of individualism and individual rights and freedoms. Not surprisingly, employment practices are such that the few token individuals from minoritized groups that are hired into these organizations mirror the values of the status quo. Assimilationist organizations have little or no representation from minoritized groups in senior positions. Individuals who challenge organizational values are marginalized, and ‘tempered radicals’ may face constructive dismissal. Very often minoritized bodies that are chosen to occupy these positions support the status quo and subscribe to neo-liberal sensibilities of meritocracy that calls into question the concept of systemic inequities (Jackson, 1990).
2. Neo-liberalism is the dominant ideology informing ‘Managing Diversity’ discourses (Table 1B). The primary distinction from neo-conservatism is the rhetorical rejection of socially conservative principles while embracing the economic policies of the former (Macridis & Hulliung, 1996). These discourses construct diversity as a business necessity, and while systemic discrimination may be acknowledged, remedial programs are not intended to alter the inherent inequalities built into the system. Ahistoricism is consistent with neo-liberalism’s denial of the exploitative benefits that accrue organizationally, nationally and globally from neo-colonial and patriarchal economic and political systems (Barnes & Nazim, 2004; Mirchandani and Butler, 2006; Prasad and Prasad, 1996).

The refusal to implicate systemic/structural relations in the reproduction of social inequities is similar to neo-conservatism’s focus on individualism, and the material conditions of oppression may result in functionalist explanations as given social conditions in society. Addressing these conditions may involve training employees in cultural competencies that stereotypically reproduces essentialized constructions of identity as organizational members learn about the ‘culture of the other’ and about the disadvantages experienced by the ‘other’ (Kumashiro, 1999). While the acknowledgement and promotion of cultural and social differences are not viewed as threatening to dominant cultural elites, cultural artifacts ensure cultural dominance over subordinated groups by emphasizing ‘common universal values’ as defined by dominant cultural and economic norms.

The institution’s primary motivation for promoting diversity under ‘valuing diversity’ discourse is to capitalize on changing demographics, manage conflicts arising out of difference and enhance efficiency and productivity (Barnes & Nazim, 2004; Jones & Stablein, 2006;
Prasad, Pringle & Konrad, 2000). When diversity is promoted as a corporate social responsibility it is largely for purposes of organizational branding. Accordingly, the prioritization of diversity as a business necessity over organizational social responsibility ensures that these issues are seen through the lens of managerial efficiencies (Prasad, 2006).

While this approach acknowledges discrimination in society and its organizations, it is constructed as an interpersonal issue. Human rights policies are limited to complaints mechanisms because conflicts are viewed as cultural misunderstandings or individual bad behaviours and not problems with organizational systems and practices. Consequently, textual readings of more extensive policy documents where diversity is promoted for branding purposes may not reveal organizational objectives to address systemic inequities. What appears as policy intentions in organizational documents and mission statements may never be actualized in practice. Their main purpose may be window dressing (Henry, 2011; Neal, 1998). However, such organizational pronouncements may be used by internal activists and’ tempered radicals’ to move organizations further than was intended as was evident in this particular case study.

When human rights issues surface in the working environment they may be forced underground because no managerial infrastructures are in place to address structural issues. Also, the lack of systemic analysis may displace on to the recipients of discriminatory practices the conflicts arising out of these conditions. In this case, the recipients become the problem. Organizational deficiencies only surface when complaints go beyond the organization to provincial or national commissions. This rarely occurs since individuals and/or communities who are the recipients of differential treatment/services often walk away, and only a fraction of discriminatory practices are reported or challenged (Day, 1995). Furthermore, it has been noted
that legal, financial and emotional tolls put these individuals and communities at disadvantage (Nazim, 2008).

The veneer of embracing ‘diversity’ is promoted within these discourses through diversity/cultural competency organizational development training that reproduces normative social relations that define minoritized groups as the focus of ‘the problem’ (Kumashiro, 2000). Cultural competency training positions those with privileged social identities as needing to learn about the other to better serve them. There is no discussion about the relational construction of privilege and minoritization or issues of hybridity. Differences (and particularly those ascribed to minoritized identities) are problems to be managed, not the structures and ideologies that create and reproduce inequities (Nestle & Kanee, 2008). The underlying assumption is that cultural literacy will lead to cultural and organizational harmony. A systemic examination of oppressive attitudes and practices as well as the operation of power and social privileges is avoided because it creates bad feelings and contradicts the social and economic structures that this discourse is built on.

Structural programs such as voluntary employment equity may be in place but they are ineffective to change demographic representation within organizational hierarchies. Government equity initiatives are easily undermined through insufficient resources or lack of managerial accountability for implementation (Agocs, 2007; Goldberg, 2007). As with assimilationist discourses, state-promoted equity programs are seen as the intrusive hand of big government giving in to special interests groups with the resultant practices of “reverse discrimination”. The establishment of targets to deal with the under-representation of minoritized groups disingenuously promoted by mainstream media as the imposition of hiring quotas is not
understood as arising out of systemic discrimination in employment systems. However, when it is necessary to recruit social and racial representation for business purposes, representation may be more balanced in critical professional and managerial roles. Within this discursive mode, diversity is promoted as a business necessity. The struggle for equity becomes the management of diversity which is accomplished by shifting the gaze to minoritized identities and away from the operation of power and privilege. It is more difficult to resist these approaches to equity since they are constructed as socially responsible, and internal activists can be dismissed or discredited as radical fringe elements. Minoritized individuals that acquire leadership roles in organizations with these characteristics mirror the status quo and may display hyper conservatism.

3. The analysis of feminist, anti-racist, postcolonial and other critical discourses is used to frame ‘transformative’ organizational approaches (Table 1C). These discourses have some commonalities (as noted in the analytical framework) but are very distinct and are collapsed for comparative purposes with assimilationist and managing diversity discourses. Commonalities include: acknowledgement that societal and organizational patterns of inequity are based on historical, cultural, political, economic legal, educational and religious factors; recognition that the values and beliefs that created these inequities, though long discredited, live on consciously and unconsciously in attitudes, practices, policies, structures and knowledges within institutions; questioning meritocracy claims by organizations don’t add up when there is unequal representation of minoritized groups and when organizational practices directly and indirectly lead to unequal outcomes; urging organizations to move beyond valuing differences to actively eliminating injustices within organizations; and suggesting that organizations can begin these
processes by examining how oppressive conditions are normalized and legitimized through ruling relations (Smith, 2004)

Some anti-racist organizational change models borrow both techniques and enlightenment ideals from managerialist/instrumentalist frameworks of change. Consequently, these approaches to change propose linear models or stable stages of organizational change; they also rely on managerial bureaucratic interventions such as the state and institutional policy as key instruments of achieving equity which are often defined as access to the privileges and benefits to existing systems. Class is notably absent from the equation as are other social identity variables such as sexual orientation (Doyle and Rahi, 1990; Jackson & Halvino, 1994; Lopez and Thomas, 2006Rafiq, 1992; Thomas, 1987; United Way of Greater Toronto, 1991). Most of these models agree on variations of strategic planning variables such as examining triggers for change, identifying sponsors/ resource acquisition, champions and advocates for change within the institution, soliciting top management commitment, working with key stakeholders, developing collaborative structures and processes for planning and decision making, data collection and analysis, education for awareness dialogue, diagnosis and feedback, identifying supports and resistance, goal setting and action planning/ strategic planning, (implementation) training for pilot projects and special initiatives, monitoring and evaluation, setting up rewards and sanctions, and continuous learning. Chesler, Lewis and Crowfoot (2005) and Agocs, Burr and Somerset, (1992) use similar planning variables, and agree that activities must fit together and be mutually supportive; however, they recognize the tensions inherent in organizational change processes as dominant discourses can, and often do, challenge and reassert legitimacy over transformative discourses. These models acknowledge that adjustments will occur in several directions and
evaluations and corrective efforts to continue the cycle of change are ongoing contrary to linear/mechanistic managerial models (Weiner, 1997; Weiss, 1996; Wilson, 1996).

More recently, anti-racist scholars drawing on post modern approaches have addressed anti-racist tendencies to under theorize the ‘subject’ or assume essentialized subjectivities by not exploring hybridity and the intersectionality of identities. For instance, Walcott (2003) questions the stability of identities in the construction of Blackness in academia and popular culture, Sealy (2000) and Lee & Lutz (2005) critique anti-racist approaches that establish oppressor – oppressed binaries, and Mirchandani and Butler (2006) call for the establishment of theoretical frameworks that reconceptualize identity to acknowledge hybridity and intersectionality in relation to oppressive global economic arrangements.

Postcolonial theories share commonalities with anti-racism such as the interrogation of Eurocentricism and the impact of neocolonialism and anti-colonialism in shaping the major contours of global ideology, politics, cultural and economic life (Prasad, 2006). These approaches also expose the operation of neoliberal managing diversity perspectives and consider the role of individual agency outside of the state or formalized expert roles (Jones & Stablein, 2006; Prasad, Pringle, and Konrad, 2006). This analytical approach is critical of anti-racist and feminist organizational change approaches that rely on metanarratives that construct power as binary and hierarchical obscuring the relational nature of power. Postcolonial scholars view power as unstable and operating everywhere, not just as autocratic/bureaucratic instruments of domination (Brock, 2003, Hatch and Cunliffe, 2006). There is recognition that human rights are an ongoing project (Spivak, 2004) and that the responsibility for working towards change rests with all parties. It involves the operation of various micro and macro strategies to dismantle
oppressive policies and practices and create new possibilities for ongoing transformative changes. Consequently, change is not a linear process or finite accomplishment since processes of ‘resistance and recuperation’ will occur as progressive discourses are continually appropriated by dominant elites to maintain ruling relationships of power and privilege (Jones & Stablein, 2006). Postcolonial approaches avoid binaries of oppressed/oppressor and argues that we must be willing to understand our own imbrication in systems of oppression (economic, environmental, ideological, political, technological, etc.). We must also recognize and critique how we are positioned and how we position others in social structures and relationships. We also need to be conscious of how our personal, social, cultural, political, economic actions and strategies repeat histories of oppression despite our intentions to do ‘good’ (Nestle, 2005; Kumashiro, 2000).
<table>
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<tr>
<th>Dominant Discourses</th>
<th>(A) ↔ ↔ Assimilationist ↔ ↔</th>
<th>(B) ↔ ↔ Valuing Diversity ↔ ↔</th>
<th>(C) ↔ ↔ Transformative ↔ ↔</th>
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<tbody>
<tr>
<td>• Neo-conservatism -fiscal and social conservatism. Educational institutions are neutral sites</td>
<td>• Neo liberalism- economic conservatism, social liberalism. Educational institutions must be aligned to the marketplace</td>
<td>• Drawn from liberatory educational approaches/social theories and Indigenous/grassroots knowledges: Educational Institutions have a social responsibility to promote equity, environmental/technological sustainability and understand their implicatedness in reproducing harmful ideologies</td>
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<tr>
<td>• We have achieved equity. Minoritized groups have a social agenda, ‘we’ don’t. We’re neutral/normal. We are a-political. ‘Special interest groups’ who want special privileges - ‘reverse’ discrimination</td>
<td>• Discrimination is primarily viewed as the problem of a few prejudiced individuals in isolated incidents. Universalist assumptions make it difficult to grasp systemic discrimination</td>
<td>• We all have biases that shape our understanding of history, society, government, global relations. These influence popular culture, curriculum and organizational cultures. Dominant ideas/practices must be examined in the context of power/privilege and minoritization. We inhabit multiple identities and within particular context we may be in positions of privilege or minoritization</td>
<td></td>
</tr>
<tr>
<td>• Black/brown/queer people are taking over – Eurocentricism is right, a-historical view– First Nations sovereignty claims not viewed as legitimate. Inclusion a mockery of meritocracy</td>
<td>• Diversity is a necessity for operating in a Globalized business environment. Issues of social class, environment, technology absent from analysis. Diversity a catch-all, not specific to designated groups/de-politicized</td>
<td>• Values and beliefs that created inequities though discredited live on consciously and unconsciously in ideas, attitudes and practices within institutions. We must make these explicit and actively challenge them by involving broad based coalitions and intersectional analysis. Excellence is not possible where there are inequities and harmful practices/behaviours</td>
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<tr>
<td>View of the State</td>
<td>(A) ↔ Assimilationist ↔</td>
<td>(B) ↔ Valuing Diversity ↔</td>
<td>(C) ↔ Transformative ↔</td>
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<tr>
<td><strong>View of the State</strong></td>
<td>Less Government: back off Human Rights, Social welfare &amp; Environmental legislation Unfettered freedom of expression, even if it’s hateful and discriminatory (a view shared with civil libertarians)</td>
<td>Mirrors neo-liberal government assumptions about globalization and the benefits of Diversity.</td>
<td>Legislation, institutional policies, collaborative community/stakeholder approaches are necessary to identify and eliminate direct and systemic discrimination, exploitative labour practices and environmental degradation. Change is possible from the bottom up. Develop counter discourse to neo-liberal agenda</td>
</tr>
<tr>
<td><strong>Equity Goals</strong></td>
<td>to maintain status quo – white supremacist capitalist patriarchy</td>
<td>diversity as demographics/economics</td>
<td>transform oppressive relations of power</td>
</tr>
<tr>
<td><strong>Policy Impetus</strong></td>
<td>External pressure (i.e., legislation), legitimation crisis. Office functions as gatekeepers to keep a lid on issues.</td>
<td>Diversity as a business imperative- the economic viability of the organization is tied to demographics, markets and globalization</td>
<td>Acts on social responsibility to promote justice, equity and ecological survival internally &amp; externally –provides strategies/models for transformative change based on broad based collaboration with all stakeholders</td>
</tr>
<tr>
<td><strong>Human Rights Policy Focus</strong></td>
<td>Rights based complaints resolution- Resolved through individual counseling approach. Liability protection.</td>
<td>Branding, liability protection, organizational development training, for conflict reduction and productivity.</td>
<td>Systems analysis: Policy establishes an institutional framework to actively eliminate injurious policies, practices, behaviours, applied to internal and externally operations</td>
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## Positionality of Human Rights Staff

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<thead>
<tr>
<th>(A) ↔ ↔ Assimilationist ↔ ↔</th>
<th>(B) ↔ ↔ Valuing Diversity ↔</th>
<th>(C) ↔ ↔ Transformative ↔ ↔</th>
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<tr>
<td>Translates demands of equity seeking groups into managerial processes. Not likely to have critical analysis, usually a lawyer, or dispute resolution professional, systems analysis nonexistent.</td>
<td>Translates demands of equity seeking groups into managerial processes. Tempered radicalism possible, focus on training and organizational development. Diversity experts, consultants hired to tap into potential markets, secure grants and manage internal issues. Responsibility for change remains with an office or committee not integrated into all functions of the institution. Role established as neutral/objective but reports to management. Advocacy seen as unprofessional.</td>
<td>Office established as part of senior administrative structure, significant influence/accountability over policies, practices, mission/values, contract compliance. Follows through on its on its policy commitments with adequate resources, structures and personnel. Human rights/social justice integrated into all organizational systems/plans, regularly evaluated, clear lines of management and staff accountability. Responsibility for change is throughout the organization. Reflects the contributions and interests of all groups in its mission, operations and service. More tolerance of advocacy and activism, individuals less likely to be constructively dismissed or fired.</td>
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<td>Staff has little or no influence. Office marginalized. No consequences for managers who subvert human rights policies. Human rights principles excluded from mission/value statements, not integrated into organizational policies/programs/practices.</td>
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<td>Accountable solely to management</td>
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<tr>
<td>Human Resource Practices</td>
<td>(A) ↔ ↔ Assimilationist ↔ ↔</td>
<td>(B) ↔ ↔ Valuing Diversity ↔</td>
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<td></td>
<td>• Token hiring: not uncommon for minoritized human rights staff to be incompetent. Staff or those that don’t mirror status quo values chilled out of institution. Lack of diverse representation in senior positions. No acknowledgement of power and privilege</td>
<td>• Surface attempts to promote equity/diversity through programming that does not change systems. Serious issues are forced underground/ignored</td>
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<tr>
<td></td>
<td></td>
<td>• Management is largely unrepresentative. Unclear lines of accountability, lack of transparency</td>
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<tr>
<td>Curriculum Discourses</td>
<td>(A) ↔ ↔ Assimilationist ↔ ↔</td>
<td>(B)↔ ↔ Valuing Diversity↔ ↔</td>
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<td>Education for Assimilation: The yardstick by which society is measured predominantly, Eurocentric, heterosexist, Christian, able-bodied and middle class. Indigenous and critical knowledges devalued.</td>
<td>‘Education for the Other’ and ‘Education About the Other’: Educators need to acknowledge diversity, embrace difference, and be culturally sensitive. Learning about the “other” will allow “us” to deal in a culturally competent way with difference.</td>
<td>Education that is Critical of Privileging and Othering ‘ and ‘Education that Change Society’: Since knowledge is created within a social context, a seamless integration of diverse perspectives is sought. We need to examine not only how some groups are marginalized, denigrated and violated in society but also at how some groups are favoured, normalized, and privileged. This involves looking at social structures, ideologies and symbolic systems that uphold the existing order.</td>
</tr>
<tr>
<td>Curriculum omits experiences, knowledges, art/culture and contributions of minoritized groups; may essentialize, disparage, and misrepresent these groups.</td>
<td>Recognition of omissions, distortions, stereotypes. Some integration of diverse voices. Still largely the Black History Month, Positive Space tools, techniques, checklist, add on approach.</td>
<td>Students (and teachers) must be willing to understand their own implicatedness in systems of oppression (economic, environmental, ideological, political, technological, etc.) How is it that our actions, our words, and the images that we use and respond to repeat histories of oppression despite our intentions to do ‘good’. We can never fix or freeze who our audience is or how our intervention will be received because we are always speaking and interacting</td>
</tr>
<tr>
<td>Attempts to expand the marketplace of ideas viewed as political correctness/ attacks on Academic Freedom</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Teachers Positionality</td>
<td>Educator is the disciplinary expert. Curriculum outcomes linked to needs of the market place</td>
<td>Educator may recognize processes through which knowledge is socially constructed. Curriculum outcomes linked to corporate social responsibility/ diversity</td>
</tr>
<tr>
<td>Organizational Development/Training Discourses</td>
<td>(A) ↔ ↔ Assimilationist ↔ ↔</td>
<td>(B)↔ ↔ Valuing Diversity ↔ ↔</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>-----------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>• Training focuses on essentialist notions about minoritized groups. How to operate within human rights legislative framework to protect organizations liability.</td>
<td>• &quot;Cultural competency&quot; training focuses essentialist notions minoritized groups. No analysis of the complexity of intersecting identities/hybridity.</td>
<td>• Training/education is linked to institutional/individual social responsibility, equity, ethics and environmental/technological sustainability. Avoids essentialisms and binaries of oppressor oppressed, intersectional analysis that historicizes oppressive discourses.</td>
</tr>
<tr>
<td>Experiences</td>
<td>• Chilly climate for staff/students, overt and systemic experiences of discrimination/oppression.</td>
<td>• The culture of the dominant groups and the systems that perpetuate inequities are not examined because it may create bad feelings.</td>
</tr>
<tr>
<td></td>
<td>• Structural and physical violence.</td>
<td>• Structural violence.</td>
</tr>
<tr>
<td>Strategies to achieve change in different organizational cultures</td>
<td>(A) ↔ ↔ Assimilationist ↔ ↔</td>
<td>(B) ↔ ↔ Valuing Diversity ↔</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>• Change initiated by student/community activism, non-violent coercion, strikes, protests, litigation, psychological intimidation sometimes supported by progressive faculty</td>
<td>• Focus on harmony, suppression of difference/conflict for productivity/branding forces issues underground</td>
<td>• Recognition that change is not a linear process and the process of ‘resistance and recuperation’ will occur as progressive discourse are appropriated by those in power to maintain ruling relation.</td>
</tr>
<tr>
<td>• Internal coalitions work to expose the gate keeping functions of diversity/human rights offices</td>
<td>• Focus on presentation of proposed solutions, skill development workshops, debate/discussion. Tempered radicals strategize to embed clauses in policies (i.e., curriculum transformation; equity plans, etc.) that can be used to advocate for change in the future.</td>
<td>• Critical interrogation of Institution’s relationship to local, national and global systems of domination. Serious attempt/plans to incorporate minoritized and indigenous perspectives. Equity/environmental efforts encouraged and rewarded</td>
</tr>
<tr>
<td>• Educating supportive leadership/allies in key positions may act as lesions between admin and activists if their positions are not directly threatened as a result</td>
<td>• Attempts to frame human rights policy framework to address all aspect of the institution’s functions. Including teaching and learning and employment processes</td>
<td>• Senior leadership actively demonstrate commitment to the ideas that university/college has a social responsibly to promote equity, environmental sustainability, and challenge historic and current injustice and oppression.</td>
</tr>
<tr>
<td>• Faculty who oppose equity may have to be engaged strategically – soliciting their interest/support through intersectional analysis and drawing links to environmental / technological issues. Changing the language of discourse i.e., avoiding terminology that triggers hot button responses -anti-oppression, anti-racist, feminist, etc</td>
<td>• Conducting Employment Equity surveys to look at representation at all levels plans enforced through oversight bodies</td>
<td>• Institution actively promotes internal and external partnership with all stakeholders to promote social justice and environmental sustainability</td>
</tr>
<tr>
<td>• Training focuses on essentialist notions about minoritized groups. How to operate within human rights legislative framework to protect organizations liability</td>
<td>• Involving community advocacy groups on Boards and Program committees</td>
<td>• Openness/transparency re: action plans, accountability, timelines, evaluation of change strategy/plans. allocation of resources and personnel</td>
</tr>
</tbody>
</table>
CHART # 1  How Human Rights and Equity are Constrained in Organizations

**MANAGERIAL RESISTANCE & RECUPERATION**
- Backlash towards principles and practices of equity – the privileged framed as victims
- Democratization of power reverts to managing through bureaucratic hierarchies of power
- Demands of equity seeking groups translated into bureaucratic processes
- superficial reforms: ongoing systemic relations of white supremacist capitalist patriarchy legitimated and maintained

**RULING RELATIONS**
- Unchallengeable truths
- Spirit of Capitalism: unquestioned legitimacy of economic system and supporting institutions
- Corporatization of commons, public institutions
- Dominant economies built around Military industrial complex, domination of global resources, information management and legal, political, social systems
- Assumption of Equality (meritocracy)

**MYSTIFICATION PROCESSES:**
- The fantasy of equality: we can achieve equality within structures of inequality
- Unresolved colonization/land claims and independence issues for indigenous peoples
- Human Rights Codes/Legal liberalism
- Equality of opportunity programs
- Myth of meritocracy obscures systemic and institutional inequities through individualization and commodification processes

**OPPRESSIVE IDEOLOGIES**
- Historically constituted through various hegemonies / technologies of power:
  - neocolonial, white supremacist, capitalist, heterosexist patriarchy

**IMPACT of OPPRESSION**
- Blame the victim individualization blurs the operation of systemic inequality/oppression
- Democratic discrimination: increasingly sophisticated forms of class inequality, racism, sexism, heterosexism, etc.
- Evangelical belief in the rhetoric of equity in spite of evidence of structural inequality
- Cover ups, sabotage, wedge politics

**MANAGERIAL RESPONSES**
- Acknowledgement and understanding of how systems of privilege reproduce inequality and oppression
- Attempts to establish frameworks for structural reforms through policy, accountability, responsibility, and collaboration with all stakeholders/communities impacted by oppressive ideologies and practices

**COUNTER RESISTANCE**
- Crisis creates opportunities and possibilities
- Agency through organizing, strategic alliances, and whistle blowing
- Exposing systems of inequality / privilege through documentation, studies, counter discourses, internal radicalism and tempered radicalism
- Legitimation crisis requires and/or leads to administrative responses

**MANAGERIAL RESPONSES**
- Commodifying diversity as efficiency, effectiveness and productivity
- Branding of diversity and social justice
- Othering through cultural competency
- Enlisting privileged members of systemically oppressed groups in key positions to promote the spirit of capitalism projects, demographic representation in ‘lower’ strata jobs

**MANAGERIAL RESPONSES**
- Denial of inequality/oppression
- Blaming the victims
- Discrediting the messenger and the message
- Framing human rights within legal liberalism (rights based dispute resolution)
- Tokenism
- Setting up programs to fail
- Hiring gatekeepers to implement programs

**MANAGERIAL RESPONSES**
- (assimilationist)
1.4 Benefits and Drawback of an Insider Perspective

When I first started this research in 2000, it was relatively easy to get permission through the human recourses department and the vice president academic. For interviews conducted during this current administration I needed permission from the president and had to undergo an ethical review protocol. The president granted permission and her only concern was that I get a cross section of opinions. I intended to cover four administrative periods from the 1980’s to the present. However, I decided to not study the current period since the ethical review committee chair appeared to have concerns about how I would portray the current administration because a request was made to review my thesis before I submitted it to my thesis committee. I decided to focus on the three administrations prior to the current administration because I didn’t want to get bogged down in internal politics.

Collecting policy texts and reports proved to be a frustrating experience since all of the historical and archival material in the human rights office has been shredded and several boxes of my research materials (which included some of this information) were alleged to have been accidentally shredded during office renovations. Most of the material I gathered for this research was from my own records and from other equity workers or human rights committee and sub-committee members who were involved in these processes during the three phases. In spite of these drawbacks, as an employee I had access to organizational knowledge and resources that would not be available to an outsider. It was relatively easy for me to secure administrative

17 Unfortunately, various officers of the college have destroyed most of the historical documents I possessed related to equity prior to 2007. Important archival material about human rights initiatives during the 1980’s was destroyed when the human resources office moved in 2005. This researcher boxed them and titled them “Important human rights archival material - do not destroy”. Six boxes of research material documenting Eurocentric/Neo-liberal/Patriarchal approaches to teaching in the School of Business, supplementary materials to broaden these perspectives, and other research related to curriculum equity was shredded by the office manager of the school of business in 2008. This individual was told to store these labeled and boxed materials with other faculty material to be stored during renovations. His response to the destruction of my research was, “It didn’t look like important material.” And finally, material from the human rights office for the last fifteen years was recently destroyed by a physical plant administrator. When I asked why, I was told that the college needed space.
consent, I had some familiarity with the formal and informal workings of the organization, I was aware of the dominant culture/s, and discourses of equity within the organization.

I also had access to organizational stakeholders who agreed to be interviewed. Subjects included people with political power and administrative authority in the organization, such as administrators, union members, and faculty and support staff members. I had established working and personal relationships with all of the twenty individuals I interviewed. Given the conflicts over human rights policy struggles within this organization and my role as a change agent I was a know entity. Virtually all of the individuals who were interviewed were involved in the human rights processes as representatives of management, faculty, support staff and unions and all were randomly selected. Only three opponents of the policy agreed to be interviewed though I inquired of others. The lone management representative was very guarded in his responses, only choosing to comment on the power that the union had acquired during the second administrative phase of this study. The two faculty representatives were colleagues who I developed a relationship with after I went from the human rights office into faculty and they basically subverted their interviews choosing not to answer my questions and talking off topic. Relationships cannot be cultivated overnight with colleagues especially where there is polarization around human rights issues. The culture of denial, fear and distrust does not allow for dialogue.

Participants were informed that I would not be using their real names, but pseudonyms, which I would use in the interview transcript and final report. I also pointed out that the interview process would be recorded strictly for the purposes of transcription and analysis and only I would have access to these tapes; however, if at any time during the interview they felt wanted the recording to stop, I would stop the tape recorder and restart it with their permission.
Cognizant that the process of knowledge production is both shaped and limited by the personal histories of the researcher as well as institutional forms within which research takes place I used an interactive, semi-structured, open-ended interview format which allowed for the dialogical exchange of information between participants while remaining within the research and exploratory objectives of the work. (Zine, 2004: 110, quoted in Nazim, 2008: 99).

Below is a profile of those whose interviews informed much of the critical analysis of this study. Names have been changed and some details are provided to give a context.

Dr. Angela Ranger, the first Black female professor hired at the college, and an early champion of human rights. One of the few racialized faculty hired in the institution, she was passed over for administrative positions during the first administrative period (Phase 1) of this study (the 1980’s) even though highly qualified and respected by faculty colleagues and students.

Dr Elisa Fox, president of the local faculty union and a champion and architect of human rights initiatives at this institution serving in this position for 30 years. She was very skilled at promoting human rights and maintaining currency with her largely conservative membership. She has stated that her politics originates from the feminist movement of the 1960’s/1970’s.

Lydia Craven, Human Resources Consultant and defender of management’s approach to human rights during Phase 1, retired during the second administrative period of this study. She was viewed as a gatekeeper by the faculty union.

Matt Duga, Human Rights/Labour Relations Director during the second administrative period (Phase 2). Most equity staff who worked under this individual consider him a brilliant organizational change strategist, originally from a labour/anti-racist background, brought in by the Vice President to manage the NDP employment equity plan. However, some of his actions gave the appearance that he engaged in inappropriate relationships in the working environment which may have undermined human rights efforts in the larger institutional community. He was hired into faculty during the third administrative period (Phase 3) but was dismissed before his probation period was over.

Zack Shivan, Academic Chair, one of the first racialized faculty hired in this department and was hired into management as an academic chair. I was hired into this department in Phase 2. He basically worked in a poisoned work environment. The behaviours exhibited towards him by some of my faculty colleagues (all of whom were white) was very condescending and verbally abusive.

Mark Michaels, Manager who was a former faculty member and one of the few managers who was openly supportive of human rights. He provides very good insights into first two administrative periods of this study.
Shivon Jones, Academic School Office Manager. A racialized woman who did a higher education degree while working full time and was eventually hired as a faculty member.

Mary Jones, Professor with a history of feminist and political organizing who became the faculty seconded training consultant in the human rights office in the second administrative period. Also a faculty steward, she was fired from the human rights office and considered a political threat by the faculty union when she attempted to democratize the union leadership structure. Management and some of her colleagues also considered her a threat because she exposed racist hiring practices in the department. She was constructively dismissed.

David Parker, Professor who had been at the college for a couple of decades. An opponent of human rights and a faculty colleague, he agreed to be interviewed but did not answer or speak about any issues related to human rights during the interview instead talking about electoral politics and a former faculty member who did an unflattering study of the college and used it to move on to university teaching which he kept reinforcing was unethical.

Mike Ricards, Professor and editor of the union newsletter who first started to report on human rights abuses at the college in the early 1990’s. He withdrew from the union for unknown reasons.

David Jensen, Vice President of the Support Staff Union during first administrative period and seconded to work as Pay Equity Project Manager during Phase 2. Operated behind the scenes as an equity technician, though he has a critical analysis of human rights discourses, opts to stay out of the political fray.

Ricardo Patterson, External training consultant during the first and second administrative periods, also served as Human Rights Director in the transition from Phase 2 and 3. GLTBQ activist in the African Canadian community, and human rights consultant.

Stewart Alexander, Professor and opponent of human rights initiatives who initially agreed to be interviewed on this topic and showed up but refused to answer any questions related to human rights.

Paul Douglas, Vice President hired in Phase 2 and subsequently constructively dismissed. Former Deputy Minister of Education, and Vice President Academic at a university. Responsible for hiring the team of radicals/tempered radicals who initiated one of the most comprehensive human rights polices in post secondary education at the time.

Mabel Hendricks was the first female president of the College and was brought in to deal with the human rights crisis in 1992. Not particularly interested in this portfolio she leaves this task to Douglas who has numerous battles with her and the senior administration over funding equity initiatives during Phase 3.

Lewis Levy, Academic Department Chair, Vocal opponent of human rights and management representative on the Joint Union Management Human Rights Committee during Phase 2.
Vandana Patel, Support Staff of the human rights office during Phases 2 and 3. Very professional approach, did her work and did not get involved in the larger political battles when she was in the office. However, her insights into Phase 3 were very astute and help to give depth to the competing discourses of equity among equity practitioners in Phase 2 and 3.

Paulette Marchand, Sexual Harassment Officer and human rights officer during Phases 2 and 3. As she herself points out, initially approached this work as a technicist without a systemic analysis. The only surviving human rights staff member from Phase 3 and co-originator of the institution’s positive space campaign. No longer works in human rights at the institution but would still like to (forced out of this portfolio).

Elsie Chand, External Employment Equity consultant during Phase 3, former senior manager in the public service with the NDP’s employment equity initiative. Was critical of the college’s managing diversity approach and lackluster approach to employment equity, college management nor the union took advantage of the expertise she had to offer in the area of human rights organizational change.

Ray Fredricks, One of the first Black faculty hired at the college and a close ally of the faculty union, co-developed course on Africa and Africans that was a general education elective for a number of years.

Karen Wheeler was senior policy analyst at the Ministry of Education and Training. She served in this capacity under several governments. She used one of the policies that I had previously developed as the template for the Harassment and Discrimination Prevention Framework Document and invited me to sit on the implementation committee of this equity initiative for colleges and universities.

Marylin Davies is a Black faculty member who has been denied all leadership opportunities she has applied for by her Dean. She has all of the requirements for an administrative role, a post graduate degree, experience in seconded administrative roles (office of the Vice President Academic) and leadership roles on college committees. Speaking out on issues of oppression and discrimination appears to have held her back from advancing in this organization.

1.6 Organization of Text

views institutional contexts and processes as important sites where cultural forms and objects such as ‘diversity/equity’ are formalized into consequential practices and meanings (Smith, 2004). Institutional processes are shaped by the interests various stakeholders (such as unions, management, minoritized communities, the state, change agents, activists) invest in various meanings of diversity/equity that are enacted through relations of power and conflict. This study examines three phases of policy struggles at one institutional site over several administrations to determine whether internal change agents acting as radicals and or tempered radicals can bring about substantive change or whether or whether managerial power recoups dominant neoliberal ideologies circulating in the larger society and within institutions.

Chapter two provides a critical overview of the literature concerned with human rights policy development in post secondary education. Specifically, I review relevant literature from anti-racist, feminist, and postcolonial organizational theory. What the literature demonstrates is that there are three basic approaches to dealing with oppression and injustice with post secondary institutions. Assimilationist (Table 1A) approaches are influenced by neoconservative discourses and frame the issues to meet minimum requirement of human rights codes. Such institutional approaches favour human rights technicians and administrative allies who protect the institution by limiting its legal liability. Programs to address inequities are often designed to fail or are depoliticized into bureaucratic processes (Agocs, 1997; Bacchi, 2001; Goldberg, 2007). Managing diversity organizational approaches (Table 1B) use technicist strategies (strategic planning) to achieve stated policy goals. However, these processes are distilled through the lens of managerial efficiencies and market based ideologies (Baker, 2004; Brock, 2003). In some cases managerial interventions are designed to co-opt and marginalize ‘transformative’ discourses by incorporating aspects of these perspectives into governance
frameworks that ultimately serve to neutralize and/or destabilize change agendas (Fraser, 1987). In other instances, ‘managing diversity’ institutions in their attempts to signify a commitment to equity become tangled up in organizational branding processes through public relations and marketing strategies to project a desired organizational image and become divorced from structural efforts to achieve equity within the organization (Neal, 1998). Transformative approaches (Table 1 C) derived from antiracist feminist and postcolonial assumptions situate these issues in the context of neocolonial capitalist formations and expose the limitations of changing the system from within. Particular useful is literature that provides a framework for understanding techniques of power\textsuperscript{18} deployed within ‘assimilationist’ and ‘managing diversity discourses’. The variables employed in Table provide organizational points of reference to examine and compare policy struggles during different phases of leadership examined in this study.

Chapter three establishes the larger socio-political, material and historical context of antiracist activist organizing (in Toronto’s public school system during the 1970’s and 1980’s to change discriminatory policies and practices) and to a lesser extent feminist organizing\textsuperscript{19} in challenging patriarchal ideologies and practices. I argue that the organizing efforts of various community/activist groups during this period influenced government and public institutional policy. Postsecondary educational institutions (PSE’s) were among the last public institutions to incorporate human rights into governance procedures and policy. When neoconservative academics and mainstream media deployed discourses of ‘political correctness’ and ‘reverse

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\textsuperscript{18} Post structural approaches view power as relational, coming from everywhere. Power it is not simply in institutions or structures or laws. While power is not intrinsically bad or good it does have material effects. Techniques of power can appear neutral making the political ramification invisible. Power produces truths and social relations within changing material relations so that concepts such as equity/diversity are produced as new techniques for the surveillance and regulation of diverse populations in the context of global capital accumulation (Brock, 2003).

\textsuperscript{19} Westerman (2008) covers this extensively in relation to issues of sexual harassment in the post secondary sector.
discrimination’ to delegitimize state mandated human rights initiatives such as employment equity and the human rights policy framework for PSE’s they were ill prepared to respond to these challenges (Singh, 2004). Conservative academics organized to prevent the adoption of human rights policies in PSE’s resulting in a backlash on university campuses and the larger society coinciding with the election of the Mike Harris government in Ontario. Harris rescinded all equity initiatives aimed at colleges and universities as well as the private and public sectors. I argue that issues related to difference re-emerged in the late 1990’s as dominant neo-liberal discourses sought to commodify diversity. These developments led to the development of human rights policies in PSE’s but they were now framed as dispute resolution, ‘managing diversity’ and training employees to be ‘culturally competent’.

Chapter four situates this college within the postsecondary context and differentiates it governance and purpose from universities. It also sets the stage for the organizational crisis experienced by this college as rapid demographic changes in the student population expose the oppressive policies and practices with the dominant assimilationist organizational culture of this period. Incidents of sexual and racial harassment and discrimination spiral out of control. This occurs during the NDP driven equity initiatives which established specific institutional requirements for human rights policy development. A new president is brought in specifically to address this crisis and implement government mandated human rights policies. A team of radicals/tempered radicals is assembled but before the team can carry out its mandate, a neoconservative government is elected and all equity initiatives are eliminated. However, the administration continues with these processes largely because of pressure from the faculty union and radical structural changes occur in the institution’s human rights approach in a short time span.
In chapter five I use internal human rights policy documents, training models, and planning documents from this case study institution to identify the internal and external variables that led to the development of a comprehensive human rights policy framework in direct opposition to trends elsewhere in the postsecondary system. I demonstrate that micro factors at play such as the early role the faculty union played in exposing human rights abuses, tempered radicalism among human rights staff, a senior leadership ally, and unions converged in spite of an assimilationist organizational culture that embraced dominant neoliberal discourses of equity to shape policy text with strong transformative features. I argue that human rights workers emphasized the legal ramifications of not taking action to stem the high instances of human rights abuses to push for transformative changes cognizant that the administration and faculty were not supportive of this direction. This enabled the development of a human rights infrastructure which led to a wide range of program and training initiatives aimed at systemic change, including curriculum transformation. Since the implementation of this particular policy was presented as a legal requirement that the college had to fulfill, the platform to argue against these processes was removed. Change agents were able to confine the debate to what equity should look like in practice by focusing on technicist operational issues. The team of tempered radicals articulated what specific departments needed to put in place in order to achieve policy goals and objectives. As well, training was developed for managers, staff and faculty to reinforce their role expectations as defined by the human rights policy (Appendix II).

These developments were remarkable, especially in the context of the backlash sweeping across the post secondary sector during the culture wars of the mid/late 1990’s. However, the dominant cultural understandings and contestations surrounding the principles of organizational equity among managerial elites and faculty remained unaffected. The legalistic approach (as the
findings of this research indicate), may have limited some behaviours; however, it did not change the dominant assimilationist culture within the institution. This three year period ended dramatically with the constructive dismissal of the Vice President who championed the human rights framework at the senior levels of the organization\(^2\) (Fanfair, 1998; Fox; 1998). The institution’s first racialized senior manager developed a human rights agenda in an environment influenced by strong assimilationist discourses. The core of the management team and many faculty were hired under the previous administration, which lasted for fourteen years (1978-1992). Not only did the majority of middle and senior managers not support the proposed changes, they also dismissed them as the personal agenda of radicals (racialized and queer people) whose values and ideologies had infiltrated the institution and was threatening to ‘take over’. In retrospect, a number of foundational change strategies were overlooked. There was no strategy to solicit buy-in or understanding of the issues within the senior administration. As a result, the Vice President in charge of this portfolio did not have the ideological support of his colleagues in the senior administration. In addition, the faculty union was able to use this legitimation crisis to become the moral/ethical voice of the institution, gaining considerable influence in managerial decision making. However, as activist human rights workers took over this role, the union exercised their influence to temper the activities of human rights staff that threatened their power base which included the largely conservative faculty membership, as well as equity supportive faculty and staff. The served to limit and constrain the nature of human rights work itself. The eventual turnover of human rights staff and failure to engage senior management coupled with the lack of external involvement (to provide checks and balances and

\(^2\) This individual was regarded as highly efficient and effective putting in place a student rights and responsibility document – first in the system and the human rights framework among other administrative successes. He was overlooked for the acting president and the position given to an underperforming Vice President who was dismissed within a year.
community accountability) stifled attempts at transformative changes and resulted in the recuperation of managerial discourses.

Chapter six examines how government priorities and neoliberal discourses of managing diversity altered the course of human rights organizational change. A turnover in senior management and human rights office personnel dramatically shifts the work towards the bureaucratization of human rights as complaints management reflective of the prevailing assimilationist managerial norms. Using training documents, annual reports, external reviews and interviews I document how in spite of a transformative policy framework it was relatively easy to ‘resist and recoup’ assimilationist and managing diversity approaches (Jones & Stablein, 2006). The policy was configured structurally to apply a human rights filter to all college policies and processes. Human rights were not confined to a silo or single office and were entangled in most bureaucratic processes. Human rights staff and senior administrators ignored official policy and enact processes to dismantle this policy framework.

Chapter seven describes the efforts of this researcher to resuscitate transformative discourses of equity when an opportunity to develop ‘cultural competencies’ for the classroom arises. It illustrates how counter discourses to cultural competency were deployed in internal media and policy documents to shift the focus from learning about the culture of the ‘other’ in order to provide better customer service, to addressing discriminatory ideologies and practices that lead to harassment and discrimination. This chapter concludes that tempered radicalism/radicalism could work when certain conditions are present and must be informed by critical praxis. However, the experience of these contestations suggests that such actions will be resisted and recuperated by management over time. Institutional dialogue over the meaning and
purpose of equity can alter the organizational culture; however it is questionable whether they can transform organizations to be more equitable.

The concluding chapter revisits the assertions of Meyerson and Scully (1995), Fraser (1987) and Jones and Stablein (2006) to explore the viability of tempered radicalism/radicalism as a viable strategy to bring about organizational change. It also examines how processes of resistance and recuperation operate through the development of bureaucratic processes to constrain organizational change. Radicalism produced significant change in the initial phase of this college’s human rights work because of a number of unique circumstances, however, as emergent neo-liberal discourses of managing diversity resonated with the managerial/technicist senior administrative culture, processes of resistance and recuperation were enacted to discard the human rights policy though management techniques; hiring staff that were technicians or management allies and professionalizing\textsuperscript{21} human rights work as conflict management. Resistance from the customer exposes the failure of the human rights staff and the administration to address human rights issues. The office is perceived as incompetent and/or serving a gate keeping functions since there is a failure to deal with complaints and three studies are commissioned into the functioning of the office. This phase is followed by completely different circumstances when human rights and social justice are enacted by a new administration to serve functions of marketing and public relations amid the perception that the experiences of minoritized peoples have not be significantly changed within the institution.

\textsuperscript{21} This term is used to denote the hiring lawyers or dispute resolutions specialists instead of advocates and change agents
CHAPTER TWO

Literature Review

“Organizations have always managed diversity, but previous strategies included exclusion, segregation and/or assimilation.” (French, 2005)

2.1 Introduction

This chapter provides a critical overview of antiracist/feminist literature concerned with human rights organizational change in post secondary educational institutions. The overwhelming consensus of the critical literature is that hegemonic centers within these organizations co-opt, stifle and/or marginalize transformative ideologies and strategies that seek structural change by incorporating them into governance/managerial bureaucratic apparatus. I examine feminist critiques of human rights to demonstrate how institutions constrain this issue as a response to rights-based complaints, as well as, neoliberal business inspired governance models that function to neutralize and/or destabilize change agendas (Agocs, 2007; Bishop, 2005; Bacchi, 2001; Fraser, 1989; Goldberg, 2007 Neal, 1998; Reimer, 2004; Smith, 2004). I also review literature that explores possibilities that exist at the micro level for change agents to disrupt neoliberal assimilationist and managing diversity discourses through internal activism. Meyerson and Scully’s (1995) notion of tempered radicalism/radicalism is considered as a

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22 I use the terms ‘equity and ‘human rights’ interchangeably in reference to such policies. Human rights refer to specified grounds defined by legislation (One notable ground that is excluded is class). Equity generally refers to processes of actualizing human rights aims and objectives that account for the inherent structural inequities that are hidden or not spoken about.

23 The majority of the literature focuses on the development and implementation of race relations, sexual harassment and ‘diversity’ policies. There is very little on other social identities or intersecting approaches re: policy development.

24 Agocs (2004) differentiates tempered radicalism from radicalism but Westerman (2008) appears to collapse the two in the context of postsecondary institutions. The former suggests that tempered radicals use their influence; limited resources and credibility earned doing the job to garner support for small change projects that over time allegedly make a difference. However radicals are likened to whistle blowers who confront the gap between institutional rhetoric and reality with the realization that their location and lack of power makes it impossible to achieve stated goals for organizational change. By identifying and opposing organizational injustice they may be discredited or forced out of the organization. There is a high turnover rate for these individuals.
possible incremental change strategy equity practitioners in post secondary institutions can deploy in the strategic formulation of equity initiatives to achieve substantive organizational change. This section concludes with Mirchandani and Butler’s (2006) transnational anti-racist/feminism which reminds us that neoliberalism is interwoven with historical and global processes of neocolonialism. Therefore, radical and tempered radical attempts to challenge ruling relations in educational institutions ought to consider these structural arrangements in efforts to addresses organizational inequities.  

2.2 Feminist Contributions: Sexual Harassment Policy Issues

The critical literature on sexual harassment is important because it highlights how reliance on the legal system to challenge sexual harassment has constrained institutional responses that address human rights abuses and organizational inequity. Since universities and colleges are primarily concerned with the protection of institutional liability and minimally concerned with organizational change, rights-based procedural frameworks ultimately serve to obscure the operation of patriarchy. Clair’s (1993) critical analysis of institutional discourses on sexual harassment in U.S. universities examined policies, procedures and other written materials, and argues that administrative solutions to addressing sexual harassment serve to privatize the issue, thereby obscuring how patriarchal organizations individualizes a systemic issue (146). Rights-based hierarchical procedures place the onus on the victims who must exhaust a hierarchy of solutions to achieve justice (Westerman, 2008: 148). Consequently, structural and discursive issues as to why harassment occurs in these specific institutional sites, how they are constituted

25 These authors are referring specifically to training programs. Diversity training does not include such critical analysis and references to globalization are almost always related to the bottom line.
in hierarchies and curricula are sidestepped and harassment becomes a problem to be managed, often by the victims themselves.\textsuperscript{26}

Another constraint that frames solutions to addressing human rights (sexual harassment) in post secondary institutions is the positioning of individuals charged with administering sexual harassment policies. They are first and foremost expected to protect the administrative interests of the institution (protect the legal liability of the institution) while attaining justice for victims, and changing discriminatory attitudes and practices (eliminating sexual harassment from the work and academic environment)\textsuperscript{27} (Kihnley, 2000). Even when change agents attempt to act as advocates, legalistic procedures and the requirements of administrative law and due process means that they are often co-opted and become functionaries of the administration. In formal complaints, the institution regards the complainant as a legal adversary to the institution and individuals are therefore vulnerable to power inequities as the institution protects itself by defending an organizationally powerful respondent (88). In an educational context, students may not have access to the legal recourses provided by institutional lawyers or faculty unions. Agocs (2007) uncovered a number of roles occupied by Canadian equity practitioners, one being the ‘administrative ally’ who gives priority to the interests of senior administration, not to those of disadvantaged groups (220). ‘Technicians’ and ‘professionals’ see themselves as neutral, and may rationalize this posture as ‘work constrains’ governed by policy, law and job specifications.

\textsuperscript{26}In a similar study, Skidmore (2004) undertakes an analysis of the legal discourse through which the formal boundaries for the behaviour of employees and workers are established. He argues that the heteronormativity of employment law in the United States and how this law functions through legal discourse reinforces and reproduces heteronormative practices that discipline sexuality in the workplace. As a result notions of masculinity, femininity, superiority and inferiority are reproduced through institutions of work and labour and these same notions may be accepted and internalized by workers themselves.

\textsuperscript{27}The studies by Agocs (2007) and Westerman (2008) are especially pertinent to this study and addressed later in this chapter.
Agocs does not examine the impact or significance on minoritized bodies that function in these particular roles.

Stamp’s (2001) analysis of the educational component (training) of sexual harassment policies argues that while the institutional positioning of change agents and the legal and political contexts constrict their jobs, they can still play a liberatory role as educators for the larger university community. The content of educational/workshop sessions could be much more wide ranging than the legal perimeters set out in policies. For instance, workshops, rather than using instruction as a means of securing the social/legal order, could be structured as conscientization. However, the fact remains that as much as practitioners would like to see themselves as facilitators rather than disciplinarians, they are positioned as enforcement officers within a framework of authoritarian command (Westerman, 2008:52). In the final analysis however, attempts at tempered radicalism are mediated by the legal liability of the institution and accountability to administrative structures that ultimately trumps all other considerations unless there are powerful allies within the bureaucracy or crisis conditions create openings for transformative initiatives.

These policy and role restrictions are also confirmed by Fuller’s (1996) study of eleven practitioners working in Canadian universities. She concludes that revisions/redefinitions intended to make the process more effective offered little help as they further codified the legalistic approach and ultimately were more useful in protecting the university from litigation. Practitioners were concerned that policy development created a process of control through which the institution absorbs the issue of sexual harassment and organizes the political struggles around it (20). Hence, institutions develop technologies to govern and constrain the actions of change agents to conform to institutional/managerial priorities.
2.3 Radical and Liberal Approaches to Change.

Radical approaches to change have focused largely on knowledge production and OD strategies (organizational development or training) as the primary vehicle for changing institutional cultures and reforming institutional practices. Radical feminists (Hill-Collins, 2005; Stalker and Prentice, 1998) and anti-racists (Bishop, 2006; Calliste, 2000; Dei 2000; Lopez & Thomas, 2006) draw on critical organizational theory to situate power within specific sites such as patriarchy, white supremacy, and the system of global capitalism (Alvesson & Deetz 1996; Reed, 1996; Calas & Smirich, 1996; Prasad, 2003). Consequently, their political agendas are based on preconceptions of social divisions and specific sites and forms of domination. Though critical of privileged/elite groups in the desire to create a more equitable society, they tend to privilege conceptions of minoritized groups as intellectual ideals, and hence produce their own, usually temporary elitism. Identity based anti-racist and/or feminist approaches focus on racism and sexism as intellectual fallacies that produce harmful stereotypes that erode people’s identities, sustain ruling classes, enact anti-egalitarian practices and hinder the progress of particular communities. Some approaches view racisms and sexisms as separate from other systems of oppression/or neglect to engage other issues (Acker, 2006; Holvino, 2001). When intersecting issues of class and sexuality are acknowledged, they remain marginal or function as a competing identity with race (this will be addressed further on) (Lopes & Thomas, 2006). Antiracist post structural approaches invert radical anti-racist and feminist assumptions claiming that there are no grand narratives that mark the unfolding of human history/ies. They argue that attention must be focused on the local, fragmented specificities, and the narratives of everyday lives. Any pattern that is constituted can only be as a series of assumptions framed in and by a
historical context. They include in their analysis interlocking systems of gender, heterosexism, ableism, classims, neo-colonialism and other ruling fundamentalisms providing a more solid foundational analytical stance for organizational change analysis (Lee and Lutz, 2005; Mirchandani & Butler, 2006; Sealy, 2000; Walcott; 2000). Antiracist liberal change projects inadvertently promote the ‘spirit of capitalism’ strategizing for access to power without critiquing its formation within liberalist ideologies (Cox & Nkomo, 1990; Henry & Tator, 2011; Jackson & Hardiman, 1994; James, 1996).

2.3.1 Organizing for Change: Early Anti-Racist Contributions

Radical antiracist and feminist approaches to the study of inequity in post secondary institutions have made major contributions to analyzing manifestations of inequity (harassment and discrimination) and to the curricular and managerial discourses that perpetuate these injustices. Enid Lee’s Letter to Marcia (1984) was the first antiracist manifesto aimed at creating organizational change within the public school system. It fits within a radical paradigm only because of its systematic critique of Eurocentricism. Gender and class are acknowledged insofar as they fit within frameworks of double oppressions. In spite of these limitations, this is a foundational contribution to the developing literature on anti-racism because it articulated a strategy for changing racist institutional practices. It must also be acknowledged that Lee was responding to conditions arising out of neo-colonial economic and social developments in Britain and Canada in the late 1970’s and 1980’s and specifically to Eurocentric practices that resulted in the minoritization and marginalization of racialized youth. The easing up of racist immigration policies to facilitate economic growth, the ensuing demographic shifts in urban populations, and the oppressive social and economic conditions led to concerted activist
campaigns by community groups and supporters to bring attentions to these issues. State measures to manage difference and construct inclusive notions of citizenship in public and private sector institutions did not address conditions of inequality (Bolaria & Li, 1985).

Lee’s text combined popular education and liberation theory (conscientization), and conveyed an urgency and agency to parent and community groups to address racist educational practices. This text clearly demonstrated that curriculum/knowledge productions are social constructions. It articulated a framework that encouraged teachers to question their assumptions and biases, exposed discriminatory institutional practices, suggested frameworks for inclusive practices in schools and provided organizing strategies for parents, community groups and teachers to effect systemic change (Singh, 1995).

Dei (1993) built on the community/educational activism of Lee and others in the 1980s and early 1990s to articulate theories of anti-racism within Ontario’s urban context. He describes the movement as political education for the purpose of developing critical thinking and encouraging activism among student, teachers and staff. Its main purpose is to question power and its rationality for domination, leading to a fundamental restructuring of power and power relations.

Poststructural anti-racists academics have criticised dominant anti-racist strategies and analytical focus for the lack of traction these discourses have had on the larger public imagination (Ahmed, 2007; Gilroy, 1990; Lee and Lutz; 2005; Rattansi, 2005; Walcott, 2003). Gilroy (1990), commenting on the British experience, and Lee and Lutz (2005) in reference to Canada, have argued that the movement’s over-reliance on the state to advance antiracism has

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28 Grounded in Marxist critical theory, critical consciousness focuses on learning to perceive social, political, and economic contradictions and develop a critical awareness so that individuals can take action against the oppressive elements of reality (Freire, 1970). Conscientization informs radical educational approaches such as critical pedagogy and anti-racist education.
actively confused and confounded the Black community’s capacity for autonomous self
organization. Others have rejected antiracism’s black-white binary as simplistic and
reductionist, criticizing the silences on social, economic and political arrangements that produce
other social and economic inequities in tandem with race. They have sought to problematize the
category of “blackness” and advance the notion of hybridity in acknowledgement of the
complexities and interplay between racial, ethnic, cultural, gendered, class and sexual identities
(Gilroy, 1990; Rattansi, 2005; Walcott, 2003). These writers also critique the universalistic
representation of whites as the problem and blacks as victims. This approach, they argue,
trivializes black life as merely a response to racism and results in a tendency to romanticize and
universalize aspects of black life (Neal, 1998). Lee and Lutz (2005), echoing Fanon (1952),
point out that dominant discourses about identity/whiteness/Otherness are consumed not only by
whites, but also by racialized Others who may internalize racialized Otherness/whiteness as
normal and natural. Gilroy (1990) also claims that these foreclosures have contributed to
antiracism’s ineffectiveness in dealing with the new forms of racism such as the neoconservative
discourse which is all about race without appearing to deal with race. For instance, racist
discourse has shifted from crude biological determinism to cultural forms of difference and
belonging. One aspect of this shift is described as democratic racism\(^{29}\) which Henry and Tator
(2006) describe as holding liberal values of democracy, fairness, justice and equality while also
holding values and attitudes that can lead to discrimination against racialized peoples. While
Henry and Tator sets these values up as contradictory they are logical extensions of liberal
democracies founded on neocolonialism and imperialism which did not extend rights to certain
‘Others’.

\(^{29}\) Holding liberal values of democracy, fairness, justice and equality while holding values and attitudes that can lead to discrimination against racialized peoples. Henry and Tator sets these values up as contradictory, however it is a logical extension of liberal democracies founded on neocolonialism and imperialism.
Anti-racists theorists such as Dei and Calliste (2000) have acknowledged some of the above criticisms and set out to re-theorize ‘antiracism to acknowledge the intersections of difference, as well as, the situational and contextual variation in the intensities of oppression’ (13). However, their analysis of multiple oppressions continues to locate race as the center of the axis of differentiation, ignoring Hill-Collins’ (2006) call for an analysis that considers a matrix of oppressions. In their discussion of gender, using the example of nannies/domestic workers, gender is located solely within a racial hierarchy of oppression. This discussion forecloses other questions related to gender. For instance, how is gender constructed and experienced within various minoritized communities? Can women with race privilege always access it? How is race privilege mediated by other categories of difference such as class? As noted above, Black/White binaries feed rather than refute neo-conservative uses of race as a wedge in constructing notions of citizenship and belonging. It also silences other strategies for altering the discourse on citizenship such as reclaiming the idea of multiculturalism through the lived realities of urbanization, intimate contact and possibilities for this representational discourse in popular culture (Cornbleth, Walcott, Ovando and Zoric, 2007). Also, binaries don’t allow for the fluidity of racisms such as post-9/11 realities in which the imperiled Muslim women/backward Muslim male terrorist has become centralized in certain context (e.g., the ‘war on terror’).

For liberal antiracist and feminist (sexual harassment education and prevention) approaches, the overriding objective is to get particularized identity groups to share in existing arrangements of power – access to the equal opportunities, resources and power, usually through affirmative action policies or equal opportunity policies (Callas & Smircich, 1996). On a structural level, these approaches hold that equality exists when all individuals are enabled freely and equally to compete for social rewards in existing social and economic systems. The role of
the policy maker is to ensure that the rules of the competition do not discriminate and that they are fairly applied to all participants. Policies formulated with this approach devise ‘fair’ procedures in an attempt to avoid direct and indirect discrimination. Measures include formalized, consistent recruitment and selection procedures, accommodation measures such as child care facilities and language services. The assumption is that ‘fair’ procedures will lead to ‘fair’ outcomes (Green & Kirton, 2006). However, the individual/needs based approach of equality rights erases unresolved historical relations of injustice in neo-colonial contexts such as Canada as Bobbiwash (1998) points outs,

Equity is a needs-based approach which assumes the eventual balancing of the hegemonic relationship. The goal is the leveling of the playing field when this is done the need for equity programs will also be done. While I look forward to the day when the discrimination against the four target groups is eliminated the basis for Aboriginal rights and the distinct status of Aboriginal people in Canada is different. The motivation for addressing inequity should not flow from the sense of guilt but rather from a profound understanding that the injustices against Native people in Canada can only be righted by adhering to and affirming the original relationships established between Native and non-Native peoples in North America and expressed in constitutional documents…. Equity programs are enforceable on an individual basis, they with the rights of the individual and are rooted in liberal humanistic assumptions about the universality of humankind. Aboriginal societies have long been in conflict with western social democratic states because of our understandings that the rights of the individual must be subservient to collective rights” (8-9).

2.3.2 The Limitations of Anti-Racist Organizational Change Strategies

Specifically addressing anti-racist organizational change processes (Lopes & Thomas, 2006) builds on a number of community advocacy based anti-racist approaches (Bishop, 2002; Lee & Marshall, 1996; Minors, 1996; Thomas, 1987; Women Working With Immigrant Women, 1992). The authors make note of postmodern critiques about the instability of change processesategic planning, but don’t engage these ideas. Instead, they outline a linear change
process adapted from managerial models of strategic planning with distinct phases that institutions pass through to achieve equity. Most problematic about this approach is the single identity lens that negates intersecting identities that also experience oppression, and the assumption that minoritized people are not capable of supporting and reproducing oppressive ideologies and practices.

The ‘Racial Equity Organizational Change Process’ is defined as,

A process guided by vision and goals in which corporate values, systems, experiences and behaviours of individuals are deliberately changed to achieve access, equity and full participation for employees and customers/clients. This involves a process of identifying, challenging and reducing systemic barriers and individual acts of racism.

……A successful change process ensures that racialized and Aboriginal people are meaningfully involved as decision makers in the process, and that evaluations measure the impact of the change efforts on racialized people. However, it is important to note that a racial equity organizational process benefits all employees, volunteers and service users in the organization (245).

The authors criticize the training as the panacea for change approach (OD)\(^30\) utilized in liberal organizational theory (e.g., managing diversity/cultural competency) and explores how mechanisms of power/White privilege operate interpersonally at the level of identity politics and institutionally through control, co-optation and diffusion. The operation of white privilege is explored through a case study of urban grassroots organizing using coalition building, the media and other sources of power that successfully challenged and changed certain systemic discriminatory practices in an urban school board. Tips are offered for dealing with expressions of White privilege and White allies as though these are fixed variables.

The discussion on policy development and implementation provides strategies for dealing with various forms of resistance. Examples are provided for regaining control over the equity agenda when its co-opted by Whites who wittingly and unwittingly use White privilege to filter

\(^{30}\) See footnote 35.
ideas and practices that are palatable to them. It also presents arguments for a single focus incremental change strategy starting with race:

We did need to get other forms of oppression, and we did get to them later, but the deepest change piece was race. That was the thing that most people were threatened by. If you try to do a broad menu of race and anti-oppression change at the same time, it just doesn’t get off the ground…..At times; raising other areas of discrimination is a tactic of opponents to anti-racism that is used to diffuse the focus on racism. When anti-racism organizational change is done well, it lays the groundwork for successful anti-oppression work (69)

Neither the speaker, a (white male) senior administrator at the Toronto Community Housing Authority, nor the authors provide evidence to support this claim in this localized organizational context. Hence, the incremental strategy of race equity first, remains unproblematic. There are two problems with this rationalization. The first deals with organization change strategy and the second with conceptions of race as an identity category. If organizational change agents provide no opportunities to situate race and other oppressions in an analytical framework that informs the organization change process, one sets up systems of competing oppressions, which will only serve to undermine equity efforts in the end. “Race first” approaches mask the operation of power within dominant discourses, leaving it open to challenges on a number of fronts. It is easily discredited by neoconservatives who can use it as a wedge issue to stifle change efforts and it is open to challenge from other minoritized identity groups. What can be and ought to be foregrounded with regard to race is decolonization.

Another major flaw with this approach is that neoliberal/neocolonial economy structures that create conditions of ‘economic apartheid’ along lines of race, gender, disability and class are under theorized or excluded. A basic step in activist organizing is to be theoretically and strategically grounded before beginning change efforts. However, if we assume that the authors’

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31 As previously noted White supremacy circulates among all groups and racialized people can also internalize these ideologies and collude with dominant discourses by sabotaging change efforts. However, this is not acknowledged.
proposition is correct, how then is ‘race’ analyzed as an identity category? How are we defining race and what are the parameters? Are there racialized bodies that are preferred over other racialized bodies? Are we dealing with racisms occurring only between Black and White? What about tensions among Black ethnicities, Brown ethnicities, Black and Brown, etc., etc? How do these play out in particular institutional contexts?

The binaries established by the authors ignore the multicultural/multiracial/multigenerational complexities of living and surviving in Toronto, and this perhaps is the most fundamental flaw in this logic. How does a racialized person shelve other minoritized identities that come into play such as gender, sexual orientation, disability, ethnicity, religion, etc?

As Sealy (2000) points out, we need to resist simplistic readings of black identity that homogenize and de-historicize notions of blackness and racialization,

(1) simplistic notions of race representation for the race management industry, or (2) into the visible minority nonsense that has at times become synonymous with much of the race discourse in Canada, or (3) into quasi-religious, romantic Africanist discourse that elides the differential histories of black peoples in the New World. Further, my reading acknowledges the inscribed, and the diverse possibilities for the construction of these subject positions. Thus, our Blackness or Black identity does not constitute all of us: we are always different, negotiating different kinds of differences – of gender, of sexuality, of class.

Perhaps the organizational change strategy proposed by Lopez and Thomas (2006) and other antiracist scholars may apply to particular organizational contexts however; the closure of other forms of oppression remains problematic as a change strategy.

Post-colonial societies such as Canada were founded on the basis of white supremacy and the resulting material and social impacts are beyond dispute (Bolaria and Li, 1991; Galabuzi, 2004; James, 1994). However, binaries that continue to homogenize differences within identity
groups are misrepresentations of reality that cannot be ignored without consequences for strategic endeavours aimed at transformative change. This is not to dismiss legitimate concerns expressed by anti-racist activists that some feminist, GLTBQ, disability and poverty activists have historically ignored issues of race. However, change strategies that ignore intersecting oppressions omit complexities and differences that must be addressed at a theoretical and strategic level. Postcolonial scholars also center colonization and it discontents as a centrifugal point of analysis but also consider a range of interlocking oppressions (Mirchandani, 2006; Prasad, 2006).

The binaries established by the Lopez and Thomas (2004) illustrate the faulty analysis that ensues when the authors comment on issues of identity politics during the policy implementation. Using examples from numerous case studies the authors depict patterns of defensive and offensive behaviours of Whites as they consciously and unconsciously strive to maintain hegemonic control over economic, political and procedural organizational resources (Dei, Karumanchery & Karumanchery-Luik, 2004; Feagin & O’Brien, 2003; Razack, 1998). However, they continue to assume by omission that all racialized people involved in these processes have a similar equity analysis, never collude with dominant hegemonic forces and are uncontaminated by dominant discourses of neo-liberalism and therefore don’t engage in processes that may be oppressive to others (Lee & Lutz, 2005).

Lopes and Thomas’s (2006) discussion on white women as the default position also sets up binaries and competing systems of oppressions. The authors correctly establish that white women have been primary beneficiaries of employment equity programs in Canada. However, they omit any discussion about specific racialized groups may benefit more so that others from these programs because some racialized bodies are preferred over others. As Dei and Calliste
(2000) demonstrate in their study of racialized nurses (32), among racialized women there are patterns of hiring privileges such that Pilipino nurses fare better than nurses with an African background. By bracketing off these areas of investigation, the authors continue to establish a brittle foundation for antiracist organizational change.

Another pitfall of using a single focus identity lens is demonstrated by the example provided in the discussion about the unequal treatment of two different equity initiatives by institutional officials. In this case, racism is pitted against heterosexism. Lopez and Thomas (2006) establish that the Gay and Lesbian Advisory Group has more access to power within a school board and make a number of recommendations to bring these issues together to elevate anti-racism as an institutional priority. However, the authors position the two issues as distinct and separate. There is no interrogation about why whites in this example dominate the G/L/T/B/Q agenda within the board, why the G/L/T/B/Q agenda does not address race or why G/L/T/B/Q issues are not integral to an antiracist agenda. The subtext appears to be a zero-sum game where two identity groups come together strategically to gain more access to limited resources and power. However, failure to connect these issues sets up competing hierarchies of oppression where minoritized identity-based groups compete for resources and influence in public educational bureaucracies with ‘limited’ resources.32

Lopez and Thomas provide more nuanced examples of anti-racism and intersecting oppressions when examining organizational change using case studies. In deference to postmodern critiques, planning strategies are provided with the caveat that instrumentalist models of organizational development and strategic planning are not always effective as change tools because they assume stable and/or discernible environments conducive to planning for a

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32 The authors could have made Spivak’s (2004) case for strategic essentialism, but they don’t, and even if they did, there is really no plausible rationale for not using an intersecting analysis in public schools.
predictable future. The authors also acknowledge that advocates for change might not all agree on the parameters of change; however these tensions remain unexplored. Strategic planning for organizational change reflects a synthesis of previous anti-racist change models that borrow heavily from instrumentalist planning theory (Hatch, 2006). In spite of these criticisms, it should be noted that planning for change in bureaucratic organizations are instrumentalist activities and the strategies provided anticipate many of the nuances concerned with the operation of power in North American organizational cultures that continue to be dominated by white privilege.33

2.3.3 Activist Organizational Change: Exposing Oppressive Practices

Bishop’s (2005) anti-oppression model for transforming post secondary institutions is aimed at activists. The intersectional analysis builds on single issue approaches proposed by liberal feminist and anti-racist strategies and also locates these processes in a broader political, economic and cultural context. She provides specific strategies framed by the following questions:

Which of our current equity tactics make change only at the individual level? Which are capable of making change at the individual level? Which are capable only of reform? Which have the potential to bring about structural transformation? What new tactics do we need to develop, and what old ones can we revive, that would focus not on just individuals, but on the institution itself and its habitual, often unconscious, ways of doing things? (25)

She suggests that an institution’s self interest is situated in the preservation of its own essence, which comes from its history and is expressed in its deepest values and structures, particularly its methods of granting, maintaining and regulating power (ibid, 88). Using methods from quantum theory she argues that if inequity is built into the founding principles (the guiding principles may

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33 See Table 1
or may not be related to the institution’s stated guiding principles) of an institution, it will be repeated over space and time on all levels (consciously or not) through the logic of the structure. Such institutions also share a pattern of behaviours in response to threats such as responding to the misconduct of authorized representatives and to the public discourse of such misconduct. So, if we are to ‘diagnose’ injustice and inequity and strategize for change, we must discover the patterns at all levels and the determining principles that shape them (Ibid, 104). Bishop provides a litany of studies on experiences of harassment and discrimination on the basis of race/class/gender/sexuality/disability to identify patterns of infractions within universities (108-124). She then points out that whereas the essence of a corporation is to make money; that of a university is slightly more complex. She references Eric Ashby, a ‘prominent historian of universities’ who notes:

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\text{A university is a mechanism for the inheritance of the Western style of civilization. It preserves, transmits and enriches learning, and it undergoes evolution as animals and plants do. In short, the university is the key institution devised by Western Civilization for the advancement of knowledge and the training of society’s most highly skilled workers. Originating in the European Middle ages, it has become the primary vehicle in all parts of the worlds for the preservation and transmission of the highest learning, the advancement of scholarship, the training of specialists in fields of endeavor vital to society, and the improvement of national life (Ashby, 1967:417 quoted in Bishop)}
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Therefore, for Bishop the purpose of universities is to reproduce the economic and social order as beneficiaries of colonial and imperial adventures, as bastions of class and racial privilege and as profiting partners in the military-prison industrial complex.

Bishop’s proposed organizational change processes for altering these structures are instrumentalist and somewhat similar to the technical liberal/functionalist strategies found in the managing diversity strategies. These include (1) Understand the norms and impact on various

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34 Ashby is promoting the Eurocentric erasure of Arab/Northern African and Asian civilizations whose contributions to the idea of universities pre-date those of Western civilizations.
people. (2) Break through the denial that there is no injustice. (3) Deal with conflict by examining patterns using multiple modes of analysis, and view change as an ongoing process not a finite project. Measure impact and understand how privilege clouds perceptions. (4) Unlearn oppression and avoid defensiveness. (5) Understand roles in organizations especially powerful roles because these individuals through critical reflection on the possibilities and limitations have great potential to move organizations towards equity and justice (154). The author illustrates how organizations ignore the existence of oppressive behaviours and practices by documenting how various members of the university (both faculty and administration) denied complicity and responsibility in maintaining and perpetuating discriminatory and harassing behaviours and practices. Bishop also humanizes the subject of these practices by describing the material and social impacts of racial and gendered discrimination directed towards a beleaguered faculty member by using an intersectional analysis that locate oppression within a broader White supremacist capitalist patriarchal context.

Neal (1998) exposes managerial rationales for policy development and implementation in several British universities. As with the Canadian experience, equity and social justice were not the motivating force behind policy development; instead managing the rapidly changing demographics was the prime motivator. Consequently, the adoption of formal equity policies have had limited impact on the everyday practices of these institutions since they are filtered through managerial processes (36). Her examination of equity measures in policy documents reveals a number of commonalities in areas such as harassment, student recruitment, teaching/curriculum content and staff recruitment. However, she concludes that “policy documents shared converged liberal.radical equal opportunities rhetoric and a tendency to construct equality policy approaches through a mechanical and technicist framework” (72). In
spite of the antiracist rhetoric, she suggests institutional policy texts serve a variety of purposes and cannot be taken at face value. Consequently, an institution’s willingness to demonstrate a commitment to equal opportunity can become divorced from issues of social justice and become tangled up with public relations, marketing concerns and the projection of a desired image. This was evident in one case study where institutional leaders, while projecting their commitment to equal opportunity, nonetheless had great anxiety over the inclusion of a sexuality dimension in its policy statement (72). Case study universities were remarkably similar in their implementation of the policy documents in that their willingness to address the issues depended on their ability to de-politicize the issues into mechanical, technicist and rational criteria. A number of processes constrained and limited the effectiveness of policies such as narrow managerial ownership of policies, the marginalization of equity structures and equity questions and the hierarchical development of comfortable/uncomfortable categories within equal opportunity discourses. The author noted that although there were more radical readings of equal opportunity offered by some faculty they were relegated to the side lines of the policy development process.

2.4 The Emergence of Managing Diversity Approaches

As mentioned previously early feminist contributions to harassment prevention using the law helped to establish rights based protections within institutions, and later antiracist contributions focused on critiquing oppressive ideologies and training educators to transform curriculum and provide appropriate services to ensure conditions of access and equity, current discourses capitalize on difference as a market-based commodity (Table 2).
The managing diversity approach to equity was brought to the fore of managerial consciousness in the U.S. with Johnson and Packard’s (1987) *Workforce 2000* report, alerting organizations to the dramatic demographic changes that were about to transform the workforce. As rapid demographic shifts in the workplace bring out latent oppressive ideologies, and conflicts increase, business researchers have drawn attention to the financial cost of workplace conflict related to harassment and discrimination. Some studies claim that workplace conflicts and tensions related to sexual and racial harassment and discrimination reduce productivity, creativity and cost institutions billions of dollars annually in litigation and conflict resolution (Dana, 2001).

The primary objects of this approach to difference is conflict management for productivity and commodifying difference for marketing/branding purposes and profit maximization (Barnes & Nazim, 2004; Hayles & Russell, 1997; Poole, 1997; Work, 1993). Neoliberal discourses of equity do not address oppressive attitudes and practices, and larger structural inequalities that characterize working environments. The terms in which equity is spoken about are limited to representation, demographics, profitability, efficiency, effectiveness and conflict reduction. Diversity initiatives are characterized as necessary managerial strategies driven by labour market conditions. Management literature cautions organizations that if they fail to manage their own diversity they will be unable to find qualified and skilled employees necessary to remain competitive in a rapidly changing demographic environment. Organizational performance will be enhanced because culturally diverse groups are likely to outperform more homogeneous ones. A third management argument asserts that diversity will lead to competitive advantage because it provides organizations with a greater awareness of the

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35 Even though diversity generally refers to sexual, age, disability and other forms of diversity, the liberal approaches focus primarily on race/ethnicity hence the term ‘cultural competency’ which has replaced ‘diversity’ in OD language.
preferences and consumption habits of different groups (McShane, 1998; Robbins, 1999; Weiner, 1997; Weiss, 1996; Zanoni & Janssens, 2003).

In response to the above concerns, specifically for employers, a growing body of diversity literature and consultants focus on strategic planning for organizational change with OD (‘diversity training’) as the main strategy to address conflicts related to difference. As with some antiracist approaches, such approaches assume that organizational transformation can be facilitated by altering organizational members’ beliefs, values and ideologies in dealing with difference in the workplace. Hence the focus on ‘cultural literacy’ essentializing ‘othered’ groups as homogeneous, uncomplicated and without subjectivity. Organizational cultural competencies are proposed for leaders and employees that exclude variables such as structural discrimination related to class and economy and even include non human rights related variables such as likes and dislikes. When structural issues are acknowledged they are presented as minor hurdles that can be overcome by following prescribed linear strategic plans and guidelines that suggest organizations can evolve from assimilationist to multicultural/diversity friendly work cultures (Cox, 2001; Cox & Beale, 1997; Dreachslin, 1996; Kossek, Lobel & Brown, 2006; Prashad & Mills, 1996; Weiner, 1997). Consequently, these approaches do not (or superficially) address the subterranean domain of race tensions, gender frustrations and ongoing resistance to dominant discourses of equity within organizations by internal or external stakeholders/community groups and the structures that inform these injustices in the workplace. When these conflicts are mentioned they are de-politicized as disputes to be solved using technical means such as alternative dispute resolution or formal complaints procedures managed by the human resources department, the organizational division that critical writers characterize
as gatekeepers of the status quo because it functions to legitimate and protect management interests that reproduce inequity in organizations (Nazim, 2007; Phillips, 1992).

2.5 Analyzing Policies Failures

A number of articles that examine why equity policies fail (Agocs et al, 2007; Bacchi, 2001; Goldberg, 2007; Taylor; 2007) point out that the epistemological framework used to address a problem affects the outcome. For instance, Agocs (182), using three feminist epistemologies, demonstrates through frame shifting the limitations of various policy approaches. Managerial/technicist models adopted by liberal feminist and anti-racist perspectives assume that the stated objectives of a policy will drive the framing of issues, the process and the content. They also build in separation of policy from implementation, and a dichotomy of politics and administration. Consequently, managerial approaches assume that policy decision makers are motivated to create effective policies. However, as Agocs points out with the case of Ontario’s NDP human rights policy initiatives, policy is what people actually do in organizations, not what they claim to do. Using Foucault’s analysis of governmentality\(^\text{36}\) she illustrated how the institutionalization of power relations under the auspices of the state and the use of ‘technologies’ (bureaucratic processes) enable governments to enact and legitimate the desired outcomes of powerful actors such as business and leading political parties. Using the example of the NDP’s Employment Equity Act of 1995, she suggests that the technologies employed in the consultative processes were designed by government technocrats to wrestle concessions out of activist groups. This eventually lead employment equity advocates to censor and discipline themselves in order to make incremental gains rather than stick to their principles. Managerial models that separate policy from implementation and view these as technical exercises fail to

\(^{36}\) Foucault suggests that power is exercised only over free subjects who can choose among various possibilities for action and when confronting complex systems of government. These processes influence individuals to monitor and control their behaviours while believing themselves to be free.
recognize that having a sound policy does not mean that it is going to be implemented. Critical theorists argue that public policy is emergent, not formulated consciously, implemented explicitly or incrementally in a formal sense. Rather, policy emerges through ‘a process of implementation enacted in the behaviour of organizational actors’ (Agocs, 2007:182). However, an awareness of the bureaucratization of processes acts as a form of Focaultian ‘technology’ that rationalizes the effectiveness of power.

Goldberg (2007) argues that discursive strategies used in debating employment equity policies actually discredit and make them ineffective in achieving equity. She points out how the language framing employment equity legislation operates as a symbolic or decorative discourse. The stated objective of the act “is to achieve equity in the workplace” which is effectively empty since it is vague and unenforceable (206). Employers don’t have to comply if it will cause undue hardship and much of the discussion focuses on the maintenance of records and completing compliance reports instead of what equity means. It is also symbolic because there is no consistency across different diversity policies across the provinces and enforcement mechanisms such as the Canadian Human Rights commission are ineffectual.

She uses the Ontario’s government’s Employment Equity Policy (1995) to illustrate how framing the policy in a neo-liberal discourse of equal opportunity and meritocracy sets the stage for backlash and the complementary discourse of reverse discrimination to emerge. She claims that ‘equal opportunity’ instead of ‘equal outcomes’ socially constructs designated groups as unqualified, “for if everyone is treated equally, and minorities do not achieve labour market equality, they must not possess equal skills” (209). She concludes this discourse blames the victims and when labeled as different or inferior, the argument for equality of outcomes becomes
difficult. It becomes easy to dismantle this discursive regime because regulation is labeled as
unnecessary or intrusive.

Goldberg (2007) proposes a discursive strategy for change by pointing out that there is a
dialectical relationship between reality and discourse; and since discourse is socially constructed
by individuals they can also create counterdiscourses to challenge oppressive ideologies and
practices. Using a similar approach to Litvin (2006) Goldberg suggests that neoliberal discourse
uses economic rationalism to argue for employment equity. Instead of focusing on equity, a
discourse on the economic advantages of a diverse workforce is used to sell employment equity.
Leveraging diversity becomes a key factor to competitive success since it meets local customer
service needs, reaches global markets, etc. Business case approaches also expand diversity to
include opinions, social customs and ‘other variations in lives and lifestyles’ which “actually
advances White privilege by including privileged White men under the diversity umbrella”
(210). This discourse neutralizes race, gender and other minoritized identities, allowing
dominant groups to maintain privilege, and fosters competition between groups and encourages
assimilation making it easy to dismantle equity initiatives.

It also sets up a discourse that operates as a strategy that constitutes objects and in the
process conceals their own invention. “It is the totality of means put into operation to implement
power effectively or to maintain it” (Foucault quoted in Goldberg, 206). This notion works in
combination with a zero-sum mentality that suggests “there is a finite number of opportunities
for ‘others’ so that the advancement of one group must be to the detriment of another. White
men become victims of equity policies, since they are passed over for jobs that employers must
give to unqualified women and members of minority groups” (Ibid, 206). Postmodern
approaches that explicate the discursive devices used to sell equity initiatives provide an integral part of the puzzle that explains why equity initiatives fail to achieve desired outcomes.

Thomas (2004) focuses on the policy development and implementation process of sexual harassment policies and argues that the administration of these processes largely determine the effectiveness and trust in the policy by the larger educational community. Approaches that construct harassment as a community concern are generally prefaced with caveats about the contested nature of harassment allowing people to seek advice in grey area situations (15). These policies were also more likely to be managed by equity staff rather than administration who promoted awareness and understanding of the policy and procedures. Consequently, individuals tend to use these processes more because there is a greater degree of trust in the process. Policies that relied less on the consultative process and were managed in a top down fashion by senior level administration employ definitions of harassment that emphasize legal implications. They also convey the message that harassment is an individual problem involving interpersonal conflict which can be arbitrated by one’s employer. Top down approaches were more reluctant to adopt a proactive stance in promoting harassment policies. Thomas concludes, “however good a policy looks on paper, if it has no credibility within the university community it will remain unused and thus effectively useless” (157). As previously mentioned Neal’s study of British postsecondary institutions found that some policies are expected to fail. A number of universities developed policies that functioned as public relations and/or branding. They were designed to make the institutions look good, and management had no intention of implementing them.37

37 I developed a human rights policy for an urban university where emphasis was placed on a representative stakeholder process involving internal and external representatives. The office formally reported to a Vice-President/Provost but was answerable to an advisory board made up of internal and external stakeholders. External Stakeholders from high profile provincial and national human rights organizations were deliberately appointed as a
A major Canadian study of sixty-nine anti-harassment practitioners by Agocs, Reem and Cooke (2004) examines the challenges change agents face in attempting to bring about equity-oriented change in universities. The authors explore practitioners’ mandates and found that in structures that required government legislated processes such as the Federal Contractor’s Program, practitioners had specific organizational mandates, whereas those charged with dealing with individual concerns such as human rights complaints/conflict resolution inhabit positions of marginal organizational power. As with Neal’s study, organizational rhetoric sets up expectations where practitioners are expected to challenge systemic discrimination yet are constrained to do so. Their role is inherently powerless; they are members of administrative staff with no job security. As well, middle strata staff in universities tend to be powerless and invisible. They are often silenced by rules or norms of confidentiality, and are vulnerable when administrative rhetoric and practices and are at odds with regard to equity. Therefore, the practitioner’s role is a ‘boundary or marginal role that exists in a state of tension between insiders and outsiders’ (207). The practitioners must maintain credibility with ‘disadvantaged’ groups as their advocate and maintain legitimacy with organizational insiders in order that they may be open to the practitioner’s influence. The authors found that in cases where practitioners were women and members of a ‘disadvantaged’ group their position as an insider was doubly complicated as many of them also experience the discrimination that their occupation exists to check and balance to administrative priorities of managing conflict to protect liability rather than transforming the structures that create human rights conflicts in the first instance. After two years of policy development there was consensus that addressed major issues such as curricular reform and equity hiring. The administration argued for incrementalism basically pulling the plug and withering down the policy into a complaints procedure. Shortly after, the NDP government imposed human rights policy development on colleges and universities in 1993. This researcher was hired by a rural community college to develop their human rights policy. At the time it was regarded as one of the most comprehensive policies in the post secondary sector and was used as a provincial template. The content was beyond the organizational and managerial culture of this ‘assimilationist’ college as they were merely following provincial directives. Consequently, they dismantled the policy and the human rights office within weeks of the NDP defeat in the polls and justified it as part of downsizing initiatives. Just as ‘good’ policy does not equal policy implementation, process does not necessarily equal effective policy or policy implementation.
address. Nonetheless, she does see possibilities for incremental change through acts of tempered radicalism put forth by Myerson and Scully (1995).

### 2.6 Boundary Workers and Tempered Radicals

Nancy Fraser’s (1989) research on welfare workers explores the nature of boundary work carried out by experts within institutions. She suggests that individuals who work within institutional structures are constrained by the institutional context in ways that may cause them to become detached, depoliticizing arbitrators of politicized claims. However, Fraser argues that even though workers occupying boundary positions within institutions are often directed to translate the demands of marginalized groups into administrable demands that fit the prerogatives of the institution, social movements can sometimes manage to co-opt or create critical oppositional segments of expert discourse publics (174).

Marginalized groups successfully politicize issues such as harassment and discrimination. However, once they enter the institutional realm they are managed in a way that (re)depoliticizes them. This (re)depoliticization occurs as a result of their reinterpretation through expert discourses. Expert discourses are concerned with the administration of identified needs within institutions and serve as vehicles for translating sufficiently politicized runaway needs into objects of potential state intervention. (173). Expert discourses include legal, social science, therapeutic and administrative discourses that become the realm of certain specialized experts identified by their profession or position within the institution. According to Fraser, experts within the institutional power structure are employed to implement and oversee expert discourses such as administrative policies. Fraser argues that experts provide a bridge between oppositional social
movements and the state or institution. The expert’s role is to translate politicized claims into administrative language and in the process depoliticizing the demands.

Westerman (2008) uses the work of Fraser (1989), Myerson and Scully (1995) and Agocs, Attieh, and Cooke (2004) to examine the possibilities and constraints of equity practitioners in Canadian universities. Her findings illustrate that while some practitioners embrace a so-called non-political stance that makes their position similar to that of Fraser’s welfare experts; their work demonstrates various opportunities for commitment to the interests of less powerful members of the institutional structure. Considering anti-harassment practitioners as boundary workers, she looks at both their depoliticizing activities as well as their commitments to the politics of the marginalized and the activities which support the changes demanded by the politicization of their needs (27). Her survey found that though practitioners’ views regarding equity vary, most of them considered their roles to be neutral. Increasing numbers of practitioners reject activist politics and become administrative allies. She points out that the content of policies which now are geared to address respectful workplaces and personal harassment (harassment not based on human rights grounds) has the effect of de-politicizing equity issues (199). She argues that dominant neoliberal discourses have created a social context in which social justice prerogatives are being restructured and/or dismantled. This has resulted in the social justice claims of marginalized groups being translated in policy as procedures not as systemic issues but as individualized cases (201). Discourses around harassment and discrimination have become discourses of ‘diversity’ and ‘respect’ making practitioners’ roles part of the neutralization of the demands from oppositional social movements (203).

Jones and Stablein’s (2006) analysis of workplace diversity (their main focus is on gender equity in corporate environments) focused on the ways in which power can be
recuperated by dominant groups through processes of assimilating workplace diversity into corporate discourse. They also examine the viability of Meyerson and Scully’s proposal of tempered radicalism as a means for generating organizational change. Though the authors like the fact that Meyerson and Scully avoid a grand narrative approach to equity, they suggest that many questions remain unanswered. The ‘small-wins’ approach of incremental change is not labeled with an equity agenda and is intended on a strategic level to avoid backlash. This is necessary because the language of equity now occupies a place in organizational discourse where it has not lost traction. Instead they utilize the work of poststructural feminists to stress the fluidity and permeability of boundaries and definitions. This proposition argues that ‘it is possible to be a kind of feminist itinerant, moving across discourses, planting different kinds of seeds among different audiences’ (Sinclair, 2000 quoted in Ibid, 158).

The premise of this strategy is that it is possible to serve a dual agenda: to advance equity perspectives while simultaneously serving the organization’s instrumental goals. They are radicals because they challenge the status quo through intentional acts and by virtue of who they are – people who do not fit in. They are tempered because they seek moderation. “They experience tensions between the status quo and alternatives, which can fuel organizational transformations” (Ibid, 158). However, as Jones and Stablein point out, Meyerson and Scully bracket off the question of whether the tempered radical ultimately wins the battle for change.

They argue that the dual agenda is a ‘tricky business’ because there is a constant risk that social justice agendas will become subservient to profit, and that dominant groups will find ways to stay dominant regardless of equity policies. However, they agree that equity struggles in the workplace are necessary to bring about change, and that workplace diversity with a broader social agenda can create organizations as sites of wider social change. They suggest that this
creates a strategic problem for ‘diversity’ change agents, especially where they employ the rhetoric of business to argue the case for diversity. They add that clarity about change agendas is critical to success requiring an analysis that separates a business or organizational agenda from a social change agenda, so the two can be evaluated against each other (Ibid, 160).

They also point out that the developing discourse of diversity positions the subjects, objects and sites of change differently over time and the concept of tempered radicalism can be seen as relating to a period where the ‘business case’ is dominant and so the locus of change is the organization, not broader social movements. They argue that this forecloses other possibilities for action and frames tempered radicalism as individual and organizational. Even when there is the possibility of collective action, change must be subsumed within the pre-given strategic framework of the organization to which the tempered radical is accountable and loyal. The authors conclude that this concept of change treats gender inequity as more of a residual technical problem than as a pattern of unequal power relations which continues to bring huge advantages to men (159).

2.7 Transnationalism and Hybridity

Mirchandani and Butler (2006) develop a transnational anti-racist/feminist perspective to challenge inequity in organizations. Their framework reconceptualizes social identities to acknowledge hybridity and intersectionality and draws on the historical influence of patriarchy and oppression in all contemporary multicultural societies. The authors reject the separate identity based approach to affirmative action and argue that it would shift the focus to the normalization of stereotypical assumptions through daily workplace interactions. The notion of designated groups forecloses analysis of the ways in which identities and knowledge are situational and relational. They would begin with the perspective that differences emerge out of
interactions and would allow for analyses of how notions of majority and minority or mainstream and marginal are enacted and reproduced in organizations.

They argue that any serious attempt to create work progression and opportunities must be situated in the failure of previous affirmative approaches which benefit a small group of white women and create backlash around assumptions of lowered standards. Unlike French (2003) and like most OD/organizational change approaches, the authors invest heavily in training as the primary change strategy. Diversity training is grounded in Kumashiro’s (2000) ‘education that is critical of privileging and othering’ (Table 1). The training framework focuses on educating organizational members on world histories around colonialism and slavery through which much of the fixity around our contemporary notion of colour, difference and diversity has been formed. Such training would also include world geography, including nationalistic rhetorics which involve naming particular cultures as regressive or backward. Local colonialisms which affect the life chances of many Aboriginal people would also be covered. They reject the typical diversity approach (‘education for the other’ and ‘education about the other’) that glosses over structural issues and promotes the spirit of capitalism by erasing the issue of class. They note that the limitation of diversity training is that it is usually only available to core permanent employees and higher level executives with a degree of relative power often exempt themselves from attending such diversity training.

In this section I have reviewed interdisciplinary scholarship concerned with organizational change strategies applicable to post secondary institutional contexts. Though theoretical perspectives emphasize different points of demarcation for organization change processes, various aspects of organization change processes covered by these approaches provide frameworks of analysis useful for this study.
Liberal perspectives ‘depoliticize’ equity initiatives through technicist processes of ‘managing diversity’ consistent with neoliberal discourses. The primary aim of this strategy is to reduce workplace conflict and increase productivity/creativity. Generally this involves OD training strategies to change behaviours and practices aimed at accepting ‘others’ as colleagues and or expanding demographic markets by providing non-discriminatory services. Since the overarching purpose of change is conflict reduction, the primary focus is on establishing dispute resolution mechanisms in the workplace.

Radical approaches view the state, society and its organizations as a flawed modernist project of social progress. Social structures perpetuate inequities and these are reproduced in organizations. The primary aim is to create societies and workplaces free of domination; organizational change is viewed as an emancipatory process where individuals are able to achieve autonomy and responsibility. Some radical approaches essentialize subjects and regard change processes as stable and linear. Specific organizational conditions may be targeted for change such as structures and practices deem to reproduce particular types of discrimination. Because of the goal orientation of change processes many of the planning strategies borrow from instrumentalist liberal approaches (e.g. strategic planning). This is not contradictory because these approaches view power as occurring within particular institutional sites and operating as binaries of oppressed and oppressor. Though radical strategies are concerned with changing the material conditions of oppressive relations, identity based approaches may be uncritical of existing economic and political arrangements and articulate narrow goals that aim to change barriers that prevent their particular group from sharing the privileges of existing socio-political and economic structures.
Poststructural approaches focus more on the operation of power and less on strategies for organizational change. In fact, radical theorists criticize the postmodern and poststructural approaches for giving agency to discourse (Thompson, 2003). However, these approaches are particularly useful for understanding techniques of power and how these are expressed through structures that normalize ruling relations. The operation of disciplinary power reveals how surveillance techniques function to structure the nature of human rights work, how practitioners do the work, the ways in which they speak about this work and the forms of knowledge that are generated to legitimize these approaches. Strategies of change are fully explored but include counterdiscourses that challenge dominant organizational discourses. In response to the criticisms about this analytical gap, some have articulated strategies of strategic essentialism to achieve limited and specific goals to avoid the trap of evoking meta-narratives that may suggest stable arrangements of power (Spivak, 2004).

What these readings help to frame are the pattern of assumptions within assimilationist (discriminatory), liberal (managing diversity) and radical (transformative) change approaches. What is also evident is that there is considerable overlap between these approaches. Early feminist activism around organizational inequities framed the issue of sexual harassment through rights based legal approaches to achieve recognition of this form of oppression as a legitimate organizational issue. The organizational response was individual rights based dispute resolution not changing patriarchal organizational structures. Organizations with predominantly assimilationist and managing diversity management approaches continue to frame these issues as individual rights based issues and have developed procedural protections to protect the liability of the organization. The root causes of these conditions that give rise to oppressive relations are not addressed. Consequently, organizational change and/or reform of organizational practices
and structures are not serious considerations. Liberal (managing diversity) and radical approaches rely heavily on training organizational members and may include structural reforms such as employment equity. However, the former is driven by market based assumptions that reproduce the status quo by essentializing minoritized identities and ignoring the structural inequalities inherent in neocolonial, patriarchal, White supremacist capitalist systems. The latter focuses on conscientization and activism to expose the operation of power. However as we have discussed, some of these approaches end up reproducing certain oppressions by erasing them or establishing hierarchies of oppression. As radical social movements, anti-racism, feminism and labour activism have made significant contributions to human rights as ideology and practice, and have influenced institutional and governmental policy. What the work of radical movements illustrates is that minor reforms are possible within the present system of economic inequality. While they do little to change these structures they shed light on how oppressive ideologies are normalized and usher in reforms from time to time such as labour codes, human rights codes, human rights policies and employment equity acts (Federal and briefly Ontario). Furthermore, these reforms are the direct result of interventions by activist groups, not benevolent governments as is often promoted in ‘official stories’ (Walker, 1990). Unfortunately, these reforms are currently being eroded by neoliberal market ideologies.
CHAPTER THREE

Historical Context: Professionalizing Equity as Diversity Management

“In general, a liberal conception of society will invoke the principle of merit to explain and justify social inequalities and the equal opportunity principle to explain and justify equality.”
(Segers, 1983)

3.1 Introduction

This chapter examines historical processes that have contributed to framing equity in post secondary education as complaints management rather than structural and curricular organization change. Liberal white supremacist capitalist patriarchal ideologies that gave rise to the neocolonial Canadian nation state also inform rights-based approaches to achieving justice. Inherent contradictions within liberalism that provided freedom for wealthy white males while excluding oppressed groups. These oppressive ideologies continue to legitimize capitalist wealth accumulation, and the minoritization of historically oppressed social groups through dominant discourses that suggest this society is premised on equity and justice (hooks, 1994).

The lack of an intersectional analysis by activist identity based groups has also influenced how equity issues have been framed by the state and its institutions. Most of the remedies, whether based in law, legislation, education/training, or institutional reform do not challenge the structural basis of inequity that stem from the system of capitalism. The focus of change efforts is largely on how particular minoritized groups have been oppressed through harmful ideologies and how material, social and psychological consequences ought to be remedied. This chapter argues that feminist activism in the 1970’s helped to define sexual harassment remedies in law. Westerman (2008) argues that through sexual harassment case law this issue was moved out of the private realm into the public sphere.
Feminist and civil rights activist efforts have influenced public educational policy and government policy through the establishment of advocacy agencies within government bureaucracies and community advocacy organizations such as LEAF (Legal Education Action Fund), Status of Women, Ontario Women’s Directorate and the Anti-Racism Secretariat. During this period (late 1970’s -1980’s) identity-based offices were also established in some government sectors and most urban public school boards as mechanisms to change structural discrimination primarily through the reproduction of harmful ideologies in the curriculum. Additionally race relations offices, women centers, disability accommodation offices, labour studies, and much later in the 1990’s positive space programs were developed (Table 2).

The development of institutional responses to address inequities filtered up to the postsecondary sector and was partly responsible for ushering in the culture wars of the early 1990s as student, and faculty activists demanded that post secondary institutions put measures in place to address the overwhelming evidence of harassment and discrimination (Braithwaite, 2003; Richer & Weir, 1996). Prior to this, some institutions had sexual harassment prevention and education offices and only a couple of universities had offices that explicitly addressed racial harassment and discrimination and GLTBQ issues (Khayatt, 1994; MacDonald, 1992). State driven human rights advancements during the 1980’s were very troubling to neoconservatives who argued that these developments eroded academic freedom, politicized education and discriminated against ‘white males’. Corporate media and right-wing think tanks demonized human rights policies and programs (employment equity, pay equity) and attempts to incorporate equity principles into governance structures and curriculum (Smith, 2004). Neoconservative discourses of equity successfully halted radical/transformative discourses that attempted to
expose the operation of corporate, patriarchal, heterosexist and Eurocentric ideologies and practices in educational institutions and the larger society.

By the late 1990’s (after the culture wars) human rights/diversity offices had become a standard feature of the administrative apparatus in postsecondary institutions largely in response to neoliberal managing diversity discourses of equity promoted by government and industry. The equity and justice approach which addressed structural issues in the economy and institutions became market-based strategies of ‘managing diversity’ to maximize productivity and develop ‘cultural competency’ for global competitiveness (Abu-Laban & Gabriel, 2002; Reimer, 2004). These neoliberal influences are now reflected in managerial practices of colleges and universities and are evident in the content of human rights policies which have been diluted by replacing the focus from equity as organizational change (fair hiring practices and transformative curriculum practices) with individual needs based dispute resolution, personal harassment, respect and a ‘culture of caring’ (Westerman, 2008).

3.2 Feminist Contributions to Framing Equity in Post Secondary Institutions

Fraser (1989) suggests that the justice claims of marginalized groups are incorporated into existing power structures in a complex process involving struggles between different discourse publics. She argues that powerful discourse publics such as legal professionals, social workers, etc., have a greater ability to construct common sense/hegemonic interpretation of social phenomenon over minoritized/marginalized discourse publics. However, she points out that some issues break out and become contested in the larger public realm. Westerman (2008: 13) illustrates Fraser’s (1989) argument using the issue of sexual harassment by demonstrating how feminist activist struggles overcame powerful discourse publics to have this issue imported
into law and institutional policy. However, while this development was certainly an advancement in human rights struggles, the expert role of institutional human rights functions as rights-based dispute resolution in postsecondary education continues to limit substantive change. Legal approaches individualize the issues and often fail to draw organizational implications unless systemic structures are the subject of complaints.

In North America, feminist activists challenged patriarchal ideologies using mainstream media to publish studies about patriarchal effects using the courts to establish precedents. In the 1970’s, feminist activists began publicly naming sexual harassment as a workplace issue and several articles appeared in mainstream newspapers giving this issue public legitimacy. Blatant sexual harassment, sexual favours demanded in exchange for job security, promotion, etc., was easily recognizable by the public. Catherine MacKinnon’s book, *Sexual Harassment of Working Women* (1979) and subsequent involvement with the hostile work environment case *Merit Savings Bank v. Vinson* (1986) marked an important evolutionary point in the definition of sexual harassment. This case defined a hostile work environment as one in which severe unwelcome, offensive and pervasive actions alter the employee’s conditions of employment without economic job-related threats (Westerman, 2008).

In Canada, employers’ responsibility to mitigate their liability in cases of sexual harassment was established by *Bell v. Landas* (1980) and *Robichaud v. Brennan* (1983). In the latter case, the Supreme Court of Canada ruled that employers have a statutory obligation to provide a safe and healthy work environment and were also legally liable for the discriminatory conduct of their employees (Aggarwal & Gupta, 2006).³⁸ The obligation of employers as

³⁸ Two cases "*O.P.I.E.U Local 267 vs. Domtar*" and "*Okanagan School District No.23 vs. Reaud*" also established that in addition to educational institutions unions also have responsibilities under human rights legislation. In its ruling on the Domtar case the Court said:
service providers under human rights legislation has been clarified by jurisprudence; in particular
the Berg ruling of 1993 established that human rights law applies to universities and colleges in
three ways. The law applies in that they are: (1) employers of faculty, staff and students; (2)
landlords, owners or managers of residences, and other facilities which they rent to students and
others; and (3) providers of services. In the University of British Columbia vs. Berg 1993 case,
the University argued that as an educator it was exempt from human rights law since its services
are not available to the general public. The Supreme Court of Canada ruled definitively that
human rights legislation applies to a university’s treatment of its students in the provision of
services (Day, 1991).

Earlier studies on sexual and gender harassment in universities and colleges sought to
educate about what constitutes sexual harassment 39 (Hall & Sandler, 1982). A number of studies
establish the prevalence and persistence of these issues as well as the impact on victims (Eyre,
2000; Prentice & Stalker, 1998). The psychological impact of those harassed, as well as the
profile of harassers has also been studied (McDermut et al, 2000; Murphy et al, 1999). The
experiences of gender and race stereotyping, devaluation of work, exclusion and the
revictimization of those who challenge harassment and discrimination has also been documented
by numerous studies (Bannerji et al, 1991; Chilly Collective, 1995; Madhava Rau, 1995; Stalker
and Prentice, 1998). Some studies focus on defining and clarifying the legal context of sexual
harassment, the nature of its occurrence and aggregating its prevalence in the workplace
(Kihnley, 2000; Martin, 1997; Osborne, 1992). Many of these studies were used to develop

39 While the work of Hall and Sandler is groundbreaking, it engages in white solipsism- the universalizing
assumption of white women as the standard of research for all women. Much of the liberal feminist writings on
sexual harassment contains this exclusion.
educational strategies by pioneering Sexual Harassment and Education Centers hoping to change patriarchal/misogynist attitudes in the post secondary sector in the 1980’s. Where sexual harassment policies existed, they established the right to work in an environment free from harassment. The mandate of sexual harassment and education centers included addressing complaints and conducting educational sessions for the wider community. In managerial structures these offices reported to the human resources department. In institutions with progressive management, they reported to representative community advisory boards (but were still ultimately accountable to a senior administrative officer or office). Depending on the individual equity practitioner, issues related to race, sexuality and other forms of discrimination may or may not have been addressed. In the college sector, many sexual harassment officers came from human resources management backgrounds and often functioned as ‘technicians’ or ‘administrative allies’ to protect institutional liability (Agocs, 2004).

According to Bacchi (2002) the institutionalization of sexual harassment through bureaucratic complaints procedures and the failure to address systemic gender discrimination through organizational change initiatives reflected the managerial interests of institutions and governments. Most policies were problematic since they dealt with individual behaviours, even though the Ontario Human Rights Code gives institutions leverage to address systemic issues. Many had no procedural protocols, or where they did, managers received little or no training in how to conduct investigations. Often policies were silent on how to protect the rights of both the complainant and respondent. Not surprising, several accused harassers who were dismissed have won wrongful dismissal cases (Fine, 1997). Punitive, managerial approaches to dealing with human rights allegations during the early 1990’s became fodder for neo-conservatives

40 For instance Trent University’s first human rights policy (1995) refused to acknowledge systemic discrimination as a concept.
during the culture wars when they pitted academic freedom against human rights advancements (Marchak, 1996).

In addition to rights protection, governmental assumptions about equity in societal institutions were restricted to equality of opportunity or freedom from employment discrimination consistent with reformist welfare state liberalism. Through voluntary programs such as employment equity, it was anticipated that over time the critical mass of women, (people of colour, people with disabilities and aboriginal faculty) would have more freedom to access privileged jobs and opportunities in the existing economic and institutional structures of society and identity based discrimination would dissipate, though not economic inequality which is built into the system, ‘meritocracy’ would determine the deserving and the undeserving. However, as noted elsewhere, employment equity is largely ineffective in achieving greater access to jobs since there are no enforcement mechanisms. Increased representation are largely confined to lower end jobs\(^{41}\) (French, 2005; Nazim, 2007; Wheeler, 1997).

### 3.3 Anti-Racist Contributions.

Anti-racist theories made major contributions to the struggle for racial equity in the 1970’s and 80’s challenging liberal multicultural discourses that situated racialized people as outsiders to the nation state. The easing of discriminatory immigration laws in the 1970s to facilitate Canada’s economic expansion saw increased immigration from previously restricted regions such as the Caribbean, Africa, and Asia as well as, Mediterranean areas. Imperialism and colonization ravaged the resources, environment and labour of these areas and neocolonial corporatization continues these processes. Canada’s much publicized multicultural policy

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\(^{41}\) A few universities such as York’s Status of Women’s Office were established to monitor the faculty hiring process to endure that the principles of fair hiring were adhered to. However it was the exception rather than the rule for colleges and universities.
situated immigrants from these countries within the two founding people’s (English and French) erasure of the First Nations, unsettled land claims, and unresolved sovereignty issues (Nelson & Nelson, 2004). J. Singh (2004) argues that one positive aspect of the government’s multicultural policy was that it provided an opening to argue for structural inclusion beyond cultural expression and tolerance. Similarly, Walcott (2007) suggests that such policies provide a space in post colonial contexts to re-imagine notions of citizenship and specifically what it means to be a Canadian.

The multicultural policy was a counter point for antiracist activists and community/parent’s groups to counter racist discourses that positioned them as a threat to social cohesion and an economic burden to the state. They criticized government policy, mainstream media, and social research agendas for ignoring issues of power and distorting black/racialized people’s experiences and realities (Neal, 2001). Some of the discourses operating in mainstream media may have fueled the racial violence of the 1970’s. For instance, racialized immigrants were blamed for causing racial tension because of their presence, instead of the racist attitudes of those perpetuating racial violence; racialized immigrants were blamed for the high crime rate even though statistics proved otherwise, and they were blamed for taking away jobs from “Canadians” and causing unemployment contrary to evidence that they contributed to economic growth (Henry, 2011; Law Union of Ontario, 1987).

Cognizant that such distortions influence various public policies, a major anti-racist strategy was to name Eurocentricism and expose how its mechanisms of power and privilege operated within societal institutions. During the 1980’s, anti-racist activists published extensively about the structural conditions of inequity in Canadian society through community based organizations. Some of the critical studies include but are not limited to: *Who Gets the Work*,...
These responses to liberal discourses on racism, along with the decades of advocacy by community groups, helped to shift the provincial and federal governments focus from cultural to structural issues (Reitz et al, 2009). One such initiative became a turning point in the federal government’s approach to multiculturalism: the Special Parliamentary Committee on the Participation of Visible Minorities in Canadian Society that held hearings across Canada in the fall of 1983. *Equality Now: The Report of the Special Parliamentary Committee on Visible Minorities in Canadian Society* (1984) which came out of these hearings acknowledged that racism was endemic in all aspects of Canadian society. It focussed attention on discrimination in government, the justice system, the media, employment and schooling (Equality Now, 1984).

The acknowledgment that the education system perpetuated racism through low teacher expectations, Eurocentric curriculum, lack of services and unfair employment systems legitimized what community/parent groups had been expressing all along. Racialized students were failing disproportionally compared to Western European Canadian students (Greek, Portuguese and Italian students were also under performing) (Ibid).

The advocacy of antiracists, feminists and other equity seeking groups made tremendous gains in the 1980’s through the influence of government legislation and policy development. As with the issue of sexual harassment in the 1970’s the state served as the vehicle for anti-racist/race relations policy development and employment equity legislation in the broader public.
sector and public educational system and public services. During the 1980’s provincial government branches in major metropolitan areas and public school boards developed race relations policies. Most were distinctly multicultural as managerial interests filtered community demands into bureaucratic processes (Frazer, 1989). However, some school boards and government agencies such as the North York Board of Education and the Toronto Board of Education employed individuals who were able to work within the system as tempered radicals (Meyerson & Scully, 1995). Many of these individuals were involved in the previous struggles, documenting and challenging the specificity of racist reproduction in educational, cultural and state discourses and practices through deconstructing Eurocentric ideologies, and exposing the material consequences of racism (McCaskell, 2005; Singh, 1995).

Consequently, curriculum incorporating perspectives such as Anti-racism, Women Studies, Labour Studies and Media Literacy were developed and mainstreamed in most Boards of Education in Toronto, Vancouver, and a few rural Boards during the 1980’s. These perspectives represented a radical break from the past as students were exposed to tools of deconstruction and critical thinking. Some of these students, future university students developed analytical skills to question the Eurocentric, heterosexist and patriarchal ideologies within traditional disciplines, as well as advocacy skills to question discriminatory behaviours of staff and faculty and other authority figures.

There were major equity developments at the federal level as well, in part due to the advocacy efforts of equity seeking groups and receptive federal governments that embraced aspects of post-war redistributive Keynesian welfare state policies. Through the Secretary of State, many advocacy organizations received state funding. During this period the state

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42 Some of these individuals include Eva Smith, Enid Lee, Alok Mukhergee, Tim McCaskell, Marlene Green and Tony Souza among others
established structures of representation within government bureaucracy such as the Status of Women Canada, Multiculturalism Directorate, and Canadian Advisory Council on the Status of Women (CSCSW). Though largely symbolic and ineffective, but nonetheless a concrete expression of equity concerns, a conservative government legislated employment equity at the federal level through the federal contractors program (1986)\(^4\) (Abu-Laban & Gabriel, 2002).

As mentioned in the introduction, these developments were not welcomed by all. Seismic shifts were occurring in North America during this period that would pit neo-conservative/neo-liberal ideologies against liberal democratic policies. The roots of social democratic developments were sown in the post-World War II U.S, where government increasingly became an arena for focusing on the conditions required for equality of opportunity as well as equality of access (Karim, 1996:6). Trade union rights were extended to Labour and liberal democratic rights eventually to the poor, women and racialized peoples. However, the social and economic upheavals of the 1960's and 1970's (the US: economic crisis, Watergate, the Civil Rights Movement, Black Power, the Women’s Movement) shook mainstream culture to its very core. The 'common good' was fractured as Eurocentric/patriarchal notions of family, community, and nation were dramatically altered (Apple, 1993:30).

Right-wing U.S. think tanks and foundations funded by American business corporations planned to wrest control over Keynesian economic approaches and human rights influenced policy and programs. These initiatives were viewed as the root of the "moral, existential and economic chaos of the preceding decades" (Apple, 1993:31). Neo-conservatives saw social democratic “state” interventions in education, welfare, health, and other areas aimed at increasing opportunities of marginalised groups as part of the problem and set out to secure “control of

\(^4\) All businesses and institutions doing business contracts worth $--- million or more were required to develop an employment equity plan and file annual reports about their efforts to achieve stated targets. There are no enforcement mechanisms.
concepts, ideologies and theories that co-ordinate multiple sites of power and knowledge” (Smith, 2004). Neoconservatives developed a discursive strategy with "an aggressive political style, an outspoken religious and cultural traditionalism and a clear populist commitment" around the principles of rebuilding a cultural centre, with the common good regulated exclusively by the laws of the market, free competition, private ownership and profitability (Apple, 1993).

3.4 State Intervention: the NDP’s Human Rights Agenda

In the midst of a rising neo-conservative tide and major demographic and political changes on urban campuses, Ontario’s NDP was elected in 1990. Supported by a wide range of equity seeking groups, the NDP set out to establish some of the boldest human rights initiatives in education ever put forth by a provincial government in Canada. During this period, student and faculty activism was intensifying particularly in universities where a growing body of research highlighted the extent of sexual harassment and discrimination on university campuses. Case precedents made it clear to provincial government officials that universities and colleges could no longer ignore their human rights obligations within the existing legal framework. An additional layer to the legal/rights based issues was the debate over the existing

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44 Pauldi (1995) compiles the following findings: Dziech and Weiner reported that 30% of undergraduate women suffer sexual harassment from at least one of their instructors during their four year programs. When the definition of sexual harassment includes sexist remarks and other forms of gender harassment, the rate in undergraduate populations nears 70%. Bailey and Richards reported that of 246 women graduate students in their sample, 13% indicated they had been sexually harassed, 21% had not enrolled in a course to avoid such behaviour and 16% indicated that they had been directly assaulted. Bond reported that 75% of the 229 women who responded to her survey experienced jokes with sexual themes during their graduate training, 69% were subjected to sexist comments demeaning to women and 58% of the women reported experiencing sexist remarks about their clothing, body, or sexual activities.

45 A high profile case that spoke to the need for clarity on these issues occurred in 1990 when twenty five students from the University of Western Ontario filed a human rights complaint against Phillipe Rushton with the Ontario Human Rights Commission. Several years later when the Commission scheduled a hearing the student complainants could not be located. Most had left the province or the country and the case was subsequently dropped. What is significant about this case was that in the preliminary intake the Commission decided that the complaint had merit and did not drop it as is often done in situations where there are no grounds or the grounds are
canon which largely silenced minoritized voices in the curriculum. Student and faculty activists challenged post secondary institutions without policies to develop them; in institutions where policies were in place, they were viewed as part of the managerial apparatus and the human rights workers that staffed these offices were seen as gatekeepers, not agents of organizational and curricular change (Singh, 2000).

A Canada wide survey conducted by the Canadian Bureau for International Education in 1992 confirmed that many universities did not have policies in place to deal with human rights issues. Of the 36 respondents only eight had a policy to deal with the issue of racial discrimination, 14 did not. Many were considering implementing policies and a few were in the process of policy development. Many of the policies were motivated by requirements of the Federal Contractors Program, were established because of a crisis (e.g., York University), or through student activism and faculty agitation (e.g., Guelph) (Macdonald, 1992).

Cognizant of promises made during the election to an important segment of its support base, the NDP government set up a committee to look at sexual harassment in universities and colleges shortly after taking power. The findings of the committee's report were consistent with previous studies - sexual harassment was a major problem in higher education. The government sat on this report until the ‘Yonge Street Riots’. Faced with mounting pressure to respond to youth issues, the government commissioned Stephen Lewis to examine discrimination and its impact on youth in Toronto. The Stephen Lewis Report gave the government its agenda on issues of human rights (Wheeler, 2000).

difficult to establish. Neil Edwards, the Commission's Manager of Systemic Investigations, said that the ground of the complaint was a poisoned environment based on Rushton's promotion of racist and sexist theories. The rationale he gave for taking on the case was that the provision of educational services must be barrier free and if Rushton was indeed using the classroom to promote racist and sexist ideas this would constitute poisoning the classroom environment for women and racial minorities. If the human rights tribunal had established this, Rushton would have been in violation of the Code (Edwards, 2000).
The government established a number of agencies to address a broad range of human rights issues in educational institutions and the broader public sector. It established a process to develop a mandatory employment equity act, an anti-racism secretariat to expand on work in this area by the previous Liberal government of David Peterson, and individuals from minoritized groups were appointed to various boards and commissions. The Ministry of Education provided resources to revamp antiracist curriculum standards for all grade levels. As well, gender violence curriculum and gender studies guidelines and curriculum were developed for public schools, including postsecondary undergraduate programs. To varying extents, issues of disability, sexual orientation and class were incorporated into these curricular materials and program initiatives (Wheeler, 2000).

In 1991, the Ministry of Education and Training conducted another survey on harassment and discrimination in higher education in Ontario. The survey was sent to unions, senior administrators, and student groups. The administrative and union response was unanimous - “leave us alone.” Activist student groups and academics welcomed the government directive, claiming that the administration and particularly faculty were the worst perpetrators of harassment and discrimination. According to Karen Wheeler, senior Policy Analyst on Harassment and Discrimination for the Ministry of Education and Training, senior government officials wanted a central human rights policy framework that would apply to all colleges and universities. The government’s intentions were to expand the enforcement mechanisms for human rights legislation beyond the limited capabilities of the Ontario Human Rights Commission. However, senior ministry bureaucrats advised government officials that the political will to develop human rights policies must be generated internally by the institutions themselves or the process would fail. They were advised to expect a backlash especially from
the university sector since neoconservative discourses against human rights initiatives were gaining traction in U.S. mainstream media and among liberal and conservative academics in North American universities (Wheeler, 2000).

The Cabinet submission of *The Harassment and Discrimination Prevention Framework Document for Colleges and Universities* was passed in the fall of 1993 by the government. It laid down criteria for the development of policies in all higher education institutions in Ontario. The framework was not a radical document; it basically laid out the minimum expectations under the human rights code and framed the issues as rights-based dispute resolution. The framework mirrored existing policies and was an attempt by the government to get universities to acknowledge and act on their obligations under the code. Since government has direct governance over college policy, the framework was mandatory for colleges, not universities. The perceived tone of the policy and the subtitle, 'Zero Tolerance', became fodder for neoconservatives.

3.5 Neo-Conservative Backlash.

University administrations were united in voicing their opposition to a generic policy framework that would apply to all of them. The Canadian Association of University Teachers (CAUT), a group generally supportive of human rights, also called on the government to withdrawn the framework document because it failed to address the issue of academic freedom and it used “vague and imprecise language which could be used by the enemies of both equity and academic freedom to subvert the progress towards equity and the free discussion of ideas” (CAUT, 1994). Trent and McMaster faculty associations generated a great deal of publicity with their campaign for the 'right to offend.' Backlash against the Framework Document also raised
the profile of the previously obscure Society for Academic Freedom and Scholarship whose goals are to oppose the human rights initiatives (Richer & Weir, 1995). Trent professor John Fekete’s statement on academic freedom, adopted by numerous faculty associations, included the following:

“...We defend, therefore, the rights to certain types of speech and academic expression which, in fact, we do not condone, and in some codes deplore. This includes the rights to offend on another. It includes the right to express - and the right of access to intellectual materials which express - racially, ethnically, or sexually discriminatory ideas, opinions, or feelings, just as it includes the right to expressions that favour inequality of incomes and benefits. It also includes the right to make others uncomfortable, to injure, by expression, anyone’s self-esteem, and to create, by expression, atmospheres in which some may not feel welcome or accepted....." (MUFA Newsletter, 1994).

However, feminist and anti-racist academics defended the principles and intent of the Framework Document. Dei (1993) suggested that the concept of academic freedom had become a guise for ‘smarter bigots’ to attack human rights advancements. Drackish, Baniker and Baker (1995) argued that neo conservative interpretations of academic freedom such as Trent’s have two limitations:

"[1] the emphasis on individual actions to the exclusion of attention to their context or social, institutional relationships" and the "[2] emphasis entirely on the intellectual to the exclusion of other human dimensions-identities, emotions, and feelings" (Ibid: 118). These assumptions and practices they claimed reflected a time when the universities were virtually a homogeneous white male environment with a relatively level playing field for this club. The denial of this culture of elitism and exclusion allows the proponents of this view to ignore fundamental social realities “... it does not acknowledge power imbalances in relations based on gender, race, sexuality, and other dimensions of difference." and ..."it ignores the dimension of accountability attached to social relations in the academy.” (Ibid: 125)

McCormack (1991) noted that mainstream media and conservative academics were remarkably silent on a far more dangerous threat to academic freedom. She saw the real threat to academic freedom as the privatization of universities and the injection of administrators from
business and government. Horn (1999) added that the increasing reliance on part time and sessional faculty who have to exercise caution if they wish to be rehired, and a ‘production driven research culture’ also placed restrictions on academic freedom. Of particular concern are contracts between research institutions and corporations which impose limitations on the right to publish research results. However, these developments were in sync with the neoconservative agenda of ‘economic correctness’ which held that universities should become more businesslike and be subject to market discipline. Students are seen as consumers and the success of an institution is determined by client satisfaction with services and their ability to get jobs upon graduation (Horn, 1999).

The resonance of neoliberal discourses with the larger public across North America, and in Ontario resulted in a Tory victory over the NDP in the 1995 provincial election. The Employment Equity Act was repealed by the Job Quotas Repeal Act, the postsecondary human rights framework was abandoned, government agencies supporting human rights initiatives were dismantled and the social welfare system was gutted and parts of it privatized.

According to Smith (2004), these cumulative events represented an attack on liberal higher education, multiculturalism and gender and ethnic diversification of the university curriculum in order to “…. establish the discourse of neo-liberalism (as contrasted with the discourse of public good of the welfare state) as hegemonic in the public sphere, and (2) To discredit the legitimacy and authority of those speaking in terms of social justice and the public good” (Ibid, 35: 2004). Deem (1998) suggests that these developments have led to a retreat from the politicized demands of oppositional groups as universities become more corporatized. The values of the marketplace are reshaping organizational practices and values because educational

46 Ironically, the NDP employment equity initiative is essentially similar to the federal legislation adopted by the federal Tories under Brian Mulroney which continues to operate without fanfare.
institutions increasingly view students as consumers/clients, they compete for corporate research dollars, transform residences into business enterprises, downsize, increase workloads (especially for support staff), contract out services, rely increasingly on part time and temporary workers, weaken unions, and erode faculty autonomy through onerous accountability measures (Blaney & Kavanaugh, 2004; Brule, 2004; Livingstone & Sawchuk, 2004). As financial interests override service to the ‘community’ and accessibility, issues of equity are increasingly justifiable only if they are attached to the issues of productivity (Bacchi, 2001; Carter, 2008; Reimer, 2004).

Many academics and activists claim that even though all post secondary institutions now have human rights offices, they are largely ineffectual in bringing about structural and systemic changes because they are constrained within conflicting roles, policy limitations and neoliberal discourses of ‘managing diversity’ (Agocs, et al, 2004; Megan; 2004, Smith, 2004). There are two primary strategies for addressing human rights, rights protection and OD sensitivity training. Rights-based remedies are complaints driven and most victims do not come forward, particularly in the post secondary context. In addition, remedies apply to individual cases and rarely effect or mandate changes in institutional policy (Dobash & Dobash, 1992:205). Furthermore, longitudinal studies on educational/OD (organizational development) approaches to institutional change in Australian organizations found that they did not have a measurable impact on structural change (i.e., employment access for minoritized groups especially for top and middle tier jobs) (French, 2005). Within this larger political climate, in 1995 an Urban Community College47 decided to proceed with its human rights policy development initiatives while most institutions in the system abandoned these processes (Shefman, 1997).48

47 Henceforth referred to as UCC
48 This researcher was working at a rural community college at the time and within weeks of the Tories’ removal of the requirement for equity policies in post secondary institutions, my position no longer existed. In fact, references to equity or human rights were completely removed from the institutional bureaucracy.
Postsecondary institutions were among the last institutions in the society to establish administrative procedures for dealing with manifestations of harassment and discrimination. When educational institutions took up the issue of human rights, in part to meet minimal obligations under the code, it helped to trigger the ‘culture wars’. This came at a moment in time when major strides were being made to reform oppressive systems in societal institutions. These programs and policies that were becoming institutionalized due to activist efforts were discredited as political correctness. What emerged were market-based neoliberal discourses of managing diversity (Table 2).
Chapter FOUR


Let’s go back to the 1980's the college was very traditional, like the universities insular. The expectation within the college was that the multicultural element that was slowly coming in to this particular area would adapt to the existing norms. The college didn’t feel that there was any need for them to adapt to the needs of an increasingly multicultural environment (Jensen, Support Staff Union Executive Member)

4.1 Introduction

To set the context for this case study this chapter briefly introduces the college system and some of the constraints imposed on the system by governments. During the 1970’s, the open leadership style of the then president resulted in a number of gender equity initiatives giving the college a progressive reputation within the system. An administrative turnover in the late 1970’s changes the institutional culture with respect to human rights issues. The new management team regarded equity issues as an ‘add-on’ administrative burden that took attention away from the more important things that managers do (Jackson, 1990). This institution (UCC), like most post secondary institutions at the time, was out of step with equity/human rights developments in urban public school systems and government agencies. As with many assimilationist organizations, rapidly changing demographics resulted in numerous allegations of harassment and discrimination by students and some faculty. The faculty union had resisted the industrial style of management and in the early 1990’s began to champion equity and human rights through its newsletter Underground 49, in the process gaining considerable moral power as it delegitimized management’s approach as out of touch and irrelevant to the emerging needs of the college (Ricards, 2000). Management’s inability to manage the human rights conflicts created an organizational crisis and the institution’s board sought a new president and vice president;

49 A pseudonym
with the faculty union in a position to exercise influence in the selection of these individuals.

These developments had major implications for human rights struggles at the institution.

4.2 The College System: Origins and Purpose

Colleges were created in the 1960's by North American governments to provide the vocational and technical training for workers who needed to adapt to changes in technology in order to meet industry training needs and to provide opportunities for adult education (Dennison & Gallagher, 1986; Muller, 1990).

Critics have implicated community colleges in perpetuating and reproducing social and economic inequities as part of the highly specialized mental/manual division of labour within advanced capitalist labour processes. Colleges constrain the ambitions of working class students (many of whom are recent immigrants and racialized people, particularly in urban areas) by channelling them toward vocational majors and eventually working class jobs (Rhoads and Valadez, 1996; Robinson, 1982). Higher status degrees and lucrative professional careers are reserved for middle and upper class university students. Contrary to the marketing spin, only 20% of college students will graduate and find full time employment in careers related to their field of study (Drea, 2004:2), whereas 70.6% of university graduates are employed in ‘professional/managerial’ occupations. Others argue that by being more accessible, colleges are more egalitarian and consequently have more working class, minority and female students.50

50While Canadian data is not available American statistics bear this out. 22% of college students are visible minorities compared to 18% in the universities. 10% have family incomes below $15,000 annually compared to 6% in universities. Minority and working class students have had limited success in college. Indicators such as graduation and transfer rates are lower for these students as compared to white middle-class students. See Rhoads and Valadez (1996).
Ontario’s college system is centralized and large.\textsuperscript{51} The Ministry of Education and Training allocates the college’s operating and capital budgets and is involved in program development and approval. The Council of Regents serves as a quasi-independent intermediary body charged with collective bargaining and with issues referred to it by the Minister of Education. The Association of Colleges of Applied Arts and Technology of Ontario (ACAATO)\textsuperscript{52} is representative of management and maintains an advocacy and communications role and assumes responsibility for a range of professional development activities (Dennison, 1995).

Government control over college management means that academic policy as well as social policy can be imposed from above. During the 1980’s and 1990’s, Liberal and NDP governments imposed human rights initiatives influenced by feminist and antiracist activists in the college system in marked contrast to the university sector where such policies and initiatives, if they existed (in the 1980’s) were the products of internal crisis.\textsuperscript{53} Over the years, the Council of Regents (through voluntary incentive programs) has encouraged colleges to reflect in their operations emerging developments in human rights law.\textsuperscript{11} However, if the college’s management and organizational culture were not supportive of such directives they were ignored or easily subverted through ineffective implementation strategies as addressed in this case study.

\textsuperscript{51}In 2008-2009 there were about 164,000 full-time students, about 72,000 (44\%) college students were enrolled in the Ontario Student Assistance Program. Full-time employees totalled 36,764 in 2008-2009\textsuperscript{51} with operating grants to the college sector exceed $700 million in 1992 and $1.49 billion in 2008-09.


\textsuperscript{53}Policies or Reports with recommendations for policy development at York, Queen’s and Guelph in the 1980’s and early 1990’s were all the result of widespread allegations of harassment and discrimination and student and faculty activism.

\textsuperscript{11}For example, the Employment Equity incentive program 1988-1991 and the Multicultural Demonstration Project 1989/90. See Summary of Multicultural Development Projects, Ministry of Colleges and Universities for a description of projects that were funded (ten college projects and eight university projects).
In the late 1990’s dominant neoliberal discourses have also influence the framing of equity and human rights in colleges as cultural competency along with market driven adjustment programs.

Arvast (2008) and Boyd (2011) have argued that the dominant neoliberal discourses of public sector cost cutting; standardization and commercialization promoted by state institutions have had a major impact on college governance priorities, academic policy, and the quality of the teaching and learning experience. Boyd suggests that this trend is obvious in the adoption of accreditation mechanisms based on Total Quality Management and Continuous Improvement models derived from industry; the evolution of discourse in public institutions equating students as customers; and non-profit educational associations, funded by multinational technology companies that manipulate and influence educational reforms (6). Student success has increasingly come to mean meeting the requirements of business and industry through efficient financial management and curriculum that is narrowly focused on workforce demands. As a consequence, critical and reflective educational programming continues to diminish in importance. Arvast suggests that the new CAAT charter (The Ontario Colleges of Applied Arts and Technology Act, 2002) is evidence of these shifts because it suggests that partnerships with business and industry are necessary relationships for the carrying out its obligations, meeting economic and vocational needs as defined by government and industry. It also introduces neoliberal discourse of professional accountability, and standardization of curriculum.

Continued funding cuts have contributed to massive reductions in faculty and support staff. The Association of Colleges of Applied Arts and Technology of Ontario (ACAATO) report that operating grants have declined by 36 % from 1990 to 2005, and even with the offset of increased tuition fees total funding per FTE (full time enrolled) had declined by 25% (Cooke, 2006). From 1987 – 2002, faculty decreased by at least 23% while total student numbers went
up by 43% and support staff increased by less than 1% (according to ACAATO). And part-time employees in colleges outnumber full-time workers. Current figures put the number at 16,000 part-time workers compared to 14,000 full-time employees of the colleges. Part-time workers, partial load instructors and sessionals are doing the job of full-time faculty members. In addition to being underpaid they have no benefits and no job security and consequently are more vulnerable to human rights abuses and other forms of exploitation (OPSEU, 2004).

4.3 Urban Community College (UCC): A Brief Introduction

Established in 1966, UCC is Ontario’s first community college. It is located in one of Canada’s most multicultural and multiracial cites. College promotional publications boast that UCC is the most diverse college in the country. However, this is in reference to the student population and not the staff or faculty compliment. While information on student diversity is readily available, this is not the case for employees. As a promotional brochure states, “Over 70% of the student body has an ancestry other than British, there are 93 ethno cultural groups as well as 80 languages spoken and 21% of the students have landed immigrant status, the highest proportion of the metro colleges” (UCC, 1998). The college has close links to industry and corporate partners. For instance, it is noted for major training centres devoted to transportation, health care, high end engineering and computer technology and corporate communications. The college invested heavily in a call centre and E-commerce Institute which were both abandoned amidst rumours of financial impropriety and/or mismanagement. More recently, responding to neoliberal discourses of competition and commercialization in the global market place of internationalization (competing for a share of foreign students) the college has branded it self as

54 The college has only gathered this data twice (Appendix 1) in contravention of its voluntary and unenforced obligations to the Federal Contractor’s Program, the Federal government’s employment equity act.
the ‘social justice’ college that prepares students to work anywhere in the globe. The primary vehicle for this initiative is a ‘signature learning experience’ which is currently a mandatory general education course on issues of social justice. In 1998, as part of new accountability measures imposed on the educational and service sectors that rate institutions in the competitive marketplace of consumer and corporate satisfaction, colleges have been mandated to collect and report performance data in five areas (graduate satisfaction, student satisfaction, employer satisfaction, employment rate, and graduation rate). The data (KPI’s) is collated by an independent research company. UCC consistently ranks poorly in terms of student satisfaction.

This study does not examine the current administration. It covers the previous three administrations: Phase 1 (late 1970’s – early 1990’s), Phase 2 (early 1990’s to late 1990’s) Phase 3 (late 1990’s – mid 2000’s).

4.4 Early Encounters with Equity Issues

Mark Michaels, former faculty member and currently a manager with the Information Technology Department, emphasizes the power of college presidents to shape organizational norms during it early years. “The colleges came out of a history of being little domains, little fiefdoms, and they retained that characteristic until fairly recently...The colleges in the 80’s each had the characteristic of their president...There are groups like ACCATO that attempt stuff, but they simply dissipate” (Michaels, Feb., 2000). From 1971 to 1978, the college president was Douglas David. By all accounts he was warmly regarded and had an open managerial style.

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55 Dorothy Smith (2004) is very critical of these measures which she refers to as ‘new regimes of accountability.’ Smith sees these measures as part of the neo-liberal discourse of privatization and professionalization and subordination to capital accumulation which undermines the autonomy of teachers and other professionals. See http://www.collegesontario.org/client/collegesontario/colleges_ontario_lp4w_lnd_webstation.nsf/page/Key%20Performance%20Indicators for KPI results.

56 A pseudonym.
Under his leadership a number of innovative initiatives were launched and his tenure was marked by harmonious labour relations and the organizational cultural norms appear to have been fairly complex displaying dominant features of assimilationist, and ‘managing diversity’ norms, even transformative norms within faculty subcultural contexts (Table 1). For instance, in the 1970's UCC was recognized as being in the forefront of gender equity initiatives in the college system. UCC was the first college in the system to have a woman’s equity staff position and a Woman’s Center. The Center generated curricular and other resources for faculty. The women’s equity advisor position continued into the 1980’s and was held by faculty appointed by the president. When it came to intersectional issues of racism or heterosexism the organization was much further behind, mirroring the dominant discourses of equity in the larger Canadian society. The programs generated at the time reflected aspects of a managing diversity approach. Equity initiatives related to issues of gender displayed the ‘white solipsism’ or white woman as the default position typical of dominant Eurocentric liberal feminist discourses (Lopez & Thomas, 2006). Supportive leadership allowed equity initiatives to flourish but not to threaten larger organizational systems that reproduced inequities (Fraser, 1989; Price, 1988). Dr. Elisa Fox, president of the faculty union for the past 33 years, and now retired, was involved in these early human rights activities. As she recalls,

UCC did the first status of women study in the 1970's...we had Advisor 1 who went on to found Canadian Woman Studies Journal /les cahiers de la femme at York University as the woman’ advisor with Douglas David. So, it’s not as if we’ve never done this...we do have a history of this work. We started doing stats and hiring targets but only for women, the human rights movement in the 70's focused mainly on women and colour in the States, and gender up here. We (local 444) were involved at that time......XXXXXX XXXXXXXXXXXX (co founder of Canadian Woman Studies Journal /les cahiers de la femme and one of the first faculty in the Women’s Studies Program at York University) took over (the woman’s advisor position) from Advisor 1....and Advisor 2 took over from her. So we had a whole series there... and there were programs for women, there were lunch hour sessions, there were guest
speakers, Advisor 2 had a management training program for people in support staff...she was trying to set career ladders up....around 1972 to the early/mid 80's

Fox add that these approaches to equity, as far as the institution was concerned was, “add on”, educationals and programs were tolerated as long as they didn’t interfere with the status quo (Fox, 2000).

4.5 The Denial of Discrimination

David was replaced by the college’s Vice President Academic, Bob Spector, who was president from 1979 to 1992. His administration was noted for its autocratic management style which led to periods of adversarial labour relations. This administration displayed many characteristics of an assimilationist organization. There was a noticeable change in the organizational values. David Jensen, former Chief Steward of the Support Staff Union (Local 559) and former Pay Equity Consultant at UCC characterizes the administration’s approach to equity as follows:

........Let’s go back to the 1980's the college was very traditional, like the universities insular. The expectation within the college was that the multicultural element that was slowly coming in to this particular area would adapt to the existing norms. The college didn’t feel that there was any need for them to adapt to the needs of an increasingly multicultural environment......you have to remember the origins of what created the Applebee campus...they were initially trade schools that amalgamated...Very, very traditional militaristic type of attitude about how things were taught, how things were dealt with. Tolerance levels for differences among people or other cultures were unheard of. You came in you adapted, that’s it. And if you didn’t, get out...This probably would be true even of the academic programs at the time.......The attitude was you get with the program, if you feel that there are things within the college that are ....offensive or racial biased then you live with it, you’re grown up, this is the way we do business, this is the real world. And, pardon the expression, it was probably an incredibly suburban white bread college mentality.....The bulk of the population, I will use these clichés, waspish in nature, have grown up in a home environment where it is acceptable to discriminate or consider that people who have other cultural beliefs are wrong. That’s that nonsense, but it’s not the real thing. Think of the age range of people coming into the college about 1987, they would have grown up in the late sixties
early seventies where this was totally acceptable. The administration was quite prepared to say that the majority of our occupants within the college accept that (racist perspective). Those with differences coming in were expected to adapt to the majority (Jensen, 2000).

These perspectives were reflective of dominant assimilationist organizational norms towards equity during this period. However, these approaches were being challenged by grassroots community and parents groups and anti-racist feminist activists in the larger public arena. These groups made significant inroads in community agencies, and metropolitan school boards who were beginning to develop language and practices reflective of anti-racist/feminist approaches (Brand & Bhaggiyadatta, 1986; Lee, 1985). For example, the Liberal government of David Peterson, through the Council of Regents, promoted the need to address gender and racial discrimination through a number of voluntary incentive programs directed at the college sector. However the prevailing assimilationist organizational norms were not supportive of these initiatives and they had little impact within the college. Mark Michaels characterizes the management approach to equity at this time,

> During the Spector years with XXXXX and XXXXX…..It (Human Rights) came out of HR (human resources) but not a lot of people paid any attention to it. But, again, our president at the time was more involved in public image...the biggest event of the year in the Bob Spector days was the golf tournament...it was old corporate, old boys kind of thing (2000).

As is often the case in assimilationist institutions, state imposed equity initiatives without accountability mechanisms and local support were ignored or set up for failure (Table 1). This is accomplished by putting the onus of major initiatives on the shoulders of overloaded staff, staff with little or no power to implement meaningful change, and uncommitted staff/managers who fail to operationalize initiatives (Prasad & Mills, 1997). In addition to delegating responsibility to such individuals, senior management also delegated or established these offices ‘without
sufficient resources or sufficient access to decision makers in the organization’ (Jackson, 1990). That the Human Rights office existed at all was due to the equity advisor who was able to convince the president that having a human rights office was a matter of managerial prudence. According to Human Resources Officer Lydia Craven, the equity advisor displayed characteristics of a tempered radical, acting in the interest of the organization and advancing supports for equity,

......a great deal of it has to do with XXXXX XXXXX and her ability to have the ear of the president...she was politically smart enough to say to Bob, ‘you need to keep this going because this is what’s coming down the pipe and we have to be seen at least to have something in place with respect to equity.’ At that point (mid 1980's) the demographics were beginning to take shape where Urbanberg was seen as a catchment area for visible minority immigrants. Because of her, the affirmative action office was maintained (Craven, 2000).

In 1987 the Ontario Women’s Directorate and the Ministry of Education and Training provided a four year funding package to the college system to increase the participation of women in all categories of employment. There was also funding that colleges could apply for to initiate ‘multicultural/race relations’ programs as well as funding for students with disabilities (Ministry of Colleges and Universities, 1991). The college’s Director of Equity applied for and received funding for all three years. Correspondence retrieved from UCC’s Human Resources storage supports Craven’s and Michael’s assertions that the administration’s approach to equity was assimilationist (Table 1). In 1988, prior to a presentation to the senior management team on the government’s Employment Equity initiative, the Director of Equity sent a memo with the following directions to the Director of Human Resources stating, ‘I want to...remind them that we are doing this’ (College, Human Resources, 1988). The college had received $23,000 from the government and contributed $8,000, as they were required to. However, the college’s strategic goals 1989 - 1992 make no mention of human rights or the employment equity
initiative. In keeping with the corporatist managerialist perspectives it does reference emerging issues such as the information society and the need for closer relationships with employers. Even the strategic goal for The Human Resources Department, where the employment equity initiative was housed is silent about this initiative. However, one of the seven mission statements at the time does reference liberal notions of equity, perhaps acknowledging the emerging public discourses in the larger society and developments in the public education sector and in government ministries (Table 2), “....We care about our students, as we care about each other, celebrating our achievements and respecting our differences with tolerance and dignity” (Human Resources).

During this period, ACCATO (the college system’s management consortium) held a ‘race relation conference’ to encourage colleges to develop Race Relations Policies. UCC’s approach to this initiative gives us further insights about management’s attitude towards equity at the time. It also demonstrates the gate keeping role human rights staff plays, as well as the limitations of activist stakeholders (such as the faculty union) where equity is defined within rights based parameters. The construction of equity as complaints procedures in assimilationist organizations that are hostile environments for minoritized peoples leads to processes designed by corporate lawyers that meet minimum compliance requirements and maximizes the protection of the institutional liability when allegations of human rights abuses are brought forward as complaints (Bacchi, 2003; Neal, 1998). In spite of protestations from the faculty union to involve stakeholders, a requirement by ACCATO, UCC commissioned the college’s corporate lawyers to develop the Race Relations/Multicultural policy (Fox, 2000). By shutting out stakeholders, human rights policies met technicist managerial needs and not those of the wider community. Managerial discourses of human rights view harassment and discrimination as individual
problems, not systemic issues. Such policies are not instruments of organizational change, there are no reporting requirements to the larger community and no data collection that may lead to the identification of systemic issues. Implementation strategies designed to fail and the lack of monitoring or evaluative mechanisms ensure that the policy will not be used by most individuals experiencing harassment and discrimination (Jackson, 1990). UCC’s senior management sent a message to managers to continue with the status quo since they had no vested interest in carrying out state sponsored human rights initiatives.

A number of studies have documented the experience of minoritized people in assimilationist organizations. For instance, it is not uncommon to experience a wide range of oppressive behaviours and practices such as marginalization, contempt, condescension, exclusion, etc. Without effective mechanisms for redress, victims of discrimination have few options but to leave a hostile environment or endure it for financial reasons. If dealt with at all, systemic issues are migrated outside the organization to human rights commissions (Bishop, 2003; Brand and Bgaggiyaddatta, 1986; The Chilly Collective, 1995, Morgan, 1996).

True to the gate keeping functions of human right workers in assimilationist organizations that see themselves as neutral, or as administrative allies, equity staff make exorbitant claims regarding the organization’s leadership in the area of equity that are incongruent with the college’s strategic plan and practices during this period. Their year-end report to the Ministry of Colleges and Universities for 1987/88 states, “UCC has been in the forefront since 1976 in providing leadership and actively participating in equity issues in the college system in the Province. This year, as well as strengthening the current equity policy, the College will put in place an Aids Policy and a Multicultural/Race Relations Policy.” However, according to Fox (2000), “The Human Rights Policy procedures were never
implemented......none of the things that were in it as part of an implementation plan was actually carried out .....” David Jensen provides further insights about the college’s human rights policy approach:

...the college didn’t have any mechanism in place to deal with issues of diversity. It wasn’t pro-actively seeking a diverse population, it just inherited it and it had no way to identify or get a handle on where the potential powder kegs of discrimination, racial issues were going to stem from within the college. ....The college put in place a very poor knee jerk reaction by putting in one human resources officer around 1988/89.....The title was Director of Education and Employment Equity. When they couldn’t deal with student difficulties, she was then given the responsibility to deal with what was viewed as these few pesky human rights complaints that were coming from the student base. Predominantly with the instruction, [the attitude was] pat their heads, nurture them, make them feel good and ship them back to class......Whose problem is this really? No one really knew. And anytime you’ve had discontented inhabitants, whether they be faculty, staff or students, the natural instinct was to ship them to HR. HR was the place that dealt with upset people no matter what the cause........What else could she have done? She had no system; she had no initiative to try to begin to identify what are the root causes of these difficulties (Jensen, 2000).

Fox (2000) suggests that the college management not only ignored harassment and discrimination, but also perpetuated a hostile environment through inertia, and indifference,

.......it became much more...let’s just put the lid on things and when we complained because we didn’t like this turn of events (transition from Douglas to Spector years)...we were always told, ‘well there hasn’t been a problem’ so the goal was to keep a lid on things....By the late eighties you get a wave of diverse students, and this is the lid XXXX kept up. Students were complaining primarily about things teachers were saying in class... racist, sexist...

In assimilationist organizational cultures where racial, gendered and other forms of discrimination are interwoven into everyday practices and norms, tempered radicalism is not a viable strategy to advance equity for those in expert roles. The disciplinary power of unspoken/unwritten discriminatory policies and practices, attitudes woven into managerial functions make it impossible for equity practitioners to engage in organizational change initiatives. However, a human resources colleague of the equity officer suggests that she did
engage in acts of tempered radicalism and did accomplish a number of things in spite of the assimilationist management culture,

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........ The institution did not support the work XXXX was doing...XXXX did a great deal...and she was doing it in isolation, she was doing it on her own....The fact that she could do anything was quite incredible. XXXX would attend every orientation at all campuses. XXXX would mediate where she could. XXXX applied and received funding for the Women’s Safety Program which still exists today. XXXX was also instrumental in going into classrooms and assisting faculty and she was only one person and she had no assistance. I remember many colleges (equity advisors) complaining about the same thing (Craven, 2000).

A senior administrator who campaigned against human rights initiatives (and management representative on the human rights stakeholder committee) during the development and implementation of NDP equity initiatives suggests that the Director of Education and Employment Equity took a ‘neutral’ approach, ‘XXXX took a middle of the road position. She was not one sided, nor was she on a crusade for human rights’ (Levy, 2000).

David Jensen suggests that assimilationist organizational norms prevalent at the time cannot be blamed entirely on management; that the disciplinary power of liberal discourses on equity circulating in the broader society extended to all of the college’s stakeholders. Specifically, he suggests that the unions also bore some responsibility for UCC’s hostile climate towards equity. During this period they were largely silent on equity and provided very little resistance to management’s approach. He points out that it was the provincial government (through the grassroots efforts of anti-racist/feminist activists) that was beginning to push the issue of human rights and while it was acknowledged in collective agreements, no workable mechanisms were established:

The other thing that they (management and union) weren’t recognizing was the emergence of a very strong human rights code within the province. Unions were not always organized around human rights at the time either..... I think that some of that attitude existed within the unions.....because each collective agreement for instance
referred to Human Rights Code but didn’t deal with those issues. It was always viewed as, that’s dealt with externally, and it is not within our jurisdiction to deal with that. That’s the college (institution’s responsibility). It was reinforced through collective agreements. Both the faculty and support staff collective agreements refer you to the Ontario Human Rights Code. There is no attempt within either collective agreement to process this kind of issue. So in its simplest terms it was always viewed as, ‘its not my department, we don’t do that kind of thing here.’ Nobody clicked on that there was an obligation emerging from the Code to prevent things that were being created from going to the Commission. So, in general the college found itself with this pressure but didn’t know what to do with it and they let it slide right through into the early nineties (Jensen, 2000).

Dr. Angela Ranger57 (Professor of Economics) agrees with Jensen’s assessment that the faculty union was initially caught off guard and was slow to respond. She acknowledges that unlike most college faculty unions in the system during this period, they did respond. ‘The faculty union became really involved during this period; I believe that in the early days, between 1980 and 1990, they didn’t really do that much [about racism]’ (Ranger, 2000). However, it became apparent to some that as the numbers of students of colour increased and new employees joined the college the climate began to fester noticeably. Jensen (2000) recalls the increase in incidents at this time:

It was becoming evident that there were pressures as the population continued to get more diverse. The Student Association (SA) began to voice concerns. Students didn’t know where to turn. So their natural instinct was to turn to the SA and say, ‘Is this allowed? I don’t understand why I come to this college and this happened to me or I received this kind of treatment or these kinds of attitudes.’ And I think it was that point in time that the SA....unwittingly turned into a minor advocate to stand up and say to the college, ‘where do you take this stuff? Doesn’t seem to be a place where you take this stuff.

Zack Shivan, Chair of Management Studies, School of Business, who was hired as a faculty member in 1985, was one employee who chose to endure the chilly climate. He recalls the experiences of at least two racialized faculty members who left because of the

57 All names of college employees are pseudonyms
hostile racist behaviours of colleagues and the Chairs in their respective departments. He
recalls some of his own experiences with exclusion and stereotyping,

....when I joined the department in 1985 I was one of few visible minorities, when I
looked at contract faculty (part-time faculty) there was hardly any...Socially I received
the cold shoulder (by colleagues in the department). Socials would go on and I was
never included....I was an outsider. However, when I became chair (two years ago) a
lot of invitations were extended. It was definitely there (discriminatory attitudes), the
treatment of students too, the way they were spoken to, it was different. They were
stereotyped as lazy, not up to par intellectually. Up to two years ago one of our contract
faculty mentioned that he preferred teaching at College X because most of the students
there are white (Shivan, 2000).

Dr. Angela Ranger recalls her experiences with systemic discrimination during the hiring
process when she applied for the position of Dean of Arts and Sciences and her subsequent
decision to challenge the hiring decision. She surmises that her experience is a common
organizational phenomenon where either white women became the default position for equity or
there is blatant discrimination against particular racialized bodies (Lopez & Thomas, 2003;
Prasad, 2006). Because Ranger took her complaint to a number of external bodies and attention
was focused on the college, both management and union approaches shifted:

....The biggest problem at UCC is middle management: they are the ones who do the
hiring and sit in the hiring committees and they are the ones who make the
recommendations to the dean, vice presidents and the Board about who should or
should not be hired. They are the ones who go through the applications and decide who
will be interviewed. When it comes to hiring they have a lot of power......I remember
at my interview (for the Dean of General Arts and Sciences, 1993) The Director of
Equity got very antagonistic towards me because I challenged them when I proposed
that I would work to make the college a more diverse community (in the role of Dean)
and I told them that UCC did very little to promote diversity within the college, even
when it was Black History Month, which I have some reservations about. I was not
hired for that job. But because of the way that the entire process was operated I
complained to the Council of Regents and to the Faculty Union. The Chair of The
Council of Regents contacted the president. And it was at that stage that the president
said that when I walked into that interview she was apprehensive because it was
fourteen white people sitting there to interview me...I am not saying that I was
responsible (human rights initiatives often get reviewed in non discriminatory
organizations as a result of a crisis or when a complaint goes external) but I think that it
was the catalyst (UCC recognizing the need to have effective mechanisms for dealing
with human rights violations). And, I also complained to the Ontario Human Rights Commission but I withdrew because I didn’t feel like going through the process. But at that juncture they decided that they would change the procedures for hiring. There was a fledgling human rights committee based out of the faculty union and run by Elisa Fox (Faculty union president) so they decided that people who were members of this committee would get to sit on all the hiring committees. I became a member of the human rights committee (around 1993/94) but I quit because I thought it was a useless body. The college did have a Human Rights Office but they weren’t interested in visible minorities, they were just interested in promoting white females.....I used to complain before (about this issue) but nothing ever came of it (Ranger, 2000).

Another phenomenon common to assimilationist organizations is the ostracization of privileged social group members who challenge prevailing norms. Jackson (1990) claims that this is one of the reasons assimilationist organizations are difficult to transform, ‘White people support other White people who go along with or don’t challenge racist attitudes and beliefs and whites also punish other whites who challenge racism and racial bias’. Dr. Angela Ranger provides an example of this, ‘...Another faculty member from the English Department wrote a letter to the faculty union’s newsletter, *Underground*, I believe, complaining that the English Department, in particular, did not have any visible minority people at all and looked like apartheid South Africa which was very brave of her. She was one of the few (white) people who were supportive, but people were very upset with her. She wrote the letter after Wally [Black faculty member] and I had several discussions with her about the situation’ (Ranger, 2000).

Mike Ricards, a union steward and one of the founders of Underground, was also ostracized by fellow faculty when he started to challenge the dominant discourses within the organization and began criticizing UCC for failing to address racism and sexism within the institution. An article he wrote for *Underground* on March 23, 1990, ‘Changing Our Culture: The Applebee Challenge. The First Step in Solving a Problem is Admitting You Have One,’ detailed some of the incidents experienced by both employees and students. The article created an uproar from both faculty and administrators. Automotive Chairperson XXXX XXXX categorically denied the
truth of its contents. “I don’t believe that it [sexual harassment and racism] exits at (campus X),’ he fumed to Chief Steward XXXX XXXX.’ Ricards went on to say, ‘...collectively a large segment of the faculty who supported Spector was the problem. When we wrote articles detailing the experiences of racism, they would say to me, ‘XXXXXXXX (Vice President Academic under Spector) is such a nice man, if only you got to know him.’ I took a lot of faculty criticism and was made to feel quite uncomfortable on more than one occasion (Ricards, March, 2000).

4.6 Enter The Faculty Union.

In the mid early/mid 1990’s, organizational developments gave the faculty union considerable political power as they resisted management’s assimilationist/industrial approach to human rights and labour relations. The Spector/(VP Admin) administration antagonized faculty of all political stripes with their industrial style of labour relations and the union’s newsletter, Underground, became a powerful discursive weapon against a management that was out of touch with social and legislative developments occurring within government and the larger society. As the activist efforts of grassroots community/parent groups, anti-racists and feminists were transforming government approaches to equity in terms of policy, programming and funding to educational institutions UCC’s managerial approach was becoming both a liability in terms of governance, and an embarrassment in terms of evolving discourses of equity within the larger society and most importantly within the provincial government of the day.

Underground, the faculty union newsletter was founded after the first strike in the Ontario college system in 1984 by union steward, Mike Ricards. The newsletter lampooned what it perceived as management abuses of power, incompetent management, and starting in the
early 1990’s the administration’s failure to address discrimination. The newsletter was widely distributed among other colleges, in union circles, and the provincial government. Labour Relations Officer Lydia Craven comments on the power the union had taken in *Underground*,

Labour relations were at its lowest point; *Underground* at that point was just a terrible publication for all of the bad things that were going on at UCC. And that publication went all over, it went to the government, OPSEU sent that to everybody and their brothers...It filtered out into the community, employees at the college were feeling that things were not changing, nothing was improving, the morale in the college was very low (2000).

Fox (2000) similarly comments on the critique of management’s labour relations approaches,

The college was known in the system as having the worst labour management relations. That was with Spector.....they didn’t respect the collective agreement...They were in constant violation of the agreement...We had a lot of grievances, we just didn’t have a lot go out. As soon as they did that stuff (violate the collective agreement) we wrote it up.

It was also through *Underground* that some members of the faculty union executive openly challenged the institution to deal with discrimination. *Underground’s* founder Ricards makes a powerful plea for honouring one of the fundamental mandates of the college system when it was founded; community accessibility:

....Sexism and racism are ills that can blight any institutional environment, and symptoms of their presence at UCC have erupted with disturbing frequency in the past

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58 Tensions were brewing in Ontario’s colleges since the 1984 strike. Barrett and Meaghan (1990) suggest that instructors reluctantly became politicized as a result of ‘deliberate attempts by college managers to solve a government imposed financial crisis by restructuring curriculum and labour processes within the college system. College deans were unlike academic leaders and were more akin to the foremen in an industrial shop. The result was loss of professional autonomy, technical deskilling and changes in class size.

59 In addition to the union, a number of individuals began to organize initiatives on their own and/or within their departments. For example, faculty member Sandy Bernard submitted a Preliminary Report on Sex, Race and Class Bias at UCC (July 6, 1989) to the General Arts and Sciences Department: urging the college to take a more active role in addressing discrimination. In the report she identifies the work being conducted by Enid Lee and others at the North York Board of Education and made a number of recommendations on climate and curricular issues. Marylin Kanee (professor of Social Work) was seconded to the Center for Instructional Development in 1994. Using an anti-oppression/intersectional framework she began integrating human rights into a number of courses in the teacher of Adults Program (mandatory courses for full and part faculty) and working on issues of curriculum transformation.
few months. We can no longer afford to ignore these symptoms; community service and institutional integrity demand a response now. UCC’s original and still reigning raison d’être’, like that of all Ontario colleges of applied arts and technology, is community service—in the largest sense of both A community’ and ‘service’ .......To the people of XXXXX and XXXXX (Boroughs of Toronto), UCC is a community college--their community college--doors open to all who wish to take advantage of what we have to offer...No community college is an island. If we are truly to serve all the communities who are now represented at our college, the appearance of problems like sexism and racism in our midst must be seen as a challenge and an opportunity, a chance to help change attitudes and behaviour... (1990).

Why did the faculty union become a champion of human rights with a largely conservative membership? According to Underground’s editor at the time, Ricards, the union leadership had political leeway with their conservative membership because of their successful bread and butter (Business)\textsuperscript{60} union approach to enforcing the collective agreement:

Ramos (chief steward) always looked after the bread and butter issues of the contract. In fact he is the best chief steward in the province. Even though we (leadership) were into social unionism we didn’t require this commitment of our members. So in essence they were happy to have a mad dog on a leash (Ricards, 2000).

Fox (2000) elaborates on how the membership dealt with her liberal feminist approach,

It’s what I have always done; it’s almost an unstated deal that I have with my members. I have always been a proponent of women’s rights primarily, and of course the human rights stuff. They let me do it because I do a good job at being president and running the local union and they get the support that they need and they know that they can count on the union. Whenever they need the union, the union is there. So, because of that they let me do this...I am always aware of that and so I know how much currency I have, and so I’ve got enough....Well, they don’t necessarily support me on it, but what they’re not going to do is turf me out because of it....They may not understand the full implications (of what is required to bring about equity)

Underground was so effective in taking away management’s authoritarian legitimacy that a common refrain among managers and their supporters was, ‘the union runs the college, managers have no power’ Dr. Elisa Fox suggests that using the failure to follow the collective agreement had wide resonance in a unionized environment:

\textsuperscript{60} As opposed to social unionism more common to European unions
If you dig deep enough and ask those people what they mean by not having power, it means that they can’t do whatever they want to do…..and that is true….There is a collective agreement and we enforce the collective agreement very stringently at this college. .....Underground is a big part of it...They hate Underground. They’re embarrassed whatever….. We use it to get back at them. It hasn’t brought about change; otherwise we would have good management. It’s what workers do to managers; we just put it in writing because we are academics...Workers talk this way in coffee shops all the time. The bosses, managers don’t know what the workers say about them and maybe what Underground does is show the bosses what workers everywhere say (Fox, 2000).

When Spector attempted to shut down Underground and fire its editor and the union president, Urbanberg’s West MPP wrote an open letter to Spector in Underground,

I am appalled that you would attempt to use your office to stifle the union’s right to publish whatever it chooses.....The fact is the college has no right whatsoever to silence a union publication or indeed attempt to influence directly its editorial policy.....It is your attempt to silence your critics that brings disrepute to the college.....

According to Craven (2000), the Spector era came to an embarrassing end,

....This is pure speculation on my part but Bob Spector had driven the college’s reputation in the community to a very, very, very, low point....in terms of the college’s perception in the community it was very bad...We weren’t seen to be proactive(with respect to equity) we weren’t seen as trying to create partnerships in the community....It was a very internal kind of senior management they didn’t reach out, they felt that the community should come to the college as opposed to doing outreach (Craven, 2000).

The public discourse around equity in the early 1990’s shifted significantly. Individuals and grassroots community groups working within school boards and other public institutions paved the way by providing models of anti-racist/feminist organizational change through the development and implementation of initiatives in the areas of ‘culturally appropriate’ service delivery, curricular change and fair hiring practices. The major unions supported these developments as the demographic composition of their membership was rapidly changing.

Human rights language was written into the collective agreements of both unions (faculty and support staff) (Jones, 2000). This was a time of both heightened awareness as well as
polarization on these issues of equity and social justice. However, for neo-conservatives these were deeply troubling developments. Human rights advancement in the educational sectors and government in part provided the impetus for the ‘culture wars’ during this period. Neoconservatives claimed that ‘political correctness’ and the heavy hand of big government was restricting the rights and freedoms of individuals and ‘special interests’ were waging a war on the traditional straight, white middle class family.

In the late 1980’s and early 1990’s there was heightened public awareness about discrimination as numerous police shootings of young unarmed Black males occurred under questionable circumstances. In addition, there was the shooting of native leader JJ Harper, the Oka Crisis, and numerous reports and studies confirming widespread discrimination in justice and educational systems. These events coincided with the election of the socially progressive NDP government in Ontario. In the midst of these developments both the president and vice president retired. Neither was supportive of human rights, and as managers with strong assimilationist tendencies (Table 1) they didn’t grasp the significance of massive demographic shifts even as a ‘business imperative’ promoted within emerging managing diversity discourses. As a result, they did not take seriously provincial government policy developments initially in the areas of gender, and later racial discrimination. Even though there was the appearance that the college was doing something, the lack of leadership, insight and support meant that nothing significant occurred to prepare the college to face challenges within its internal and external environments. The leadership not only failed to grasp implications of huge demographics shifts, it failed implement minimal legal obligations under existing government legislation. *Underground*’s persistent reporting on these transgressions resulted in a loss of managerial legitimacy for this administration. Consequently, the institution was in a state of instability.
Organizational leaders were at a loss as to how to address the human rights crisis as they set out to put a new administration in place.

**TABLE 2**

<p>| HUMAN RIGHTS DISCOURSES IN ONTARIO’S POST SECONDARY/ STATE ORGANIZATIONS 1970’S – PRESENT |
|---------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------|
| Subject/s | Racialized Immigrants/ Others | Systemic Discrimination | Programs and policies to eliminate systemic discrimination | Managing the diverse workforce |
| Site of Struggle | The State: defining the national culture | Institutions: Education, health, social services, justice, housing, employment | Media, Postsecondary institutions, | Global Institutions Post Secondary public/private sector Internationalization |
| Major Issues | Cultural Inclusion vs assimilation Exposing exclusion and oppression -Split labour market/neo colonialism | Equity Violence against minoritized bodies | Equity Backlash: reverse discrimination, academic freedom | Cultural Competency management of difference for profitability, conflict reduction, productivity |
| Dominant Players | The state, feminist/ ethnic/ Racial groups | Social activists, unions, community groups, progressive academics, various branches of state | Mainstream media, neoconservative think tanks, conservative academics, religious fundamentalists | Corporations, Public and private institutions and government |
| Institutional Responses | Essentialist multicultural programming Funding for cultural retention, immigrant adjustment | Anti-racist, feminist pedagogy, labour education, Heritage education Equity policies/programs developed in government agencies and institutions Many universities establish Status of Women Offices | State imposed Employment Equity human rights policies in Ontario post secondary institutions, inclusive curriculum for public schools, equity programs for Ontario government ministries and agencies GLTBQ issues incorporated – positive space campaigns in colleges and universities | All universities have human rights/diversity offices who deal with complaints but no mandate for systemic/ organization change Formalization of human rights as a complaints issues |</p>
<table>
<thead>
<tr>
<th>Unresolved tensions</th>
<th>Processes of Resistance and recuperation</th>
</tr>
</thead>
</table>
| Erasure of First Nations  
State funding promotes essentialism  
Equity Pograms for some not others  
(Affirmative Action) for women (white)  
‘progressive’ discourses don’t critique capitalism, omission of GLTBQ issues  
Identity politics  
Constraints on activist community groups through funding criteria  
Competing hierarchies of oppression  
Tensions among GLTBQ, anti-racist and feminist analysis  
More possibilities for hybridization  
But reemergence of identity politics  
Corporatization of human rights  
Masks operation of oppressive discourses  
Ideology of privatization and erosion of rights programs |
| Anti-racist movements emerges in response to mc and white solipsism of dominant liberal feminism but reproduces oppressive tendencies through cherry picking of intersecting social identities  
Rapid gains in human rights policy and programs at state and public institutional levels  
Massive funding of right wing think tanks to shift public discourse of equity social justice  
Discourses of equity overwhelmed with political correctness, backlash from culture wars  
Dismantling of human rights programs – employment equity and other policies  
Human rights/ Social justice as commodities  
That serve business interests expand markets Globally |
CHAPTER FIVE

Strategic Alliances: the Faculty Union, Tempered Radicals, and the Vice-President: Phase 2(1992-1999)

*Those of us who want to intervene in organizations, in order to produce new power relations within them, inevitably risk various types of complicity with the already dominant organizational powers. We must choose between the possibilities of being co-opted and the possibilities of being marginalized*

(Jones and Stablein, 2006: 145)

5.1 Introduction

In this chapter I examine the factors that led UCC to develop one of the most progressive post secondary human rights policy texts contrary to a newly elected provincial government (Harris Tories) riding the wave of a neo-conservative backlash. I argue that rather than a clear-cut managerial commitment to equity and social justice, this was possible because a number of factors converged at a particular time and space within this institutional context. First, there was the managerial/business dilemma of addressing harassment and discrimination or risking the college’s reputation among its increasingly demographically ‘diverse’ ‘client’ base (recruitment). Second, there was the need to repair a fractious labour relations climate, particularly with the faculty union, since this institution had garnered a reputation for having the worst labour relations in the college system. Third, a socially progressive provincial government had imposed a human rights framework on postsecondary institutions that conflicted with the college’s managerial practices but provided a ready made strategy to address this organizational crisis. Fourth, these particular human rights advancements by the state (NDP) countered assimilationist discourses within the college and legitimized the idea that discrimination is a systemic phenomenon and de facto in most organizations. Fifth, the timing of these events elevated the faculty union as power brokers, based on their emergence as champions of human
rights during the early 1990’s. Sixth, the union exerted this influence in the recruitment and selection process of the Vice-President hired to implement the state imposed human rights mandate, and repair the fractious labour relations climate. Seventh, this vice president put together a team of activists/ ‘tempered radicals’ that included individuals with backgrounds in anti-racism, feminist pedagogy, GLTBQ advocacy, and labour activism. Finally, this team established an infrastructure and human rights policy framework that attempted to push the college in directions inconsistent with its dominant assimilationist ideologies and practices.

I argue that features of transformative human rights policy development continued after external directives from the state no longer required them (i.e., defeat of NDP and subsequent rescinding of state sponsored human rights legislation) because the vice president and human rights workers engaged in practices of tempered radicalism (Meyerson & Scully, 1995). To legitimize structural/organizational change, tempered radicals used discourses of the law and emerging neo-liberal ‘managing diversity’ discourses of equity to position these developments as prudent managerial practices.\(^{61}\) A largely disengaged senior management team adopted these approaches, buying into the argument that it was necessary to address the college’s growing legitimation crisis among internal and external stakeholders. However, processes of resistance and recuperation particularly from the institution’s hegemonic centres (conservative managerial core), still operating within assimilationist ideologies of the previous administrative era brought these developments to a dramatic end. The organization’s managerial instincts reverted to dominant assimilationist and emergent neoliberal diversity discourses (see Table 3) in its

\(^{61}\) ‘Discourses of the law’ refers to rationalizing particular policy directions by claiming that the law requires it and without these policy provisions we are exposing the college to increased liability. This was used in the context of heightened awareness of the high instances of incidents of harassment and discrimination within the institution. Managing diversity was used to argue that these were prudent managerial choices given the demographic shift in the student population.
interpretation and implementation of the human rights policy framework in the subsequent administrative era (Frazer, 1989; Jones & Stablein, 2006).

5.2 Constraints on Managerial Decision Making

When the College’s Board of Governors set out to search for a new president in 1993 there were three key criteria. An individual who could fulfill the mandated human rights policies of the NDP government, repair the college’s image in the community and ease the tense labour relations climate. Internal and external developments constrained the assimilationist impulses of decision makers in the selection process. Aspects of anti-racist/feminist discourses informing the state’s human rights agenda conflicted with managerial Eurocentric/patriarchal assumptions as support staff union leader, David Jensen surmised in the previous chapter. However, dominant neoconservative discourses circulating in the mainstream media legitimated managerial views that the state’s equity interventions were another example of ‘big government’ and ‘special interest’ groups pushing ‘political correctness’ on ‘regular Canadians’ (Weir & Richler, 1993).

Emerging concurrently within neo-liberal discourses was the recasting of equity as ‘managing diversity’; a discursive shift in focus from changing systems of oppression, to commodifying otherness. Managing diversity focused on the Demographic diversity as opportunities for profitability, conflict reduction and worker productivity (Kossek, Lobel and Brown, 2006; Prasad, 2006). Though in their infancy, these discourses were beginning to gain traction in managerial circles with the publication of Workforce 2000 (1987).

Within this shifting discursive terrain (Table 2), the college’s management set out to fill the vacancy in the president’s office. The Board was looking for an individual to stem the legitimation crisis and manage the organizational implications of emerging equity/diversity obligations. Broader societal and organizational realities had moved ahead of this institution’s
administration, as a former human rights manager observes, “the emerging communities were no longer emerging, they were here’ (Duga, 2000). By the early/mid 1990's the dramatic demographic shifts in the student body exposed the latent racist, sexist and heterosexist attitudes and practices within the organization. Most of these students came from the Toronto catchment area where many schools had been integrating labour studies, anti-racism, gender studies and to a limited extend LGTB studies into mainstream curriculum (Table 2). For students who had acquired tools for social literacy, the assimilationist educational environment of the college was disconcerting. As former support staff union leader David Jensen suggests,

What was happening was that the community was changing...the college was not responding to this. Members of the new generation were more sensitive to these issues (human rights) and came into the college system expecting an environment that already had an awareness and mechanisms to deal with it (discrimination). So, what eventually emerged were differences that became apparent in the organization. In other words, students found that they had need for recognition of the attitudes that existed in the college; that something should be repaired (Jensen, 2000)

Jensen also adds that the pressure from the state for the post secondary sector to interpret the implications of human rights legislation in the provision of its services and operational activities was a managerial obligation that colleges and universities had evaded for some time,

I am going to be incredibly cynical here. It was becoming evident that the provincial government was losing its tolerance for institutions that were not getting on board (with respect to human rights). The pressures of employment equity, pay equity, the Ontario Human Rights Code were now realities. They weren’t off to the side, and you couldn’t pretend that they weren’t there. People were starting to use them. The power of that legislation is being tested. It was being upheld and there was more and more pressure coming from the government to institutions, particularly public sector institutions which were meant to lead the way. You have to be an exemplary example of the provincial initiative. There was an expectation that the college serves everyone. Be the first to stand up and say, ‘this legislation means something and we intend to enforce it. We will not tolerate abuses of human rights’ (Jensen, 2000).

The observations of Dr. Angela Ranger from the previous chapter illustrate the relational and complicated nature of power as provincial government expectations placed severe constraints on
managerial decision making when the college was still operating within a patriarchal assimilationist managerial culture. Yet within this climate Mabel Hendricks was appointed as the first female president in 1993. This was a move that was certainly aberrant to the existing managerial culture (Brock, XXI, 2003).

I don’t think the college leadership necessarily wanted to change the culture because Hendricks came in at a time when the NDP government was trying to implement employment equity and the hiring consultants and the Board of Governors took that into consideration when she was hired. A lot of this push came from outside, it was external political pressure (Best, 2000).

The success of the new president in large part rested on establishing a working relationship with the union. The faculty union president alleges that the president made it clear that her legacy would be repairing the labour relations crisis. So she decided to use this information to advance human rights in the organization (Faculty union President, 2008). Operationalizing the Board’s managerial priorities rested on cooperation and concession with the faculty union. Both the state and faculty union were imposing human rights demands on the college. However, those charged with policy implementation and wielding considerable instrumental power at the ground level (Deans, Chairs and Program Coordinators) were skeptical of the state’s human rights agenda, and viewed the new president’s approach to the union as confirmation of the political correctness of the day. For these managers, the union was wielding too much power. This group perceived the new management – union collaborative approach to human rights and labour relations as detrimental to the college. As one former academic chair states,

Basically, what you have with Hendricks is the politics of appeasement with the union. She wanted achieve good labour relations whatever the cost. Hendricks was hired with a mandate to fix labour relations and carry out the NDP policies (Levy, Academic Chair, 2000).

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62 Hiring, firing, disciplining, providing rewards and incentives and setting the standards within departments.

63 Rights based complaints procedures were minimum requirements of the Ontario Human Rights Code even though the Harris Tories dismissed the relevance of this body.
Michaels, another manager, comments on the new managerial style and the dissonance it created with ‘traditional’ managers predisposed to the industrial model of labour relations,

It worked with Mabel in a different way, (relationship with the union). By the time Mabel comes along the union is portrayed as, ‘you know, hey, these folks run the college, you’ve got to be careful of them’ and ‘You’d go down to the presidents office and there were union people living there...What the hell’s going on here? Who’s running the college?’ .... what she did was by example taught managers how to behave towards the union.....

One of the demands the faculty union president placed on the president was that of union representation on hiring committees of college administrators. When the position of Vice President Student and Community Services became open, Hendricks needed an individual who could oversee the rigorous technical and educational/training demands required of implementing employment equity, as well as those associated with the implementation of the Harassment and Discrimination Framework Document. She also needed someone the union would work with to repair the labour relations climate. Dr. Elisa Fox demonstrates the union’s increased power and influence when the organization hired its first Black/racialized vice-president (Paul Douglas). Fox also discloses the union’s human rights analysis around identity politics (and competing hierarchies of oppression) in describing the union leadership’s internal debate about whether to go with a woman [presumably ‘white’] or a racialized candidate, 

...one of my goals in being on the hiring committees with Mabel’s new hires was to reverse this, to get back to the way we had before, only now when we started the second, well, we had the debate whether we should go with the separate women’s ....we decided to go with the whole shebang of human rights........One of Mabel’s goals when she came here was to improve relations with the union so she had a selection committee

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64 Unlike most of the universities and many colleges UCC’s management was forced by circumstances beyond their control to go along with the state’s mandate and not subvert it. The state required of post secondary institutions strategic planning as we as human rights organization change skills sets to carry out it equity initiatives.
65 Pseudonym
66 This revelation does give credence to Lopez and Thomas’s (2003) concern about white women being the default position for equity. Since this was certainly the trend in this institution, as well as, previous government affirmative action programs of the 1970’s and 80’s.
which had a core which was the president of the student association, the presidents of both locals and Mabel. And I had a goal of an affirmative ... at least one visible minority in the hiring (pool), and again it’s not that anybody else had that objective but they didn’t fight it either, obviously we’re not going to hire someone who can’t do the job, but if we got somebody who could do the job we will do a deliberate affirmative action hire (Fox, 2000).

5.3 State Constraints on Managerial Decision Making

Symbolically, the Employment Equity Act (the Act) was a major advance over the Ontario Human Rights Code (the Code) because it moved beyond individual rights based on victim driven processes and encouraged institutions to develop proactive measures to deal (albeit voluntary and non-enforceable) with systemic employment discrimination. This was a direct challenge to assimilationist discourses of meritocracy that views discrimination as individual acts of bad behaviour. It suggested that systems of privilege function to advantage and disadvantage individual based on social identity and identified four categories of minoritized groups. It put forth the idea that organizational inequities are rooted in historical, social, economic, and political processes. However, it was an anti-discriminatory measure within the liberal ideology of equality of opportunity. Consequently, the Act did not challenge the broader structural basis of inequality, neocolonialism and the capitalist economic system, responsible for immigration and migration patterns and the displacement of indigenous peoples (Abu-Laban & Gabriel, 2002). Employment equity encouraged institutions to identify how discriminatory ideologies and practices are normalized in work procedures, policies, and the human resources systems, and what organizations needed to do to create equitable conditions for four designated identity groups.

The Code operates within the tradition of legal liberalism where justice is retributive and focuses on individual claims. While it identifies what constitutes acts of discrimination,
identifies targeted groups and attempts to enforce societal standards, it relies on ‘victims’ to use adversarial complaints based processes to achieve justice. The Code, generally, tells an employer what it cannot do; the Act told employers what they must/should do if they wanted to create equality of opportunity for available jobs within existing systems. The Act required accommodation of designated groups whereas the Code requires accommodation of individuals. In effect, the Act was a state imposed human rights organizational change strategy which acknowledged the limitations of the Code to address systemic discrimination. It established a process whereby institutions could examine normalized procedures (seemingly objective practices and procedures) that presented barriers in the workplace for certain identity groups.

Although the Commission has worked to educate employers and others about discrimination in its various forms, the human rights model provides no vehicle other than the complaint, to promote true equality of opportunity. Each complaint is focused on one employment event or practice, where there may be others in need of review. Even when discriminatory practices are eliminated as the result of a complaint in one workplace, there may be many other workplaces where the same practice continues unaffected.....prohibited discrimination within the meaning of the Code, does not include the concept of failing to promote equality of opportunity....Although the notion of discrimination was interpreted broadly by the courts to include a duty of accommodation and a concept of systemic discrimination, it became clear that in order to create a climate of equal opportunity, it would never be enough to simply tell employers not to discriminate and then to challenge discrimination on a case-by-case complaint-driven basis. Many employers did not understand that it was often the very manner in which they had chosen to structure the workplace, or the work itself, which resulted in unequal opportunities (Murray, Gillespie, Seaborn, Brooks, 1994).

The state (NDP) imposed human rights processes associated with the Act and the Framework Document (Human rights policy framework for post secondary institutions) was actively resisted by all universities and some colleges. However, it coincided with UCC’s corporate mandate to address a fractious labour relations climate and establish a framework to address allegations of harassment and discrimination. In this particular instance, the state enforced on the college a labour relations/human rights strategy that would not have evolved at
this moment in the institution’s history. In effect, a ‘ready made’ (and mandated)\(^67\) human rights model was presented to this administration. As an institutional managerial strategy, it required management to involve labour as a partner, along with other stakeholders to develop a strategy to deal with these issues. This collaborative community development model established a bureaucratic pattern of relations, a structure and expectations that would have been very difficult to reverse without damaging relations with the union and other internal supporters of human rights.

In addition to aspects of transformative (anti-racist/feminist) organizational planning, the NDP’s human rights policy initiatives also utilized many components of technicist OD (organizational development) planning processes: top management commitment/involvement in establishing planning and development processes, identification of stakeholders and solicitation of their involvement, the development of structures and processes for planning and decision making, education to build awareness, guidelines identifying supports, as well as anticipating and dealing with resistance and backlash, data collection and analysis, diagnosis and feedback to the larger community, institutional goal setting and action planning, training for specific tasks, initiation of pilot projects and special initiatives, and monitoring and evaluation mechanisms (Agocs, Burr and Somerset, 1992; Cox and Beale, 1997; Doyle and Rahai, 1990; Dreachslin, 1996). With all of the above processes, the state provided manuals and training for organizational leaders and equity practitioners. This created space for debate, dialogue and learning about government sponsored equity initiatives for individuals within organizations who were chosen or volunteered to be involved in these processes. It also provided a technicist planning template for organizational change, skills that appeared to be lacking in the senior administrative pool (Chand, 2004).

5.4 The Saljee Report

Anti-racist/feminist change strategies often employ managerial/technicist approaches to strategically engage human rights issues within organizations as evidence based problems of ethics. Conducting needs assessments, surveys, and data gathering are key strategies for legitimating and initiating organizational change processes in organizations (Agocs, Burr & Somerset, 1992; Chesler, 2006, Lopez and Thomas, 2006). Within assimilationist organizations,

\(^67\) Mandated but not enforceable, the institution had to file reports on its efforts to diversify the employment pool in relation to population and employment statistics. If these were askew they were required to explain why and what they would do to address this.
broadening the scope of data to be collected and analyzed can provide opportunities to circulate counterdiscourses that challenge dominant ideas about equity through evidence/fact-finding that confirm the existence and extent of discrimination and harassment that dispute managerial claims of meritocracy in hiring practices. The ensuing dialogue and debate about these issues and ongoing development of strategies to address these issues can shift assimilationist/patriarchal/heterosexist organizational cultures over the long term (French, 2007; Hatch, 2006).

One of the Douglas administration’s first human rights initiatives (a requirement of the NDP’s employment equity act) was an assessment of the college’s human rights climate. This assessment was conducted by Anwar Saljee 68 from Ryerson Polytechnic University. Initially, the faculty union was supportive of this initiative, anticipating that the conclusions of the report would confirm much of their own critique of the college’s human rights record: the gate keeping functions the human rights office, and the managerial culture that condoned and perpetuated human rights violations. However, many of the conclusions contained in the report veered into territory that unsettled the faculty union who had focussed attention on management’s human rights abuses but were silent on the harmful (Eurocentric, heterosexist, patriarchal, classist,) discourses perpetuated in the curriculum by many of their membership.

Managerial discourses on human rights in the postsecondary sector focus on the legal obligations of complaints resolution under administrative law. These priorities and foci are derived from legal obligations established under the human rights code. Consequently, assessing the equity climate in a particular postsecondary institution using managerial assumptions would commonly focus on the number and categorization of individual human rights complaints, whether they are resolved in a timely manner, follow due process, and more importantly for the

68 A pseudonym
union, conclusions would focus on managerial ineptness and inefficiencies. However, Saljee’s methodology for assessing the human rights climate deviated from this. Ignoring a quantitative approach, he opted for a qualitative assessment. Using a small sample of interviews with members of the community (25), he examined the organization’s human rights climate and operational systems by exploring the normalization of systemic discrimination within the organization, and focused on the teaching and learning environment.

In his introduction, Saljee urged the college to take “immediate steps to significantly alter the relationship between educators and female and ethno-racial minority students” (1) He also stated that external and internal conditions created the potential for an explosive and toxic environment (Saljee, 1994)69 His assessment of the Campus Climate reported widespread sexism directed at female students, staff and faculty, and racism directed primarily at students by other students and faculty. He also identified the lack of faculty diversity as a contributing factor to the hostile climate existing at the college. Addressing the issues of Safety and Security he cited the main campus as a site waiting to ‘explode with racial tension’. Assessing the Classroom Climate he pointed out, “Some faculty are openly hostile to employment equity and have reportedly taken that hostility into the classroom, raising serious questions about the classroom climate for designated group members” (3). He reported that “Female and ethno-racial minority students complain about inappropriate jokes, reading and other materials, and examples used in the classroom. Basically they complain that in some cases the classroom climate is downright chilly (5). Saljee also deals directly with the Curriculum. He stated that female and ethno-racial minority students

69 The report also lists some of the strengths of UCC and how these might be used to advantage when addressing human rights issues. For example, a new administration making tangible efforts to deal with the legacy of the past administration, the college’s reputation for promoting teaching excellence and tremendously improved labour relations among others.
complained that in some cases faculty used inappropriate and demeaning curricular materials in the classroom; that the curriculum was exclusionary and not consciously structured to be inclusionary and the curriculum is dated and does not speak to their concerns. He also reported that faculty themselves have identified a need to develop curriculum and curricular materials that are more inclusionary and address issues of diversity but they don’t always have the resources available to do what is necessary (7).

Saljee also made twenty three recommendations including the establishment of a stakeholder implementation committee reporting to senior management. He recommended a more detailed assessment of the organizational systems with a view to incorporating notions of ‘diversity and anti-bias’ in all aspects of the institutions operations, including curriculum, staff development, human resources (especially recruitment and selection). He recommended anti-discrimination training for all managerial levels, as well as faculty and staff. He also highlighted specifically that the current climate was unsafe for female members and that the security staff needed anti-discrimination training. He made numerous recommendations regarding curriculum transformation including the development of specific courses and specific training and development activities geared to faculty (Ibid, 1993).

The conclusions from this report characterized the institution as having dominant features of an assimilationist organization as *Underground* had been suggestion since the early 1990’s. However, by drawing attention to how teaching and learning processes legitimated harmful discourses and shapes the organizational climate, the faculty union was placed in a discomfiting position with their membership. Both faculty and administration dismissed the report as unscientific and inconclusive and colluded to limit the potential impact and implications of acting on the findings. The college’s human resources manager, vice-president academic and
faculty union president united in silencing the Saljee Report. A joint memo (dated February 8, 1994) from this group to the senior management team states, ‘While people in the college who have read this report seem to find it to be a fair representation of the current situation, there have been concerns expressed with the methodology. Some [faculty] feel that the conclusions went beyond the data’ (Internal Memo, 1994). On February 14, 1994, the faculty union executive passed this motion, ‘That the college not act on the conclusions and recommendations of this report until further study, using appropriate research methodology, is carried out within the institution’ (Fox, 1994). In the end, all parties agreed that the report could be made available but would not be widely distributed.

The report was tabled in the midst of a growing backlash against Keynesian social welfare policies and human rights programs adopted by governments in North America. Conservative faculty viewed critiques of the educational system by social activists and progressive academics as ‘political correctness’ and an infringement on academic freedom supported by interventionist big governments (Richler & Weir, 1995). The disciplinary power of neoconservative discourses may have limited the faculty union’s options. By championing human rights the faculty union emerged as institutional power brokers. However, to maintain the support of its conservative faculty base and maintain its institutional power in decision making, they silenced Saljee’s critique of the curriculum and behavioral norms that contributed to the chilly climate for women, racialized, GLTBQ and disabled peoples.

In their memo to the senior management team the Vice President Academic, Executive Director of Human Resources, and faculty union president endorsed some of the recommendations contained in the Saljee report. “....There was a great deal of support for the first recommendation concerning a concerted effort of the College and Unions and the students
for a clear ‘Zero Tolerance’ or ‘Pro Diversity message.” There must be the appearance of “a firm and unwavering support from the senior management.” The curricular discussion is marginalized by containing it with a recommendation that General Education (elective liberal arts subjects students are required to take at college) be the site for the development of curriculum related to ‘pro diversity issues’. The group also endorsed Recommendation #5 concerning a quantitative survey of student needs, and concerns which were seen as an excellent idea and “possibly should be expanded to include demographic information as well as information on whether the students had ever experienced racial or sexual harassment or discrimination and if they had ever reported or complained about such treatment” (Union/Management Memo, 1994). The union appeared to have made a concession to avoid any controversy over the dominant neo-liberal/academic freedom discourses endorsed by their conservative faculty base.

The faculty union president began to use language very carefully during this period. Feminist pedagogy and antiracism were seen as radical by the majority of faculty, whereas the neoliberal discourses of equity used language like ‘pro diversity’ that appeared more positive and more ‘neutral’. By distancing themselves from transformative discourses and aligning with diversity as business imperative, the faculty union suppressed opportunities for dialogue, debate, and learning in this assimilationist organizational culture. Dr. Angela Ranger (2010) suggests that this demonstrates that the faculty union may have been using human rights to their strategic advantage in power struggles with the administration all along.

70 A Curricular Handbook circulating at this time was Pro-Diversity: A Guide for Achieving Equity in the Classroom. Edited by George Brown’s Diversity Coordinator, it contained elements of the valuing diversity and anti-racist approaches to curriculum change, the contribution form a UCC faculty member was largely rooted in the ‘Educating about the other’ perspective (Kumosharo, 2004).
5.5 Strategizing Within an Assimilationist Organization

Neo-liberal discourses reasserted assimilationist values that were being challenged by transformative anti-racist/feminist discourses (Table 1). According to Smith (2004) particular forms of knowledge were organized as conservative think tanks, faculty and media institutions demonized transformative discourses by denying the legitimacy of human rights claims. Certain truths were also produced through particularized thoughts and behaviours and these in turn influenced social/institutional relations (Goldberg, 2007). Managing diversity – difference as demographics, profitability and managerial efficiencies replaced equity talk (Prasad, 1996). The concept of systemic discrimination was omitted from this equation. Capitalism and neocolonial structures were exempted from interrogation and unsettled claims were relinquished as the natural order of things. For neoliberals, social/equity based programs had no value. Their value could be only be resuscitated through commoditization and privatization within the marketplace. In addition to human rights, neo-liberal discourses also delegitimized the role that the state had played to establish social welfare programs, accessible public services, and worker/citizen rights. These Keynesian influenced, post war initiatives, had to some extent buffered the effects of North America industrial capitalism, and its predatory instincts. Social welfare/equity programs were now the work of intrusive and spendthrift big governments pandering to ‘special interests’, and restricting individual freedoms (Apple, 1993). This discursive frame was ahistorical, and assumed a level playing field. It suggested that meritocracy was all that was required to succeed. Consequently, failure were individual flaws, patterns of poverty were explained as stemming from the social pathology of particular minoritized groups (D'Souza, 1991).

Against this backdrop, Ontario’s neo-conservative Tories defeated the NDP by deploying a series of anti-equity/anti- human rights and anti-union/working class tropes during the
provincial election campaign of 1995. They immediately rescinded all equity initiatives. While most post secondary institutions had subverted and/or resisted state imposed equity initiatives, some such as UCC were in the midst of developing human rights organizational change processes (Mojab, 2006). While many institutions dropped these initiatives, some, more savvy to emerging ‘managing diversity’ discourses, maintained semblances of human rights/diversity offices looking to capitalize on opportunities presented by new demographic realities.

In the intervening time, the college still had to address its human rights crisis and had already acted on one of Saljee’s recommendations. The Harassment and Discrimination Climate Survey was voluntary and confidential. The unions and Douglas were cognizant of the dominant conservative discourses circulating within the larger society and within the membership of college faculty and administration. Consequently, the methodology of the survey was designed as a counterpoint to the Saljee Report; it was quantitative, without qualitative conclusions or systemic/organizational change recommendations. The survey instrument was designed to meet modernist academic criteria - ‘neutral’ and ‘scientific’. The survey was billed as an opportunity for students (and faculty) “to voice their concerns as well as their support for the college and the education they receive.” Unlike the Saljee Report, the classroom and the curriculum were not explicit areas of focus. In this instance, the structural demands of equity seeking groups were translated into managerial processes to divert attention from the thorny issues of curriculum and the social construction of knowledge (Fraser, 1989). The subtext of the survey individualized the experience of harassment and discrimination into; there are statistics on individual experiences, however information on systemic issues is not gathered. Faculty are exempted from further scrutiny. Trent’s Faculty Union argued that if harassment and discrimination did occur in the classroom it was not such a bad thing. It protects academic freedom and helps student prepare
for the life in the ‘real world’ (1993). Within this emerging discursive terrain cooptation, self-censorship, incrementalism and reforms become the strategic options available to institutional stakeholders. In this instance, how equity is talked about, and what are important issues to address ensures that systemic issues are off the radar.

The findings of this survey, which came out after the defeat of the NDP government, confirmed that experiences of harassment and discrimination appeared to be dominant features of organizational life for women and minoritized peoples. The college received 5108 responses from students and 406 from employees. Of the student respondents, 24.4% reported that they had been insulted or humiliated on the basis of prohibited human rights grounds (race, ancestry, gender sex, sexual orientation, disability etc.). 42% had witnessed other students being humiliated on prohibited human rights grounds. 47.7% of students were the recipient of offensive jokes or remarks based on the prohibited grounds and 54.2% had witnessed it occur to other students. 25.9% of students surveyed reported experiencing harassment and discrimination from a professor. With the employees, 36.7% were insulted or humiliated on the basis of one or more of the prohibited human rights grounds and 61% had heard offensive joke or remarks based on the prohibited human rights grounds (Urban Community College, 1995).

These results of the climate survey created a dilemma for UCC officials. Two competing discourses of equity were now circulating within the institution, transformative approaches stemming from NDP equity initiatives and dominant neoconservative/neoliberal discourses. Individuals who were supportive of equity as well as individuals who had been working in small groups within their spheres of influence to counter dominant assimilationist discourses, notwithstanding the faculty union, had coalesced around state-imposed human rights initiatives as an opportunity to challenge dominant assimilationist practices and ideologies within the
institution. In this particular instance, state intervention gave transformative human rights discourses a momentum and legitimacy that would not ordinarily have gained a foothold within this institutional context (Neal, 1998). Consequently, these individuals united as a voice in urging the administration to move forward with these initiatives.

When employment equity was legislated when the Bob Rae government came into power there was almost a celebration within the college that the debate could be done openly by the champions of human rights - the faculty union, there was work going on across the college in small pockets, individuals doing things...Champions within the organization like Paul Douglas came out into the open. The union now openly said, “We told you we have to do this, now we really have to do it.” Individuals came around who supported this into the open and there was a coalescing of forces. It (state intervention) would not have given it the momentum and the legitimization that was required. So I was hired to set up the process for employment equity. Very soon after, employment equity was dismantled by the conservative government, which caused a lot of commotion within the college. The whole coalition that had come around it didn’t fall apart. In fact, wanted to move forward...faculty, management and the student union, (Duga, 2000)

After the Tory victory, emboldened neoconservative voices argued against the continuation of the previous government’s equity initiatives. However, conservative voices were muted as the faculty union shifted its ideological position and adopted the language of neoliberal managing diversity perspectives which did not deviate from equity discourse in the collective agreement which supported employment equity and rights based conflict resolution. Many of the senior administrative team shared the assimilationist view of conservative faculty. However, their administrative choices were constrained by a number of factors, that made it impossible to act on their impulses:

The climate survey came after the abolition of employment equity....what we began to experience was resistance from sections of the college...employment equity is gone so why are we continuing to this? We needed to know that the issues were legitimate; they were not issues of the state. They were actually issues of community and UCC was part of that community and whether the state intervened or not UCC had to deal with those issues. She (Hendricks) realized that UCC needed an image that was supported by all of the community..... Before Mabel, the sense of
community (within the college was white Anglo Saxon). It was the special impact of Paul Douglas in there. He was able to translate that the emerging communities were no longer emerging there were here. So she was able to understand it differently. Therefore UCC needs to put pressure on other sections of the college, like the union where we do have some serious under representation of community in teaching jobs. Because of the legislation and the letter of agreement in the collective agreement, they were able to legitimately defend their participation in the process, even though there was backlash at times within the ranks. And to some extent it was reality overtaking the institution, there is no way UCC could have avoided it (Duga, 2000).

Douglas was able to convince Hendricks by presenting a business case—‘managing diversity’ discourse of what was necessary to move the college forward. Giving in to the neocconservative voices within the administration and faculty was not an option. The college had to rebrand its image in relation to various minoritized communities, which were now the institution’s primary economic (‘client’) base. To sell the college to these clients/customers, the college had to demonstrate a commitment to diversity. In assimilationist/managing diversity organizations this involves concealing the reality of people’s experiences to protect the reputation of the institution while making claims welcoming of diversity in policy/marketing documents (Amed et al, 2006: 9, Bacchi, 2002; Neal, 1998). In the end, Hendricks was persuaded by Douglas and the faculty union to continue with human rights initiatives. According to the human rights manager hired to carry out the college’s employment equity obligations under the NDP, Hendricks made a strictly business decision based on demographic and economic realities. Her third mandate was to make over the face of UCC in the larger community. This was critical if the college was to maintain its urban catchment base which was now comprised of 90% minoritized peoples. These students were not going to enroll in a college with a reputation for widespread human rights abuses towards ‘female and ethno-racial minority students’ (Saljee, 1993).
they were able to because they were able to argue benefits for UCC because of the diversity of the student population as a business strategy and as a student retention strategy. Student retention was an issue at the time....you have to make it the college of choice for racial and cultural communities...They are your clientele. So, you don’t want them to drift, by having a policy geared to that direction would support them believing this is the college that supports us (Duga, 2000).

Fox supports the argument that Douglas acted as a tempered radical and the President’s decision making was grounded in the discourse of managing diversity, since the President’s primary concern appears to be public relations, not human rights organizational change. She claims that while Hendricks understood the need to address human rights, she was still limited in her understanding of the scope of the problem and what was required to address it.

Paul by now was committed to it (human right organizational change) and getting it to happen. It was primarily Paul. The survey helped to get monies committed to the process. We used the Harassment and Discrimination Climate Survey to say, ‘look there is a problem here. We must fix it.’ And that was Mabel saying, ‘O.K. let’s then not publicize this survey. So if it is a problem, fix it’.....I am sure they (President’s Management Group) discussed that survey they were afraid that it would get out. Because if it gets out to the press...that’s what they would be concerned about. So they wanted to appear to be doing something about it....So letting people continue but not realizing what it would really look like to really fix it (Fox, 2000).

As Duga also pointed out, “Hendricks needed a statement and the college needed a process for dealing with issues. She didn’t understand the administrative necessities. With resources for example, she couldn’t understand why one person couldn’t run it (human rights initiatives/organizational change processes)71 (Duga, 2000).

5.6 Out of Sync: A Tempered Radical in the Senior Administration

The college’s senior management team complied with Douglas’s policy recommendations without fully understanding the human rights organizational change implications. A radical shift was contemplated by Douglas and the policy development and implementation team he put in

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71 These offices were staffed by on individual in most institutions at the time.
place to address organizational inequities (Fox, 2000; Fredrick, 2000). Douglas was operating at the most senior level of management, and was ultimately the senior manager in charge of equity initiatives. As a former deputy minister of education in the liberal government of Peterson in the 1980’s when aspects of antiracist and feminist critiques where incorporated in education policy, he was familiar with these discourses and would have led the development and implementation of policies that challenged the existing status quo in public educational institutions. For Douglas and the human rights team (which included this researcher), the human rights framework was not going to reinscribe racism and other oppressions as is often the norm in institutions by positioning the importance of the office as unimportant and an administrative burden (Amed, 2006: 8). This is generally the norm in organizations where these offices are located in the lower rung of the administrative bureaucracy and the work is a footnote to the more important cultural/professional production that occurs in the organization. The policy was configured as an organizational change strategy that would encompass other administrative responsibilities as labour/employee relations, students’ rights, safety and security, etc. Douglas and the policy team conceptualized the human rights policy as an anti-racist/feminist organizational change lens for all college operations,

For Paul, the policy was an instrument of managing......Because of the management culture that had evolved there was an arbitrary exercise of power resulting in an inconsistent application of policy, or no policy, resulting in a complete mistrust of management systems. There were constant problems with labour relations, human rights and student rights complaints...so he said, “lets fix it to make the system work,” ...The policy context had to do with the constant screw ups. We knew there would be ongoing resistance and since the process was already in motion, we needed to step back, we had reached our limit. The policy was needed to centralize authority through a management mechanism. The Policy would be the anchor for all other policies. Not only could all other policies be measured against the standards it established, it was the standard for all interactions in the college, the human rights standard, the filter through which all other policies had to confirm. So we structured it as professional development, work related
skills and competencies that was required by all employees in the employment relationship with the college (Duga, Jones, Singh, 1998) 72

Faced with the overwhelming evidence and allegations of discrimination stemming from the Climate Survey, the college’s Joint Committee 73 (still operating from the NDP framework for colleges and universities) recognized the limitations of the rights based/complaints procedures approach to human rights having benefited from extensive training in antiracist/feminist approaches as mandated by the state. They were cognizant that the structure and processes of complaints based human policies reinforce dominant discourses, as Wright and Unruh (1993) point out in reference to sexual harassment policies:

A sexual harassment policy that is generally designed to accommodate all the constituencies in the university (faculty, students, staff) is a challenge to the present organizational distribution of power that claims equality in fact. Ironically, a policy is required because there are inequities of power and place. If it is accepted that one definition of sexual harassment is an act of the powerful over the less powerful, it vividly foils the inequity in fact. If there were not significant inequities in power and status, all sexual harassment would simply be harassment......Sexual harassment policies range from primarily education in form of intervention to punishment as remedy. Rarely do they explicitly acknowledge the misogyny that informs the spectrum of behaviour we call sexual harassment.

However, as will be addressed further along, it was evident that senior management was not acting in concert with Douglas, the policy team and most members of the Joint Committee with regards to the human rights framework that was being developed. For Douglas and the policy team it was a mechanism to transform the assimilationist organizational culture. For the president and the senior team, it was Douglas’s pet project and a managerial necessity. They were disengaged from the process, unlike the faculty

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72 Paper delivered at Human Rights Conference in Ottawa, 1998, first two names are Pseudonyms.
73 This was the stakeholder committed that the NDP required institutions to establish for the purpose of developing human rights initiatives. There was a major emphasis placed on educating member of these committees on human rights issues, particularly on organizational change.
union who had tempered their own human rights approach cognizant of the equity discourses circulating in the larger society and among their conservative base,

no they didn’t understand it because they were not involved in any of the discussions (at the Joint Committee). I think the union understood it much more than they and therefore the union’s reaction and responses were far more calculated than the management group. They (union) knew what we had and what the effect would be, what the impact would be, what the reaction might be, so they were much more focused on objecting to certain things or demanding that we explain it and demanding that we put into place procedures that would protect them (faculty as a group) in terms of their own relationship with their members who may or may not support this process. So they wanted some protection from the process. Management didn’t seem to be clear other than they understood the human rights application (management obligation under the Code) and understood that we had to do it and they just went along and raised questions. But it was not thought out or contextualized within the way their work was defined. This was possible because strategic planning or planning in general is not a part of the organizational culture. The college has a tradition and history of not following through with major developments...There’s just no culture of corporate implementation. So there is a tendency to think ...that as management (individuals) ....will have their own pet projects....They saw human rights as somebody’s (Paul’s) pet project. It was going to come and it was going to go. They thought it was over when the act was repealed ...They thought well, when Paul leaves, when Mabel leaves it would be over (Duga, 2000).

The disjuncture between Douglas’s and the president’s approach to human rights is evident when the president outlined the strategic directions and organizational values of the college to reflect the neoconservative/neoliberal agenda of the current government. Equity is not centrally located in her official strategic plan. It is peripheral, embedded under other ‘more important’ strategic initiatives, and referenced in relation to demographics and the college’s relationship with managerial/business interests. In spite of the college’s human rights crisis, equity does not figure prominently even as a public relations device.

The three strategic directions (September, 1993) respond to issues identified in environmental scans and consultations with college constituencies. The first strategic direction, ‘Teaching and Learning’ lists four sub categories: Reaffirm learning and teaching as the heart and soul of the college; Expand enrolment and access to our classrooms; Improve services to
our students, and Provide a comprehensive learning environment. The sub-section on Expanding Enrolment contains a reference to equity and curriculum/classroom climate in the context of changing demographics. Demographic shifts in the college’s ‘consumer base’ appear to be the driving this equity initiative as access and recruitment become intertwined:

Expand enrolment and access to our classrooms
Our culturally and racially diverse community continues to undergo profound demographic and economic change; we are committed to reaching out to all people who seek a college education, extending learning opportunities in a fair and equitable manner....”

Under the second category, ‘Communities’, another gesture to equity is made. As with the above reference, the assumptions about equity fall within a managing diversity discursive trope. The focus is on ‘learning about the other’ not about how educational systems construct ‘the other’ or how we are implicated in perpetuating conditions of oppression through practices and discourses of othering (Kumashiro, 1999). This strategic direction does not mention what the college could do to foster conditions of equity and justice as a socially responsive institution in the context of community relations.

Communities
Involving business, labour, our neighbours and the public sector as true partners in education
......They play a pivotal role in strengthening curricula and improving student life. Greater emphasis is being placed on community relations, to help us continue to learn about and work with the communities of Urbanberg and Yorkdale.

Equity is again mentioned in title of the sub-heading on communications; however, it’s relevance to the section is ambiguous,

Develop a culture of open communication, cooperation and equity.
We are striving to achieve a culture in which the free-flow of ideas and initiatives will encourage students and employees to work and learn in fresh, challenging and fulfilling ways. We encourage everyone to contribute to our planning and decision-making processes.

74 Pseudonyms
Another managerial pronouncement, the college’s guiding principles (Jan. 1993) put together by the president after widespread consultation with internal stakeholders and individuals, reflected absolutely no human rights values. Six values were listed which included statements about fiscal responsibility, continuous improvement, maintenance of full time employment, training and retraining for employees, fostering of internal partnerships, etc. Equity and human rights was not referred to even indirectly, though it could easily have fit under any of the above sections given the organizational change initiatives contemplated by Douglas and the policy team.

Another major sign that the President’s Management Group (PMG) was not acting in concert with Douglas and the policy team was their failure to commit the resources necessary to achieve the scope of organizational change envisioned by the internal change team and Douglas. As was the norm in most institutions, senior management viewed human rights as a rights based complaints process. This view was reinforced with the naming of the policy as the Dispute Resolution Policy and Procedures insisted upon by the faculty union to placate their conservative membership. In line with this approach, the senior team only committed short term resources for the position of College Dispute Resolution Officer (the individual writing the policy and coordinating the development and implementation process – this researcher) on a one year contract basis to develop the policy.

No money was earmarked for training and other policy implementation processes. Not an unusual decision in assimilationist/valuing diversity organizations. Once developed and/or approved by corporate lawyers to ensure maximum legal liability protection and minimal Human Rights Code obligations – implementation is generally over such organizations. Policies are often administered by a complaints officer, lawyer, or is part of the portfolio of a human
resources consultant and operationalized only when someone files a complaint. There is no emphasis on the development and implementation of equitable organizational structures and practices. The operation of systems of privilege and oppression that give rise to harassment and discrimination is obscured and injustice is individualized as individual acts of bad behavior (Bacchi, 1998; Henry, 2011; Neal, 1998; Razak, 1998). It appears that Douglas made a strategic decision not to challenge his peers and opted to have the Joint Committee fight this battle. In a letter to PMG, the Joint Committee states,

“...., we are concerned that the college might not have allocated sufficient funds to (develop) and implement the new policy...... We recommend that the additional funding for this training program be identified in the corporate budget, as it would indicate a strong corporate commitment to dealing with the problems identified by the climate survey and to the creation of an inclusive, respectful working and learning environment at UCC.....”

According to the faculty union president, pressure tactics and strong persuasion led to the allocation of funds deemed necessary to develop and implement the policy (Chesler, 2005).

5.7 Building an Infrastructure for Change

Meyerson and Scully (1995) indirectly concede that tempered radicals cannot initiate major transformative change within assimilationist organizations; rather, they must rely on small wins, use managerial language strategically and initiate and/or take advantage of local spontaneous action. Borrowing from Alinsky (1972), they suggest that, “Relatively blurry vision and an opportunistic approach enable an activist to take advantage of available resources, shifting power alliances, lapsed resistance, heightened media attention or lofty corporate rhetoric to advance a

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75 As Duga mentions previously the president couldn’t understand why one person couldn’t do the work (human rights)
76 The letter was signed by the faculty union president, an executive member of the support staff union, the Dean of Applied Arts and Health Sciences and the Student Association President on behalf of the Joint Committee. Douglas was co-chair of this committee.
specific change” (596). Change agents on UCC’s policy development team took advantage of a number of convergent events and circumstances to advance aspects of transformative anti-racist/feminist discourses. There was the newly minted president’s mandate to deal with ‘embarrassing’ human rights and labour relations issues, the NDP imposed stakeholder equity structures still intact after the Tories came to power, the Joint Committee’s exposure to anti-racist/feminist organizational change training (a requirement of the NDP equity initiatives), a supportive senior vice president, (perhaps willing to take risks to advance equity since he was at the end of his career), and a faculty union leadership strategically supportive of these developments in order to maintain support among their conservative base and legitimacy as organizational power brokers.

With the faculty union insisting on the continuation of the stakeholder co-determination model, the continuation of the Joint Committee with its web of sub-committees connected to the pulse of the wider institutional community was secured by Douglas. For the president, it served two managerial purposes: it appeased the faculty union, a major step in addressing fractious local labour relations conflicts and it was an existing structure that could address the institution’s human rights crisis. This was a major organizational shift giving the union’s significant control as a partner in decision making. The previous administration had shut them out, however many of the management players were still intact and most significantly, middle managers the wielders of instrumental power were not particularly happy with these developments (Michaels, 2009).

In the process of building a team and bureaucratic apparatus to carry out these plans Douglas and the unions had put together a team of human rights and labour activists. Matt Duga, previously contracted to coordinate the college’s employment equity plan, was hired in November, 1995 as the Director of Human Rights and Labour Relations. Duga’s background
was in labour relations and human rights, having worked in the central offices of major unions and for the City of Toronto. He was noted for bringing union and management together in power sharing arrangements in fractious labour relations situations. This was a move highly supported by the faculty union (Patterson, 2000). The bureaucratic placement of human rights signals a major discursive shift from an administrative burden (assimilationist) to a key organizational function (transformative). Previously, the human rights office was obscurely located in the human resources department as is the norm in the college system. It was reorganized as the Labour Relations/Human Rights Office. This structural shift is significant since Douglas elevated the position of Director of Human Rights/Labour Relations on par with the Director of Human Resources. Human rights functions were still housed in human resources, but its director (chief advisor) was now co-director of all human resource functions along with the Director of Human Resources. Human rights processes were now integrated into all human resources functions. This was a remarkable equity achievement at the time, and one would be hard pressed to find this configuration then, and now, within organizational human resources functions (Agocs, 2004; Ahmed et al, 2006; Bacchi; 2001; Neal, 1998). For Douglas and the human rights change agents, the human resources department performd the gate keeping function in assimilationist organizations reproducing and sanctioning particular employment patterns. In theory, having these two functions positioned equally would act as a check and balance for employment systems such as discriminatory recruitment and selection processes, promotion, training opportunities etc., as well as complaints resolution.77

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77 This unfortunately did not occur in practice since most of the hiring of faculty occurs in the schools where human resources/human rights personnel have limited roles and equity practices are easily subverted. A plan developed to recruit a diverse pool of part time faculty was subverted by the VP academic, Deans and Chairs (Academic Managers Group).
The previous equity position, Director of Education and Employment Equity, (basically a complaints resolution/education function) was eliminated. The faculty union president alleged that this individual functioned as an administrative ally in the previous administration and her perspective of human rights work was now in conflict with those of the emerging change team (Agos, 2004).

While many colleges and universities took their cue from the Harris Tories and eliminated or downsized their Human Rights offices, UCC expanded its human rights infrastructure (Shefman, 1996). In August of 1996, this researcher was hired on contract by UCC as College Dispute Resolution Officer (CDRO) to develop and implement the policy under the authority of the internal change team. In addition, Mary Jones was seconded from faculty to develop and implement the human rights training and development plan. Jones, who has a background in anti-racist/feminist community development, was previously attached to the college’s Center for Instructional Development where some of the groundwork for human rights change was established through the development of anti-racist professional development courses for faculty as well as the development of a human rights course for general education. Ricardo Patterson, a part time faculty, founder of Black Cap, community based educator, and GLTBQ activist, was also hired as part of the training and development team. In addition two administrative support staff were assigned to the human rights team.

Change agents and the unions linked the human rights policy development framework to the employment equity model but as noted earlier, the faculty union insisted on using current

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78 The college I worked at during this period dismantled the human rights office. Prior to the downsizing the annual report I had submitted to the college’s board of governors was edited by the administrative assistant to the Vice President of Human Resources – the human rights complaints statistics were all removed. When questioned on this, the administrative assistant responded, “It is not the culture of this organization to report such details.”
managerial language to position human rights as ‘dispute resolution’ rather than organizational change, cognizant of the larger political climate and local resistance to equity:

We used employment equity as the strategic plan; the framework (of the college’s human rights policy) was adopted from it. So when the Act was canned we then said, ‘we are ok.’, because.....The Act was defined as adverse effect discrimination.\(^{79}\) So the policy was introduced as the vehicle through which we were going to do this work...We realized at the time that we did not have a case management system for dealing with discrimination, and experience with previous policies (the Harassment and Discrimination Policy and the Student Rights and Responsibilities Policy\(^{80}\), was negative.....so we needed to bring all of that together...faculty and the unions were not actively participating in it. So we need a case management process as part of the larger human rights framework. You were brought in to pull together the policies, particularly the case management process which we called the Dispute Resolution Process and so that we can use that within the context of the larger perspective of adverse effect (systemic) discrimination. We knew that we couldn’t skip that step and have enough credibility to do the rest. We needed someone with knowledge of the issues, knowledge of the dispute resolution process and creating a learning opportunity for all of the issues that arose but also always contextualizing them in an adverse effect discrimination context (Duga, 2000).

In 1995 the Department of Labour Relations/Human Rights issued a work plan sanctioned by the Joint Committee and adopted by the senior management reaffirming the organizational change plans previously contemplated by the Act, “...removing systemic barriers to employment, addressing access problems which put visible minorities, women, aboriginal people or persons with disabilities at a disadvantage in the workplace, emphasizing “Zero Tolerance” for discrimination in hiring and promotion, strengthening the emphasis on The

\(^{79}\) Where the intent of an action is not to discriminate but the outcome has that impact

\(^{80}\) This policy dealt with academic student complaints. Douglas had remarked to this researcher that it was evident to him as Chair of the College Appeal Board, (the final stage of the complaints process if the outcome of a resolution was challenged by either a student) that patterns of complaints against particular faculty and the race of complainants were perhaps indicative of bias on the part of some faculty against Black students. He suggested that incorporating this policy as part of the human rights policy would allow for an examination of racial bias on the part of some faculty. Interestingly one of the individuals thus implicated was a member of the faculty union executive. The president and Chief Steward of the faculty union were known to be left of centre; this could not be said with an degree of certainty for the rest of the union executive.

The work plan also signaled the Joint Committee’s intention to revamp and revise the human rights policy as the mechanism by which to manage the change process by integrating all non-grievance related conflicts under the umbrella of the policy to act as a filter through which all college policies would be monitored,

“....Since Harassment and Discrimination Prevention and Complaint Management policy is the main vehicle by which we monitor the effectiveness of our Human Rights Strategy... To ensure consistency and to avoid duplication of process and resources we will maintain an effective liaison between the various complaint resolution mechanisms in existence at UCC such as: harassment and discrimination prevention, student rights and responsibilities, grievance procedures, progressive disciplinary procedures, academic appeals, safety/security measures and policy statement on handling complaints about employees” (Ibid, 1995).

This tactic of using the technology of law to legitimizing and institutionalizing human rights organizational change was seen as the only strategic option in this assimilationist organization. The strategy of emphasizing the college’s legal obligation was used throughout this phase of policy development and implementation process, “.... [W]e will establish a college wide service that ensures...employees, managers, and students ...understand their personal and corporate responsibility to prevent harassment and discrimination...” (Ibid, 1995).

5.8 Developing the Policy: Seduction of Law

The policy development process, modeled after the previous NDP government’s human rights strategy was influenced by anti-racist/feminist community development approaches to organizational change (critical education, conscientization on neocolonialism/neoliberalism and its societal/organizational impacts focusing on intersections with gender, race, GLTBQ, disability and class, collaborative stakeholder participation and decision making). It also
included elements of managerial strategic planning and organization development (OD)/Learning Organization strategies (Arnold et al; 1991; Bishop, 2004; Doyle & Rahi, 1990; Lee, 1987; Lopes & Thomas, 2006). The policy development and validation process occurred over a year long period, involved numerous stages of vetting contentious issues through sub-committees of the joint committee, before involving the wider community of internal stakeholders in consultations.\(^{81}\) Drafts incorporated concerns and recommendations from a sub-committee of the Board of Governors that was struck specifically for this process by the Vice President, Community consultations, the senior team, (PMG), the college lawyers and a human rights lawyer. Before the final draft was written, twenty two drafts of the policy had been vetted by various stakeholder groups including academic departments.

This community development model in theory gave stakeholders a forum to dialogue, debate, and challenge the content. The consultation process served many purposes: it engaged stakeholders by having them consider the human rights implications of their work and teaching practices, identified emergent controversial issues, pre-empted backlash and sabotage, and was an opportunity to argue for the benefits of the policy depending on the audience. Discourses of law and managing diversity were emphasized by the faculty union president, the Chief Advisor, and the Vice President; the CDRO emphasized critical perspectives\(^ {82}\) (Arnold, Burke, James & Thomas, 1991; Chesler et al, 2005; Lee & Marshall, 1996). However, the strategic ‘legal

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\(^{81}\) Policy sections were drafted by the CDRO, discussed and edited by the Vice President, the Faculty Union President, and the Chief Advisor. That policy section would then be taken to the Complaints Sub Committee of the JCCHR for validation and approval and further edits. After this process, the policy section would be taken to public forums, college council, department meetings, academic chairs, non academic managers, and the Student Association.

\(^{82}\) The consultation team which generally included the Vice President, faculty union president, the Human Rights Director Human/Labour Relations and the CDRO was configured to accomplish a number of planning goals: legitimizing the process as democratic and participatory, signaling to organizational members that this was an important organizational shift sanctioned by key stakeholders, muting opposition to the process by faculty and administrators emboldened by the rise of neo-liberal discourses on human rights, and sending a clear message that the policy’s intent was to significantly alter institutional operations.
obligation’ packaging of human rights was not sufficient to bring academic departments on board with this change strategy. English, and General Arts and Sciences expressed vocal opposition to the process citing neoconservative discourses – ‘political correctness’, ‘thought police’ attacks on academic freedom (which college faculty have relinquished through successive collective agreement struggles).

An important strategic move made by the VP was establishing a subcommittee of the Board of Governors (referred to as Team 1).  Composed of board members with divergent views on human rights, it accomplished a numbers of strategic planning objectives: it served as a vetting/educational process as controversial policy items raised in the development process by stakeholders and lawyers were brought to their attention and examined in detail. It was a forum to dialogue/educate/provide information on the rationale for including particular ‘controversial’ items/content. Through these processes, board members (because of their intimate involvement in the process) became increasingly socially literate in equity and human rights organizational change issues. Over time they developed an awareness of the organizational ‘benefits’ of incorporating equity and social justice (rebranded as ‘diversity’), from a range of discursive perspectives (Table 1). Managerial/Assimilationist ‘discourse of the law’ emphasized the legal obligation of the institution to establish and monitor rights based dispute resolution procedures, Managing Diversity discourses appealed to economic and OD (‘educating about the experiences of the other’) considerations such as training employees and student recruitment, and Transformative organizational change considerations attempted to positioned the college as a leader in human rights, useful for marketing purposes. Consequently, these influential managerial stakeholders were ‘groomed’ to be internal champions, since they understood the

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83 This team included prominent members of the local community. Douglas purposely chose them by their professional backgrounds to test possible managerial opposition to a policy and to legitimate the process among the President’s Management Group. The board team included a lawyer, businessman, engineer and social worker.
managerial and equity/human rights implications of various policy items and the rationale behind them.

The evolving transformative discursive framework designed by the change team for the policy was never questioned by senior management since they had largely abnegated the process to Douglas. The senior leadership team development emphasized by Hardiman and Jackson (1994) as critical to successful human rights organizational change endeavours was not utilized by Douglas; perhaps he saw this as a futile exercise. Consequently, meetings with senior management were confined to discussions of law and the legal obligations of the organization with regard to human rights. Douglas elaborates,

Policy development was an open and consultative process based on stakeholder participation. The process was an educational process based on dialogue and debate. Human rights specialists were brought in to guide the process, this minimized conflict between stakeholders, since points of contention were settled by legal standards and precedents regarding specific issues. Deadlocks were settled by legal advice…. a policy team which went to PMG at regular intervals. The team consisted of specialists in the area; Matt and Chet, with Elisa representing the faculty’s interests......Consultations with all sectors of the college community were an open process. But first and foremost this was an educational process which encouraged debate within the community using specialists in human rights and it was also a political process, because we wanted to work with the union and the union was critical to the success of the process. Whenever disagreements occurred with the administration and Elisa (faculty union president) we confined deliberations to the law. Once this pattern was established with the unions there were hardly any disagreements....Students came to the process as part of the Students Rights and Responsibilities process later on (Douglas, 200).

One can surmise that based on Douglas’s comments, he certainly does not underestimate the necessity of education, debate and dialogue, as key strategic components in the policy development process. However, as will become apparent in subsequent sections of this study, Douglas and the change team’s reliance on the discourse of law may have been a strategic miscalculation in establishing a strong foundation for human rights organizational change.
5.9 Framing the Policy

Members of the change team viewed the crisis facing this assimilationist organization as a window of opportunity to anchor transformative discourses into the policy framework to counter the dominant assimilationist ideologies and practices. There was significant push back from conservative faculty, and constraints were placed on the policy team by the organization’s lawyers as they attempted to limit the liability of the college. To settle policy development controversies, Douglas sought legal interpretations from a human rights lawyer arguing that the college’s lawyers were out of touch with developments in human rights law. The internal battle between the Board’s lawyers and the human rights lawyer had negative consequences even though controversial (radical) items such as curricular transformation were included. The final policy document was rewritten in ‘legalese’, making it undecipherable to many without a legal background. Nonetheless, the policy retained elements of a transformative organizational change framework though one had to look carefully for this since it was embedded in the document under the Principles of the Policy Section and obscured by the complex, lengthy and detailed dispute resolutions mechanisms intended to limit institutional liability. As the policy was being adopted the ‘culture wars’ were peaking on North American campuses resulting in a backlash against human rights (Shefman, 1997).

5.9. 1The Question of Political Correctness and Academic Freedom

The most controversial policy item tabled by the CDRO created some consternation for the faculty union, the internal champions of human rights. “The Academic Standard” clause outlined an agenda for curriculum transformation that challenged core assumptions of assimilationist discourses circulating in post secondary institutions at the time and adopted by
opponents of the policy, especially conservative faculty. Neo-conservative discourses construed Keynesian welfare state social policy (e.g. human rights, social welfare, labour and environmental protection) in the preceding decades as signs of moral and economic disorder and decay afflicting Western civilization (Bloom, 1987; Fekete, 1996; D’Souza, 1991; Duster, 1991; Kimball, 1991). In the educational system, "Barbarians" (radical people of colour-anti racists and women-feminists) had taken over the Ivory Towers and were driving the agenda in higher education by imposing a totalitarian ideological system that threatened everyone else’s rights and freedoms.

Neo conservatives linked this ‘moral disorder’ to ‘economic disorder’. Cutbacks to education, healthcare and other social programs were necessary they insisted because they were major contributors to the growing deficit. The public sector and their unions were singled out as an intrusive and wasteful manifestation of big government and socialist programming. To bring back ‘moral order’ neo conservatives proposed that the “common good” (needed) to be regulated exclusively by the laws of the market, free competition, private ownership and profitability” (Apple, 1993). Social programs and other government programs had to be privatized. Restrictive government legislation in the areas of environmental protection, labour and human rights has a negative impact on individual rights, the economy and reduce the nation state’s global competitiveness (Smith, 2004). By coordinating a public consensus on the issues they defined as the ‘common good’ neo conservatives set up a binary opposition of we/they:

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84 It was Academic Application of the Code but lawyers change it to Academic Standard – which assumes a static and fixed end point.
85 Typical headlines included the following:” Taking Offence: Is this the New Enlightenment on Campus or the New McCarthyism?” Newsweek (Adler, 24 Dec.1990);"The Rising Hegemony of the Politically Correct.” New York Times (Bernstein, 28 Oct. 1990); “The Silencers: A New wave of Repression Is Sweeping through the Universities.” Macleans (Fennell, 27 May. 1991.
“We” are law-abiding, “hard working, decent, virtuous, and homogeneous.” The “theys” are very different. They are “lazy, immoral, permissive, heterogeneous.” The subjects of discrimination are now no longer those groups that have been historically oppressed, but are instead the “real Americans” who embody the idealized virtues of a romantized past. The “theys” are undeserving. They are getting something for nothing. Policies supporting them are “sapping our way of life,” draining most of our economic resources, and creating government control of our lives (Hunter, 1989, quoted in Apple, 1993).

These discursive techniques persuaded large numbers of those who interests were diminished by capitalism, patriarchy and white privilege that their interests lay in defending the status quo (Rothenberg, 2004). This facilitated a convergence of conservative economic and political elites, white working-class and middle-class groups concerned with security, the family, and traditional knowledge and values (Apple, 1993).

This provided a framework for the college’s predominantly white conservative faculty to embrace Whiteness and object to human rights policy processes in general, especially curricular change that called the canon into question. The curriculum transformation clause was perceived as a direct assault on the principles of academic freedom. Though management controls the curriculum in colleges, academic freedom was a symbolic weapon in the war against human rights. Vickers (1993) observes that the neo conservative academic backlash intimidates and silences women and others who attempt to exercise their freedom of speech and academic freedom by denying the prevalence of harassment and discrimination, and minimizing the fact that this is a serious social issue which can have a devastating impact on its victims.

McCormack (1991), Horn (1999) and Smith (2004) noted the connections between conservative academics and the corporatization of postsecondary education suggesting that the real threat to

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86 The tenure system protects the academic from being removed from the university when their views conflict with those of the university establishment and include the following elements:
- the freedom to teach without constraint by prescribed doctrine or ideology
- the freedom to carry out research without constraint by prescribed doctrine or ideology
- the freedom to publish the results of such research
- the freedom to speak extramurally
- freedom to criticize the university, colleagues and the government (Horn, 1999; Levine, 1995; Schrank, 1998).
academic freedom was not ‘political correctness but ‘economic correctness’, the increasing privatization of universities and the injection of administrators from business and government.\textsuperscript{87} Another fact overlooked by Canadian conservatives is that unlike the United States constitution, Canada’s Charter of Rights and Freedoms does not establish a hierarchy between freedom from discrimination and freedom of expression. Consequently, faculty are as vulnerable as any member of Canadian society to human rights, labour or criminal law. In Canada human rights law applies to universities and colleges in three ways. They are: (1) employers of faculty, staff and students; (2) landlords, owners or managers of residences, and other facilities which they rent to students and others; and (3) providers of services.

With dominant assimilationist discourses circulating among their base of support and the fallout from the Saljee Report still fresh, the faculty union did not initially endorse the clause. The CDRO argued that the social construction of knowledge was the crux of human rights in educational institutions; as a college if we applied a systemic analysis to the human rights application of the code to the curriculum, this is where real change was going to happen. The institution needed to establish a framework of principles that would apply to the teaching and learning process because it was evident from both the Sologee Report and the Climate Survey that oppressive discourses within various disciplines were contributing factors to the hostile environment reported by students. Furthermore, considering the current backlash against equity, the college had to define the relationship between academic freedom and freedom from discrimination in the policy.

\textsuperscript{87} This view holds that universities should become more businesslike and be subject to market discipline. Students are seen as consumers and the success of an institution is determined by client satisfaction with services and their ability to get jobs upon graduation. Two specific ways in which the corporatization of post secondary education restricts academic freedom are the increasing reliance of part time and sessional faculty who have to exercise caution if they wish to be rehired and a ‘production driven research culture’. Of particular concern are contracts between research institutions and corporations which impose limitations on the right to publish research results.
Drafting the Academic Application of the Code in the midst of these debates ran the risk of derailing the entire policy process. Faculty were told that the policy did not dictate faculty perspectives on social issues. What was envisioned was a curriculum framework that educators could employ in teaching and learning processes to critically examine how oppressive discourses operate within various disciplines to omit, distort, and marginalize various knowledges and experiences. The consideration of multiple perspectives and discourses, is about exploratory learning that would ultimately enrich disciplinary knowledge and provide students with a range of perspectives to develop and frame their own perspectives. Uncritical acceptance of dominant disciplinary perspectives may reproduce harmful discourses of eurocentricism, patriarchy, heterosexism, ableism, classism etc. This is not a statement of censorship; faculty could use any materials they chose to. However, if misogynist, racist or hetero sexist material was going to be used in the classroom, it had to be contextualized in a critical context. In part, the statement read,

This policy is intended to foster a balance between academic freedom and freedom from discrimination and harassment......It is the objective that curriculum and teaching methodologies strive to reflect the diversity and changing nature of racial, cultural and religious groups in Canadian society, as well as the influences of gender, social class, age, disability, sexual orientation and geographic origin. The College actively encourages a critical examination of all text and materials in the learning and teaching process since, for historical reasons, they may contain stereotypes and unintentional discriminatory biases (UCC Human Rights Policy)

Cognizant that many policies are never operationalized, the final edit by college lawyers is a weak statement that the clause was not a theoretical statement but a call to action:

....It is a policy of the College to strive for an educational environment in which participants are open minded, discerning and analytical and aware of historical and current values, attitudes and behaviours in order to challenge expressions of manifestations of discrimination and harassment (Ibid).
When the first draft of the policy was presented to the College’s lawyers they recommended deleting any references that jeopardized the college’s liability by reaching beyond existing human rights standards,

“...there may be instances where ...it is the college’s intention to extend the rights enjoyed by employees and students beyond the parameters of the current statutory and common law.....where it is not the not the college’s intention to extent potential liability, we recommend revising the Policy to conform with pre-existing legal liabilities for human rights and related protection...” (Loopstra, Nixon and McLeish, 1998). Commenting on the Academic Application of the Code they cautioned:

...the Policy states that the curriculum and teaching methodologies should reflect the diversity and changing nature of racial, cultural and religious groups in Canadian society. By stating this as a policy, the College opens itself to challenges that its curriculum is not sufficiently racially, culturally and religiously diverse. The scope for litigation and the impact upon the college curriculum from such a statement could be immense. We recommend deleting any reference to the content of the curriculum from the Policy. (Loopstra, Nixon, McLeish, 1998).

The CDRO convinced Douglas to get an opinion from a human rights lawyer on the inclusion of the Academic Application of the Code. After several consultations with the lawyer her official response to the college was sufficient for the Vice President and the faculty union president to support the inclusion of this clause,

......The Human Rights Code prohibits discrimination in the provision of services, and various court and tribunal decisions have made clear that educational institutions in providing educational programs are providing services. Accordingly, the College is under a legal obligation to ensure that students are not discriminated against in the course of receiving services form the College. I note that while the Human Rights Code does not specifically prohibit harassment in the provision of services, as it does in the case of employment, the manner in which Human Rights legislation has been interpreted leaves little doubt that the definition of discrimination would be found by a Human Rights Board of Inquiry to encompass harassment....Putting these processes in place assists in ensuring that the College is carrying out its obligation under the Code and also makes a clear statement to students, teachers and others involved in the academic process that
harassment and discrimination contrary to the Code will not be tolerated. It also limits liability by resolving complaints before they get to the Human Rights Commission... (Bolby, 1997).

5.92 Systemic Organizational Change

The Adverse Effect/Systemic Discrimination clause framed organizational injustice and inequity as produced by systems of privilege normalized in knowledge production (curriculum), organizational norms (harassment and discrimination), and institutional practices (hiring, service provision, etc.). Human rights were systemic issues and not individualized. Consequently, hegemonic centres such as management processes had to be accountable to these goals and objectives and would necessarily come under scrutiny to ensure fairness in operational systems. This generated a great deal of resistance from the institution’s managerial core. During consultations managers cited assimilationist discourses to argue that that managerial rights were being restricted by the policy, an example of ‘special interest’ groups ‘taking over’. Academic managers, in particular, argued that they were ‘abused’ by the faculty union (a reference to the union newsletter’s monthly portrayals of managers that were anti-union) and had no power to do anything about it.

The college’s lawyers insisted on removing most of this section stating that it placed the college at considerable liability risk by identifying specific areas of operations and detailing the human rights obligations of managers in specific portfolios. Establishing human rights standards of fairness/equity in managerial processes within assimilationist organizations requires at minimum senior management support, and a grasp of the issues. Aside from Douglas, the concept of systemic discrimination was lost on senior managers whose claims of meritocracy and rejection of white/male privilege would explain the skewed demographic composition of the college’s workforce as the innate superiority of whites (Appendix I). For college lawyers, this
clause would require establishing processes to examine employment and service delivery systems to ensure compliance with the policy. The consensus was that the college could not deliver on these; the management pool was largely intact from the previous administration and the clause implicated senior management intimately with the operation of the policy. Douglas took the lawyers’ advice that this pushed the envelope beyond the current capabilities of the organization. The accountability section of the policy was ordered removed by Douglas.88 The final Adverse Effect/Systemic Discrimination clause included primarily areas of employment already covered under the Federal Contractors Program:

it is the policy of the College to also confront situations of adverse effect/systemic discrimination which are based on the prohibited grounds of Discrimination. It is intended that there will be an ongoing review and assessment of College policies and procedures by the Human Rights Director to address any adverse effect/systemic discrimination which may be occurring. Where Members of the College Community suspect circumstances of adverse effect/systemic discrimination, they must draw this to the attention of the Human Rights Director for investigation and subsequently report to the applicable Senior Officer for any action considered necessary.

Adverse effect/systemic discrimination occurs where a practice requirement, qualification or factor is not overtly or intentionally discriminatory, but still negatively affects a person or group upon grounds prohibited by the Ontario Human Rights Code. Though organizational policies, practices, procedures, actions or inactions of people in authority may appear to be neutral, it is recognized that they may have an adverse impact on individuals protected by the Ontario Human Rights Code and may therefore be discriminatory.

Areas covered by this adverse effect/systemic discrimination breach include the following College policies, practices and procedures:

- recruitment;
- selection and hiring;
- pay and benefits;
- promotion, secondment and transfer;
- evaluation and development of performance indicators;
- training and development;
- termination;

88 It addressed a number of operations in the colleges such as Academic policies within programs, provision of services to students, financial aid, communications and marketing, among other areas. See Appendix II which was an attempt by this researcher and Jones to recoup some of these goals. It was adopted by the joint committee in principle.
• treatment of Employees;
• Admission;
• Re-admission; and,
• Prior Learning Assessment.

The human rights obligation of managers was reinforced throughout the document. Section II B., of the policy emphasizes management’s accountability and obligation “...to act expeditiously upon receipt of information concerning incidents of harassment, discrimination, safety and security and criminal matters.”, and to address systemic discrimination issues with regard to employment (Appendix 3, page 5). This concern is further reinforced in Route 2 of the complaints procedures where managers play the main role in collaboration with the Human Rights /Labour Relations Office in resolving disputes falling under this route. Any Employee or Senior Officer who becomes aware of any conduct which may also be a possible breach of the Human Rights Code and who does not report the incident to the Human Rights Director within a reasonable period of time, breaches proper conduct and is liable to a sanction under this policy. Any employee or Senior Officer who becomes aware of any conduct which may also be a possible breach of the Criminal Code of Canada or other federal or provincial statute and who does not report the incident to the Manager of Security, Health and Safety within a reasonable period of time, breaches proper conduct and is liable to a sanction under this policy.

5.9.3 Complaints Procedures

Conceived as an instrument for managing, the complaints procedures appeased faculty and at the same time avoided individualizing human rights common to legal liberalism. However, these processes were transformed into very complex and cumbersome procedures

89 This section of the procedures dealt with matters not related specific to human rights grounds such as bullying.
before lawyers would sanction the policy which would have implications for the policy in future administrations.

Many faculty voiced concerns that the policy would become a tool to punish them for frivolous or vexatious reasons. Consistent with the neoconservative backlash many expressed concern that they could be charged and convicted without any recourse on the basis of an allegation of discrimination or harassment.\textsuperscript{90} The Procedural Fairness clause, standard in most administrative dispute resolution procedures, responded specifically to this concern.\textsuperscript{91} Another frequent concern raised by faculty and fed by neoconservative discourse was that students would use the policy to play the “race card”, (alleging racism without ‘merit’ in order to access resources traditionally reserved for whites through ‘invisible’ systems of white privilege) and in the process tarnish the reputation of the alleged (white) perpetrator. The Abuse of Process clause in the statement of principles addressed this concern.\textsuperscript{92}

As a centralized complaint mechanism, the policy combined all administrative areas of law not covered under the collective agreements as well as the Student Rights and Responsibilities Code of Conduct, all under the filter of a human rights lens. Consequently, three areas of administrative law (human rights, criminal and labour) had to be integrated into complaint procedures. To ensure due process for all parties, detailed procedures were established with time frames for each step. In total there were six routes a complaint could take. These included complaints against students and conduct complaints against employees involving

\textsuperscript{90} There were a number of high profile cases where complaints were badly handled by universities who had no infrastructure or experience dealing with these human rights obligations.

\textsuperscript{91} “It is intended within the scope of this policy that no action will be taken against a person or a group without their knowledge where there is an alleged breach of the code of conduct.....It is intended that the person or group will be given reasonable notice, with full details of the breach and an opportunity to provide and answer to all allegations made” (Appendix 3, pg 7).

\textsuperscript{92}“Any individual or group that makes a frivolous, vexatious, false or bad faith complaint pursuant to this policy or any individual or group who uses this or other college policies or regulations, for the purpose of harming another individual or group, breaches this policy and can be disciplined” (Ibid, pg 7).
harassment and discrimination, conduct complaints against employees other than harassment and discrimination (including personal harassment), complaints against senior officers and administrators of the policy, the Human Rights Director and the CDRO, complaints against members of the college community other than students, employees or senior officers, procedures for complaints of systemic discrimination and complaints involving Academic Appeals. These processes involved several levels of appeals and unionized employees could always revert back to grievance procedures.

In theory, the complaints mechanism would help manage the human rights strategy by identifying systemic patterns within the organization. However, this would only work if those managing the process remained in their positions or if subsequent human rights workers shared this analysis. For the human rights lawyer, this cumbersome bureaucratic infrastructure was a also a liability issue because as an organizational change strategy it didn’t confirm to rights based dispute resolution mechanisms, “…If those responsible for investigating complaints get bogged down dealing with non-human rights issues, this can impact negatively on human rights complaints and end up creating greater liability for the college” (Bolby, 1997). The emphasis is placed on the efficiency of the complaint process not on how the process can further organizational/systemic change.

Another controversy involved the emphasis on informal mediation or early resolution in cases not involving serious breaches of the Code. The faculty union was adamant that Early Resolution Facilitators (informal mediators) would include all managers and union stewards. In theory this placed responsibly not in an expert office or position but throughout the organization. It required a sophisticated understanding of both dispute resolution and the operation of systems

93 Westerman (2008) has argued against the inclusion of this ground suggesting that it waters down and weakens human rights complaints.
94 This was determined by the intake process.
of privilege which could be accomplished by intensive long term training. However, even with intensive training it would be virtually impossible to manage the intake process at this stage in an assimilationist organization. Serious breaches may not be reported for various reasons including ideological bias on the part of managers. For instance, Riger (1991) discussing complaints process with regards to sexual harassment, notes that while women generally prefer informal resolution, the most common form of sanction in post secondary institutions for sexual harassment is a verbal warning which may give harassers the idea that it is a low risk behaviour. Furthermore, because of the confidentiality associated with the process, repeat offenders may not be identified, creating safety issues for the campus community. Also, informal resolution does not consider the power imbalance with regard to organizational roles and social status (i.e. student vs. faculty and male vs. female) between the respondent and complainant. A pattern could evolve where individuals are discouraged from using the process since it could disadvantage women complainants. She points out as well that when the respondent has more power than the complainant, the complainant is vulnerable to retaliation and in the case of many students, they know that in many cases the person receiving the complaints is expected to be a neutral third party and may hold little power. In these situations the age experience and verbal argumentation ability is far beyond that of students in cases where the respondent is a faculty member. However, in spite of these arguments, the faculty union was adamant that it be a part of the process. The Human Rights Director suggests that this was a concession the change team had to be made:

....it was mainly a union demand; it allowed quick learning of the issues and building skills at the front line. In a logical way it’s a very good strategy....and we had to build it that way because in the end that is really what we want. It didn’t make sense putting it at the beginning (assumes that faculty and union stewards had the knowledge base to deal with a range of issues in particular human rights issues), but it was a concession we had to make. The union was more concerned about dealing with it in a formal sense and
moving to the formal process too quickly. They were concerned about the disciplinary aspects of the process especially in regard to faculty...this would cause problems. So I understood where they were coming from. We had to build it in and emphasize it as a strategy in order to get buy in. The only way we could get faculty buy in....was to say we would resolve problems at the early resolution stage (informal stage)....what it did force us to do was as much education as we can early and it would have been difficult to get the commitment and resources for education had we not strategically emphasized early resolution (Duga, 2000).

During a focus group sessions of managers, union stewards, faculty and others expected to be early resolution facilitators, participants were presented with a number of complaint scenarios they may encounter as early resolution facilitators. It became obvious to the participants during the debriefing that the intake of a human rights complaint involved a certain level of skill, knowledge, and expertise. Furthermore, if incorrect advice was given to a complainant there could be serious implications for all involved. The Support Staff Union President refused to commit himself or support staff union stewards to serve as early resolution facilitators. The faculty union executive withdrew the demand that the union executive and all faculty union stewards and faculty appointed by the union should serve as early resolution facilitators under the Policy. Instead, a concession was made that this role would be limited to a small number of individuals who would receive ongoing specialized training by lawyers and the change team.

5.10 Getting Final Approval

The final draft of the policy incorporated concerns expressed by the organization’s various management teams, stakeholders and lawyers as it attempted to strike a balance between tempered radicalism (transformative human rights advocacy/reform cognizant of localized constrains), and managerial priorities (managing diversity and protecting the college’s legal liability). The transformative (community development) model of extensive community
consultations and consultations with various lawyers on controversial elements of the policy, and
the visible commitment from the faculty union president (and more importantly the Vice
President) paid off as the senior team and the board gave their endorsement. PMG bought the
argument from Douglas, Fox and the CDRO that the policy was essential for the college to meet
the challenges of its internal and external environment in 1997.

The managing diversity perspective was emphasized in ‘selling’ the policy to senior
management as the most appropriate strategy to address the organization’s human rights crisis.
The development team noted that the broad based application of human rights jurisprudence
covering all human rights prohibited grounds from a systemic perspective was consistent with
contemporary managerial developments. The team stressed the business case for diversity to
justify the curriculum transformation clause, arguing that it would provide additional skills for
‘employees’ (faculty) and produce graduates who will be competitive in today’s workforce
because employers are now demanding diversity skill sets/competencies to meet the challenge of
rapid demographic shifts occurring in the workforce and society (Workforce, 2000). The team
also argued that the college’s reputation would be enhanced in its primary catchment area since
the reduction of disputes would create a more welcoming environment for racialized and
minoritized peoples. They were assured that management accountability and faculty and staff
professional development would limit organizational liability. Douglas surmises on the
strategies that led to final approval:

When we went to the Board I was confident about the product. I knew that there were a
number of Board members (among them some senior managers) who were not entirely
happy with the policy. They were concerned that the policy was an erosion of
management rights. The policy enshrined rights and responsibilities for all parties in the
dispute resolution process. In the past violations of college policies resulted in the
unilateral impositions of sanctions by managers. Students in particular had no recourse to
appeal disciplinary sanctions such as expulsions. However, this was the management

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95 This was certainly true of the critical literature, not so for most of the managing diversity literature
culture, it was autocratic. We changed this. What we introduced through the policy development process was an entirely different way of thinking about how management dealt with people within the organization. What we were saying was that the world was changing - if you want to arrive at meaningful solutions to individual and organizational issues you have to involve all stakeholders. The process must be transparent. In the past decisions were made in the closet. Management authority is not enough to ensure just decision making. The other thing was that we were in the forefront of putting in place new mechanisms of dispute resolution that were being tested in the legal system. They could not argue with the process, the wide spread consultations with every sector of the college community, the numerous legal opinions-the college lawyers, the human rights lawyer, Judge Zuker (a district court Judge who reviewed the policy). Our use of the law to justify our approach could not be challenged. No other policy brought to the Board was developed in a similar manner...(Douglas, 1999).

5.11 Operationalizing the Policy

The text of the college’s human rights policy signed off by its board of governors would be typical of an organization that embraced aspects of transformative discourses of equity. In theory, it committed the institution to a course of human rights organizational change. Specific clauses referenced systemic discrimination in employment and oppressive ideologies in curriculum and classroom climate. It also established that human rights standards were expected of all interactions in the college and committed all members of the community who witnessed or were aware of instances of harassment or systemic discrimination to report it. Many managers viewed these developments as a loss of managerial control and an excess of ‘political correctness’. However, they did not openly resist these developments, anticipating these ‘flavour of the month’ initiatives would eventually blow over with the next administrative turnover (Michaels, 2010). Senior managers recognized that the organization was in crisis based on its human rights record and saw the policy process as Douglas’s pet project, not seriously considering the organizational/systemic implications.

The greatest impediment to policy was also the college’s hegemonic centre – middle managers. Many managers subscribed to the individualistic ‘merit based’ approach and rejected
liberal social justice programs that tempered the inherent inequality in systems of whiteness, patriarchy and class inequality. For these managers, equal treatment in the law and administrative processes was all that was required for equality of outcomes. This ahistorical approach fails to recognize that ‘certain rules can have systemic effects on groups and individuals by virtue of their membership in those groups’ (Goldberg, 2007: 208). Media discourse and reports coming from police and fire departments resistant to NDP equity initiatives constructed minoritized groups as deficient in skills knowledge and ability by claims of meritocracy. They claimed that their ‘standards had to be lowered’ to comply with equity and white men were now the real victims of discrimination in the process setting up a discourse of ‘reverse discrimination.’

Institutional managers saw their ‘professionalism’ under attack because the policy suggested that they may be implicated in reproducing systems of injustice and inequality. Many full time faculty are hired from the part time pool; part-timers gain entry through networks of full time faculty, yet racialized people often cannot access these groups and when they are hired, which is rare, they are often excluded from department networks and social groups (Shivan, 2010). When disparities in the employment pool are pointed out, managers rely on neoliberal tropes to mask manifestations of ‘economic apartheid’ by arguing that there are problems of the immigrant adjustment processes, or that racialized groups don’t apply. For women, disparities are explained as a biological issue of motherhood that interrupts careers, and for the disabled it’s too costly for employers (Galabuzi, 2005; Ornstein, 2006).

Studies on postsecondary human rights policy implementation suggest that once human rights policies are developed, they are poorly implemented or there is little or no attention to implementation (Farish, 1995; McDonald, 1992; Neal, 1998; Thomas, 2008). Senior
management was convinced by the Joint Committee, the faculty union president and Douglas that institutional commitment to implementation was critical to reducing the college’s liability and that it would require sufficient resources and long term commitment. The change team, cognizant of managerial disinterest, compensated for anticipated resistance and subversion in numerous sections of the policy, reinforcing the high level of obligation placed on managers. Using discourses of the law, and appealing to managerial efficiency they were told that policy initiatives and obligations were not impositions on managers; they were requirements of law and legislation and they needed to act accordingly to protect the college’s liability.\footnote{It was emphasized that the Code itself places a high level of responsibility on managers (referred to in the Code ‘Directing Minds’ of an institution). However, this obligation generally becomes known, or is made relevant in institutions when a human rights complaint is lodged with the commission.}

It was also emphasized that faculty as managers/facilitators of the classroom also had pedagogic obligations regarding curriculum and the learning environment in the Canadian context of academic freedom and freedom from discrimination.

As previously noted, the unions in particular insisted on stakeholder involvement in dispute resolution processes mindful that management could revert back to arbitrarily using the policy as a mechanism against their members. Union stewards, managers, students, faculty and staff were appointed to serve in dispute resolution capacities such as early resolution facilitators (informal mediation), campus hearing committee members (formal hearings), mediators and College Appeal Board (CAB) members.\footnote{The final appeal process.} This arrangement in theory placed responsibility on the entire community for dispute resolution. For it to succeed in practice, a high level of expertise would have to be achieved in order to fulfil the expectations of these roles.

The policy implementation plan approved by the stakeholder committee outlined the infrastructure and recourses necessary to carry out the initial implementation phase over the next...
three years. Its main emphasis and priority was extensive training that had to be developed for managers, faculty, staff and key roles in the dispute resolution mechanism. Training manuals and policy guides for support staff, faculty, students, managers and those involved in dispute resolution processes had to be developed. Systems analysis tools were designed to link complaints resolution mechanisms to the identification of systemic issues. This required data collection systems and managing the reporting mechanisms for the various roles involved in dispute resolution. Communications and marketing strategies were developed to ensure ongoing engagement and compliance from various stakeholders, and most importantly evaluative measures were developed to track the success of this phase of implementation.

After the plan was presented to the president detailing implementation costs, she did not approve it and still couldn’t understand why one person couldn’t coordinate these functions as was the case in most colleges and universities at the time. Resources were secured after intense pressure and lobbying from the stakeholder committee (Joint Committee), the union president and Douglas who argued that the college had to make this investment to manage the current human rights and labour relations crisis. Douglas also juggled resources within his portfolio to provide the material and personnel necessary to accomplish the requirements of the implementation strategy.

Senior management reluctance was overcome by appealing to legal liability and managing diversity perspectives that were evolving from corporate discourse. Management was reminded of the preliminary findings from the Climate Survey that revealed over 30% of the college community experienced some form of harassment and/or discrimination on prohibited grounds of the Ontario Human Rights Code, a significant number of students and employees at the college experienced barriers to learning, teaching and performing their jobs due to the
presence of harassment and discrimination. Complaints of harassment and discrimination were increasing dramatically, of the 40 complaints received in the fall of 1996; the grounds included sexual harassment, failure to provide reasonable accommodation, racial discrimination, homophobia, sexual assault, and invasion of privacy. These occurred within the teaching-learning environment, within management-labour relations, and related to various areas of service provision. Senior management was informed that employers were increasingly requiring graduates to have the skills and knowledge to work in a diverse environment. It was put forth that as the college with the most diverse student population in North America (the college began to brand itself as such), UCC has the opportunity and the responsibility to develop innovative, creative and cost-effective measures to respond to emerging managerial and pedagogic concerns. Management was reminded that the increased number of complaints was a positive indication that there was more clarity and trust in the process (not the result of a ‘victim’s revolutions’ as some were characterizing it). And finally, research indicated that employees and students who feel unsafe, unconnected and disrespected are unlikely to be motivated to learn and to work to their full potential (Wlodkowski & Ginsberg, 1995).

The change team argued that aspects of implementation such as policy guidelines, support and education would enable the college to meet the above challenges by providing clear direction to every member of the college community on their role in creating a positive, productive learning and working environment. Training initiatives would minimize grievances, formal complaints and use of the legal system. Furthermore, this approach is a cost-effective way to encourage compliance with the college's policy on harassment and discrimination, the collective agreements, and with Ontario and Canadian law.
At a time when other human rights offices in the system no longer existed, or were reduced to one individual, five full time staff were put in place by the vice president. The Chief Advisor, the College Dispute Resolution Officer, two Training and Development Consultants, (on leave from faculty) and two support staff, one dedicated to training functions. In addition, there were external consultants brought in for various implementation tasks. Additional personnel connected to the office included the dispute resolution infrastructure which included nine College Dispute Resolution Advisors, twenty five Campus Hearing Committee members and fourteen College Appeal Board members (Duga, Jones, Singh, 1998).

5.12 Implementing the Policy

The implementation process was legitimized by communications strategies that reinforced that this was an organizational necessity supported by management, the unions and other stakeholders. Change priorities were based on establishing a managerial and teaching and learning culture respectful of human rights obligations using discourses of the law and changing the organizational culture through mandatory training. For the first two years, activities were geared to establishing a complaints infrastructure to clear the backlog of complaints that were not addressed over the last several years, designing data collection systems to identify and track systemic patterns of discrimination for organizational change priorities, training stakeholders representatives to fulfil obligations of specific conflict resolution roles defined in the policy and training the community at large to recognize patterns of harassment and discrimination and how to address their occurrence. Structural changes such as employment equity were addressed at the joint committee and approved for the second implementation cycle. Mandatory training for all full time employees was presented as a requirement of the employment relationship approved by
the organization’s the Board of Governors as part of the policy implementation strategy. Collective agreements and college policy required that employees familiarize themselves with relevant laws and legislation and in this specific instance know their rights and responsibilities under the policy and their part/role in the implementation process (Jones, Singh, 1999).

The training strategy was designed on the community development model using primarily single loop strategies since the team was strategically approaching human rights as a technicist bureaucratic managerial function using discourse of law – fulfilling legal obligations. Given the dominant organizational culture, and neoliberal societal discourses, the change team framed the training strategy within technicist legal discourses. The training design was based on providing ‘information about the other,’ here is how particular social groups are discriminated against and here is what you need to do to become more culturally sensitive and to fulfil legal obligations required by legislation and college policy these are the standards of behaviours and practices expected of organizational members. It also had elements of ‘education that is critical of privileging and othering’ – How is it that some groups are favoured, normalized and privileged? How do social structures, ideologies and symbolic systems uphold the existing order? (Kumashiro, 2000; Nestle, 2005) (see Table 1). Jones and Stewart (1998) outline the assumptions behind the initial workshops:

98 Incremental (Single-Loop) Learning refers to learning new skills and capabilities through incremental improvement, doing something better without examining or challenging underlying beliefs and assumptions. For technicist human rights training – this is the law/legislation, this is what is required of you in your employee role. Reframing (Double-Loop Learning) occurs by fundamentally reshaping the underlying patterns of our thinking and behavior so we’re capable of doing different things. This level of learning often enfolds single-loop or incremental learning, but goes beyond it. This is the level of process analysis where people become observers of themselves: "What's going on here? What are the patterns?" We begin to see we're part of systemic relationships that privilege certain knowledges over others or certain social groups over others but these are complex arrangements and not simply explained through systems of binaries. Consequently we can impact the system by our own behavior. We become aware of our defensive routines, previously below our level of awareness, self-fulfilling, and self-defeating. In reshaping our thinking and behavior, we learn to be less defensive, more open, and increasingly self-aware more observant at individual and interpersonal levels.
There is discrimination at UCC and we all have the right to work in an environment free from it. There is discrimination in society, UCC is a subset of society thus there is discrimination at UCC

We need to recognize it (harassment and discrimination) when it happens.

We need to know what we can, and are required as staff, to do about it

We need to know what resources are available to help

This is a challenging issue, education is the first step

These OD approaches were used throughout consultation and focus group sessions with all internal stakeholders, especially managers. Workshop design processes were collaborative and attempted to respond to specific issues and concerns of all stakeholders and employee groups through focus groups sessions and pilot workshops. Initial consultations identified gaps in addressing issues of concern for staff in their specific program/work areas. The workshop delivery model was further refined with managers from various schools/departments, both to train them on their managerial obligation (reinforced throughout the document) and orient them to the training their respective staff would receive. Input from these sessions with managers was then integrated into workshops designed for specific schools/departments and then further modified based on participant evaluations (Jones, 1998).

There were four phases of training approved for the first cycle of implementation. The first phase, ‘Promoting Human Rights and Equity’ was an introduction to the area of harassment and discrimination and was customized to the needs of each group of participants. All college employees were required to attend Phase I training: Promoting Human Rights and Equity. The Generic Outcomes for all participants were:

1) To describe their role in ensuring a harassment and discrimination free environment at UCC.
2) To identify when harassment and/or discrimination are a feature of an incident.
3) To relate to students, colleagues, and managers in a manner that is inclusive and non-discriminatory.
4) To participate, according to their position at the college, in ensuring that the college environment is welcoming, inclusive and harassment and discrimination free.
Specific Outcomes for support staff included:

1) To provide information to students and faculty in a culturally-responsive manner.
2) To monitor the college environment for materials or other expressions of discrimination and harassment and follow relevant college policy.

Outcomes for managers were listed as:

1) To ensure that the work of faculty and support staff are carried out in a manner that complies with the Collective Agreements, health and safety regulations, the college Dispute Resolution policy and the Ontario Human rights code as they pertain to harassment and discrimination.
2) To provide reasonable accommodation as it is required by faculty, support staff and students.

Outcomes Specific to academic managers:

1) To provide academic leadership on curriculum issues related to inclusion.

For security staff Outcomes were:

1) To provide information to students and faculty in a culturally-responsive manner.
2) To monitor the college environment for materials or other expressions of discrimination and harassment and follow relevant college policy.
3) To utilize conflict resolution strategies to intervene in conflict situations.

There were also Outcomes for Student Association leaders:

1) To perform a leadership role in the student body by identifying and challenging incidents of harassment and discrimination.
2) To conduct the business of the Student Association in a manner that complies with the college Dispute Resolution policy and the Ontario Human Rights code, and that provides a welcoming and inclusive environment for all students at UCC. This includes such Student Association activities as: newspaper, recreational events, peer counselling, committee involvement and others.

Workshop topics included the following:

- what is harassment and discrimination?
- what are your rights?
- serving a diverse student and employee body
- conflict resolution strategies
- developing program policies and practices that ensure an inclusive, positive environment
- academic leadership to ensure an inclusive curriculum
Phase 2 training followed the same development process as phase 1 and had two components. The first was to begin an on going process of training individuals who had specific roles under the policy for formal and informal resolution processes, such as managers, union stewards, Campus Dispute Resolution Advisors (individuals appointed by the president and unions who can receive a complaint and engage in informal mediation), mediators, Campus Hearing Committee Members (individuals appointed by the president and unions to sit on the Campus Hearing Committees) and College Appeal Board members. Specific training competencies were identified for all of the above positions. These were highly technical but included critical double loop learning since critical analysis of human rights issues were essential criteria required of these roles. A vast number of skills, knowledge and aptitudes were required of these roles, for instance they were required to: become familiar with the highly complex dispute resolution policy procedures, know about relevant legislation (human rights, criminal code, freedom of information, privacy, etc), become familiar with aspects of administrative law - due process, procedural fairness, etc., apply this information to specific human rights case examples, acquire skills associated with various roles, conducting investigations, -mediation techniques, -conducting hearings and appeals. In order to be able to determine breaches of the policy, analyze dimensions of conflicts and identify systemic issues participants had to have an understanding of and be aware of their privilege and biases and have a sophisticated understanding of how harassment and discrimination operates. The training and development staff delivered the workshops along with outside trainers such as human rights lawyers and mediators. This training was continuous as participants met every two weeks for the first two years of implementation. To serve as a guide to the policy and to assist employees and

99 See footnote 28
students to fulfil their roles, a student as well as an employee manual was developed; the second component of phase 2 involved work-shopping the employee guide.

The third phase, occurring in years two and three, the final year of the first implementation cycle *Curriculum and Classroom Management*, would have addressed teaching and learning issues related to human rights, equity and the Dispute Resolution process, with faculty. A pilot training project was developed with General Arts and Science faculty to identify issues for training, design workshops and develop resource materials. The outcomes and initial topic areas approved by the joint committee and are as follows:

**Curriculum and Classroom Management Training for Faculty**

**Outcomes:**

1) To develop curriculum content, strategies for delivery, methods of evaluation, and course materials that are inclusive of the diverse student population.

2) To create learning experiences that allow the integrity of every learner to be sustained while each person attains relevant educational success and mobility; by respecting diversity, engaging the motivation of all learners, creating a safe, inclusive and respectful learning environment, deriving teaching practices from principles that cross disciplines and cultures, and promoting justice and equity in society.

3) To respond in an informed, educational manner to bias and conflict in the classroom and elsewhere in the college environment.

4) To provide reasonable accommodation for students who require it, according to college policy and the Ontario Human Rights Code.

5) To participate in dispute resolution according to the college guidelines and policy.

**Topics**

- ensuring inclusion throughout the curriculum
- creating a productive learning environment
- handling conflict in the classroom
- teaching students about human rights

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100 These are very detailed documents. The 40 page Student Guide was given to all incoming students with their registration package. The 80 page Employee Guide outlines in detail the roles of all staff under the policy and serves as a reference to those who wish to file a complaint or those who were the respondent in a complaint.
- developing program policies and practices related to human rights (including field placements)  
- providing reasonable accommodation for students  
- dispute resolution procedures

The fourth phase, Promoting **Positive Labour Relations**, would have addressed issues of performance management, interpreting management roles under the collective agreements, and fostering a positive working environment. Phase 3, Curriculum and Classroom management, and Phase 4, Promoting Positive Labour Relations were never implemented as will be addressed in the next section.\(^{101}\) In the first phase of training there were 70 workshop sessions for 842 faculty including part-time faculty. 284 full-time and 288 part-time support staff attended a total of 46 workshop sessions. Training for 67 academic managers, 38 non-academic managers was also delivered. Security Staff, Maintenance and Cleaning Staff were trained in 10 workshop sessions and the Student Association members attend one of 4 workshop sessions (Jones, 1998). Though there was much resistance to attending the mandatory workshop, formal feedback collated by the trainers reported that participants found the workshop useful and overwhelmingly rated the sessions as excellent (Jones, 2010).

In addition to the college wide mandatory training, specialized training by request was also provided. These workshops included for example, specialized training on conflict resolution for Child Care staff, ongoing bi-monthly workshops for College Dispute Resolution Advisors, (summaries of these meetings which covered difficult cases and current case law and practices were prepared and distributed to managers, coordinators, and dispute resolution advisors), implementation of Accommodation clause of the policy, implementation of Computer Use policy, Equitable Recruitment/Selection/Hiring process, etc.

\(^{101}\) As will be discussed further along these were abandoned along with the Systems Review Plan (which has been watered down) when Douglas resigned.
A number of education based implementation activities related to human rights also occurred. The faculty training consultant developed two courses that were added to the Teachers of Adults Program (as part of the employment contract, all full time and part time faculty are required to take four courses on teaching methodology and curriculum design), two courses, Creating a Positive Learning Environment and Diversity in the Curriculum were added to the electives. The Human Rights office also coordinated and taught a General Education course, Human Rights and Equity in the Workplace (all college students are required to take three or four liberal arts courses irrespective of their program of study). The Training consultant also prepared articles based on human rights case law relevant to post secondary education for every issue of the College’s newsletter, *The Standard* and posted items related to human rights issues in the larger community on the college email. To support curriculum based initiatives the office organized forums to raise human rights issues, developed and distributed curriculum materials to all faculty and to resource centres (Dec. 6, International Women’s Day, International Day for the Elimination of Racism), researched and purchased materials to support teaching of human rights issues (printed materials, posters, videos), and delivered numerous workshops. One of the issues that were raised repeatedly in the Phase 1 workshops was the issue of Women’s Safety particularly on the male dominated trade campus; METRAC\(^{102}\) was brought in to addresses this particular issue and develop programs for faculty and students.

In addition to the detailed employee and student guidebooks to the policy, other aspects of the office’s communications strategy included speaking engagements at all student and new faculty orientations. Brochures on topics related to the policy (sexual harassment, date rape, etc.) were prepared and distributed. Staff from the Human Rights/Labour Relations Office presented

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\(^{102}\) The Metropolitan Action Committee on Violence Against Women and Children (METRAC) is a not-for-profit, community-based organization that works to prevent and end violence against diverse women, youth, and children.
to other colleges, organizations and post secondary conferences on the college’s human rights organizational change strategy and process used to develop UCC’s Dispute Resolution Policy and Procedures.

The other major activity that occurred during this time was the preparation of a College-Wide Systems Review proposal by the CDRO and the faculty seconded training consultant which was intended to recoup the system areas taken out of the policy by the College’s lawyers. The Systems Review Plan expanded the human rights strategy to focus on all of the college’s operations including academic and non academic area, tabled at the June, 1998 joint committee meeting it was approved in principle (Appendix II).

5.13 Recouping Managerial Priorities

In the midst of these initiatives the President, Mabel Hendricks announced her retirement. Though he was an outsider to the managerial team, Douglas, was highly regarded for his managerial skills. Though he was ideologically opposed by many in the college he was expected to get the position of Acting President. Before the human rights initiatives, he oversaw the development of the Student Rights and Responsibility Policy, the first in the system and viewed as a major policy success. Yet the college’s Board of Governors (most likely on the recommendation of the president) gave the position to another Vice President. Writing in Underground, the faculty union President made these observations after comparing the internal and external achievements of the two candidates:

...In light of the clear superiority of Paul’s external and internal record in relation to the fundamental requirements of the acting president position, his ability to step into the job rather than learn it, we must consider the possibility that systemic discrimination played a part in this choice. In fact, human rights legislation against systemic discrimination is

103 Allegations of systemic discrimination were also made by Share Newspaper, a Caribbean Weekly.
based on considerable evidence that designated group members are often passed over in a similar fashion. In hiring, systemic discrimination occurs when factors other than job related requirements are considered when hiring decisions are made. Often those doing the hiring are not even aware they are adding additional criteria and thus the criteria are not subjected to any serious scrutiny. These additional factors often present barriers to qualified minorities and result in less-qualified majority members being hired. Most of the additional factors which create these barriers relate to the concept of ‘fit’. Hiring groups tend to look for someone with whom they feel comfortable, and end up discriminating against those who are different even if those who are different better meet the stated job requirements.

I believe it was primarily a desire for this same culture comfort or ‘fit’ that influenced the Board’s choice. While the President works for the Board, he or she must be able to relate to the college community and provide an interface between that community and the board. UCC’s student community has over 70 different ethnic and cultural groups and our broader community is nearing 50% visible minorities. In addition to the search for cultural sameness systemic discrimination in hiring is also often based on dominant cultural beliefs about the proper roles of people in designated groups. These beliefs are not fully acknowledged by people who hold them but can be recognized by comments such as ‘they’re taking over.’ Resistance develops as the numbers increase and dominant values are challenged. It is possible that the human rights work that Paul supported at the college was perceived by the board as having the potential to cause them trouble. Remember this case next time you hear employment equity results in the hiring of unqualified people. The tragedy is that UCC, with our wonderfully multicultural internal and external community (sic), missed an opportunity to have the first black president in the college system.¹⁰⁴ (Fox, 1998).

In the 1990’s this assimilationist organization was facing a major labour relations and human rights crisis that threatened the college’s reputation among it catchment areas. This had negative implications for the future financial viability of the college. Without the internal leadership capacity to address these issues, changes were made at the very top of the organization as a new president and vice president were hired in part to manage these specific issues. The new president focused on mending the labour relations climate which involves major

¹⁰⁴ While the union president’s comments are an excellent analysis of systemic discrimination in hiring she does engage in some patronizing commentary and this quote is not an endorsement of the underlying biases. For example our wonderfully multicultural community is somewhat an exoticitization of the community as the ‘other’. People for instance may not say this of a diverse multicultural community that was racially mainly white. Having the first black president is an achievement perhaps but is also a bit of tokenism. As well, the comment about the diverse community assumes that a black president is best able to relate to a black community. This is not always the case since members of the Black community don’t necessarily all have the same political or social analysis of issues.
concession on human rights demanded by the faculty union. A human rights infrastructure incongruent with this assimilationist organizational culture rapidly evolved. The vice president in charge of the human rights portfolio assembles a team of ‘tempered radicals’ (Meyerson & Scully, 1995). Using technicist and managerial discourses strategically, the change team developed one of the most comprehensive and far reaching human rights organizational change strategies in the post secondary system. However, it appears that little had change for those in the organization that wielded instrumental power; they were largely responsible for the organizational human rights crisis, but were unmoved by implementation efforts thus far. (Michaels) one of the few openly pro-human rights managers sums it up this way,

.... She pacified the union and so things like Dispute Resolution (The human rights policy) came in during this time...what it didn’t do was change the basic tenets of operation; it changed the tone of the relationship

When the president abruptly left to become president of a university, and Douglas was effectively constructively dismissed, the future viability of transformative organizational change was threatened. There were concerns among the change team that the organization would revert back to its natural assimilationist inclinations as managers who were passively resisting all along may now openly reassert their assimilationist tendencies.

Douglas was able to sell the human rights strategy developed by the change agents and sanctioned by the joint committee to his senior management colleagues using legal and managing diversity discourses. However, the change team may have miscalculated the resilience of dominant assimilationist discourses to resist and recuperate elements of transformative discourses that the change team attempted to normalize within the institution (Jones & Stablein, 2006). In reference to sexual harassment policies, Kilocoyne (1991) cautions against over relying on legal strategies for change, what he refers to as the “seduction of law”: “While the law may
provide an appropriate starting point in considering institutional responsibility for responding to
sexual harassment, it most assuredly will not provide an effective terminus.” The discourse of
law was the primary strategy deployed by the change team in attempting to frame the policy as
an instrument of organizational change.

The limitations of technicist models of strategic planning also became apparent. All of
the pieces of the organization change process were carefully crafted into place, with the
collective experience of anti-racist, feminist, labour and GLTB activists/educators, and a former
deputy minister. The looming crisis of legitimacy clearly was an opportune trigger for change,
the NDP community development structures and models provided a readymade bureaucratic
apparatus for change processes such as strategic planning and decision making, there were
internal champions in the faculty union and the senior vice president. All stakeholders, except
the external community were at the table,105 there were ongoing educational sessions/forums,
data collection and analysis, the change team identified areas of resistance and considered
feedback and goals and action planning were utilized to anchor certain transformative principles
in the policy framework which was adopted along with an implementation plan.

The policy process also demonstrates that in spite of a senior champion, technical support
and resources, the organizational culture of institutional human rights work functioned as a
disciplinary apparatus constraining the extent and scope of transformative changes. The change
team was forced to invest heavily in the organizational development/training approach to change,
setting aside structural approaches such as employment equity. Research on the educational

105 No external community organizations were invited to join the committee though this was suggested to
the Director of Human Rights by this researcher. In previous instances of human rights policy development, the
involvement of external agencies advocating for equity help move issues along since they were not tied to the
disciplinary influences of administrative discourses that translate the demands of equity seeking groups into
managerial processes (Brock, 2003; Fraser, 1989).
The approach to changing organizations by French (2005) indicates that this approach has little success in bringing about substantive change and suggests that a sustained long term commitment is required for any significant changes to occur. Her findings indicate even structural measures such as affirmative action programs achieve demographic change in middle and lower end positions but not upper middle and upper level jobs.

In addition, systemic change in the policy text was negotiated down, shrouded in legal language and the bulk of the document was devoted to complex complaints procedures, making it less accessible to the community. Change agents also relied heavily on the language of managing diversity and dispute resolution – managerial concerns. The power of language in relation to larger discursive shifts outside the organization cannot be underestimated. The language of diversity has shifted the organizational terrain for structural change to cultural change for the benefit of commercial activity not equity and social justice. As Litvin (2002) observes, “the ‘business’ case’ for diversity has from its origins foreclosed on the possibilities for fundamental change for those in the margins by creating a cognitive ‘iron cage’ where business objectives are taken as a given.” (quoted in Jones & Stablein, 2006: 154). UCC’s management during this era embarked on this human rights adventure entirely for business reasons, to address the perception of the larger community that this was an institution rife with harassment and discrimination, and to temper the hostile labour relations climate. Tempered radicals attempted to entrench human rights principles but as soon as the president left the organizational the pendulum rapidly swings back to its cultural zone of operations. The constructive dismissal of the senior architect of the college’s human rights framework, widely regarded even among detractors as the obvious choice for acting president, is the first signal that
the silent resistance of the managerial core and the assimilationist lens of senior management had successfully recuperated managerial objectives from the team of tempered radicals.
When we talk about managing diversity what does this actually mean? Who and what benefit from it? …management indicates an owner/manager perspective where power dimensions are hidden behind the diversity concept.

- Due Billing & Sundin, 2006

This (diversity) is not a societal concern or issue – it’s a business issue.

- Sandra Johnson, internal diversity Consultant, American Express, 2001

6.1 Introduction

Whether due to the impact of dominant neo liberal discourses, student experiences, potential student perceptions of UCC, or other factors, there are declining enrollments in lucrative programs such as the School of Business from students in traditional catchment areas. An impending financial crisis shifted the college’s priorities during this administrative phase to budgetary affairs. Amid new business-inspired neoliberal priorities defined by the provincial government, a new president was recruited with fund raising and corporate networking as primary managerial responsibilities. Human rights and labour relations moved further down the managerial priority list and were recuperated by dominant discourses of managing diversity displacing the transformative reforms that tenured radicals attempted to embed in the organization. As new senior managers were recruited, they mirrored the priorities of the institution’s Board and the provincial government. They in turn, interpreted the work of human rights reforms through the lens of managing diversity and dismantled the infrastructure constructed to make management systems accountable and responsible for removing systems of privileges. Remaining human rights staff from the previous administration were forced out of
the office and new staff were recruited that fit the new organizational vision. The faculty union (previously strong advocates for systemic change) symbolically continued to play this role for strategic advantage as power brokers. However, two individuals from the team of tempered radicals now working as faculty continued to counter dominant managing diversity discourses through acts of radicalism. In one instance, a critical human rights course curriculum developed for the continuing education department by a former faculty secondee to the human rights office was arbitrarily changed by management into a cultural competency course curriculum and all faculty members teaching the course were replaced without notice (including this researcher). In the other case, a seconded faculty position to develop cultural competencies for the institution was infiltrated by this researcher in an attempt to deploy counter discourses questioning neoliberal discourses of cultural competencies.

The growing diversity within the college continued to be reflected only in the student population, yet the college began to market itself as the most diverse college in Canada. The faculty and administrative compliment remained overwhelmingly White (Appendix 1). As previously mentioned, the college was one of the most successful during the 1980’s affirmative action program for women. However, in 1999 when the last census was conducted there were 49.1% of female employees with only 17.1% ‘visible minorities’; 32% of students in 1998 identified themselves are originating from European heritage while the rest of the student population identified themselves are having heritage from countries where the population is largely of ‘racialized’ heritage (College Marketing Department).

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106 The category of White is complex and is not homogeneous as with any social identity. For instance, Canada’s white supremacist policies established a racial hierarchy even among Whites so that southern and eastern Europeans were not all able to access white privilege being minoritized at various points in history. However, manifestations of racism and racial boundaries can collapse or transform over time. Brokin (2002) makes a compelling case for how Jews are now able to use whiteness post ‘World War’ 2. Additionally, I have made the point previously that depending on the context whites are not always able to access white privilege. Nonetheless, whites do overwhelmingly control access to material and social resources in Canadian society (Ornstein, 2006).
By the 2000’s, neoliberal policy discourses had reduced education from social policy to business strategy. There was chronic underfunding of Ontario’s college system by successive provincial governments. Educational systems were commodified through business methodologies that encouraged competition. Additionally, a major role of the College president was now fundraising (Smith, 2004; Arvast, 2008). The major disciplinary technology designed for the college system to move in this direction rewards the ‘fittest of the fit’. The Key Performance Indicators (KPI’s) is a customer (student) and client (employers) satisfaction model which serves to further undermine faculty autonomy and academic freedom through processes of standardization based on market principles (Smith, 2004: 39). Colleges receive funding based on their KPI rankings. Poor rankings colleges with low [customer] and [client] satisfaction ratings are penalized by having their funding levels reduced. Typical of neoliberalism’s homogenizing instincts, these formulas do not account for localized conditions.

Internationalization, through the commodification of education services/products on a global scale has attracted large numbers of foreign students to colleges and universities. Language proficiency standards have been lowered to increase student numbers. This particular case study institution has one of the highest numbers of second language students in the system, and because second language training is inadequate, many students haven’t acquired the language proficiency necessary to succeed in the courses that they have been enrolled in. This coupled with the business strategy of exploiting the labour of part time faculty who now account for more that 50% of faculty in the system has created problems for this case study institution. Rather than the state providing more funding to develop programs for student success, students requiring the most help are further minoritized.
Dr. Angela Ranger points out the irony of this institution’s positioning of itself as diversity friendly and pro social justice,

Studies on contract faculty in colleges and universities all show that the growth of contract faculty has outstripped the growth of student enrollment. This has simultaneously coincided with the decline in the numbers of full time faculty. In the School of Business the ratio of contract faculty to full-time faculty is 1 to 0.40… studies have also shown that the use of contract faculty over full time faculty is considered to be cost saving and flexible. However this practice very often occurs without any analysis of the effects of how these quantitative changes bring about qualitative changes…..Expertise in any area of study is best developed and nourished when it is dome continually and consistently in a collegial and stable environment. And when it takes place under conditions in which workers have control over their work…..Imagine a contract teacher leading a class discussion on fair trade in teaching services while being evaluated by the Chair of the department; and while the teacher is constrained by inequitable institutional practices. Such a discussion cannot be truthful, even when the truth is literally starring the manager straight in the face…How can we ask our students to “think globally, act locally,” when we don’t?….Let us practice what we teach, and, more importantly, what we want our students to learn…..More importantly, let us…eliminate the inequities inherent in a system in which there is a large and growing sub-category of faculty.

Faculty union’s have argued that the exploitation of part time faculty and the increasing standardization and control of college curriculum are contributing to the decline the teaching and learning experience for students and academic freedom (OPSEU 558). Not surprisingly, this college consistently ranks at the ‘bottom’ of the KPI ‘heap’.

6.2 Recuperating Managerial Priorities

Competing discourses of human rights within this organization are shaped by particular circumstances and the interests that various stakeholder representatives have invested in different meanings of how to approach the issue of human rights. For tempered radicals in the last administration, this was an opportunity to reform a Eurocentric/patriarchal/ heterosexist institution that legitimated oppressive discourses by performing human rights as organizational change. For management, this was a crisis to be managed so individuals with the appropriate
‘expertise’ were hired to do this job, not change the system. The adoption of a transformative human rights policy framework in 1998 presented the appearance of progress, but what was envisioned in the policy was out of step with dominant discourses within and outside the organization. As the new administration took over, these tensions were enacted through relations of power and conflict as remaining tempered radicals attempted to challenge the neoliberal ideology of managing diversity. By the late 1990’s the implications of Workforce 2000 (1987) were well understood by the corporate sector who began promoting managing diversity discourses to post secondary institutions. They claimed that educational institutions were doing a poor job of preparing students to work in a diverse workforce and suggested that future graduates require ‘diversity training’ to develop ‘cultural competencies’ as part of their ‘professional preparation’ (Gurin, 2002). Government agencies such as the Conference Board of Canada (1995) also began to promote similar discourses of equity and by the new millennium, social justice aims of equity were organized around central themes of profitability. Equity was now commodified as diversity management: How do we become ‘culturally literate’? How do we manage conflicts based on difference? How do we control a ‘diverse’ workforce to achieve efficiency/profitability? How do we increase our market share and attract ‘diverse’ clients? And how do we deliver ‘appropriate’ customer service to ‘diverse’ clients? How do we leverage cultural competencies to compete in a globalized economy (Prasad, 1997)?

Equity as social justice claims are consistently portrayed in mainstream media as an ultra-radical manifestations of ‘political correctness’; re-entrenching ‘common sense’ ideas of discrimination as individual acts of bad behaviour no longer pervasive in the society (Apple, 1993; Smith, 2004). Consequently, reforms to achieve greater equality within the existing system are an assault on meritocracy, and victimize privileged bodies (reverse discrimination)
(Abu-Laban, 2002). Also, within neo-liberal discourses, the spirit of capitalism with its narratives of progress and democracy displaces radical critiques of neocolonialism. Globalization with it trickle down theories masks local, national, global structural inequalities by conflating transnational interests with those of ‘global citizens’. The transnationalization of gendered/ racialized and minoritized bodies to feed neocolonial corporate projects through exploitative labour market needs and the control of southern resources are ultimately beneficial to all as neocolonialism is reinvented as globalization (Galabuzi, 2004; Mirchandani, 2006).

### 6.3 Recuperating Dominant Discourses: Human Rights as Complaints Resolution and Liability Protection

Within this larger context a new senior administration was put into place. The college’s Board hired two Vice Presidents who both shared administrative control of the human rights portfolio. The Vice President Administration and Finance (VP1) has direct responsibility for human resources and human rights and the Vice President of Student Services (VP2) has responsibility for student affairs which includes academic appeals, areas that fall within the jurisdiction of the policy. Over the next four years, the nature and scope of human rights work changes dramatically as dominant managing diversity practices override the infrastructure put in place by the team of tempered radicals. The Vice Presidents have inherited an infrastructure that is largely incompatible with managing diversity discourses. Managing diversity discourse favour complaints management and organizational branding not systemic organizational change such as employment equity, curriculum transformation, and comprehensive system reviews [for systemic discrimination] (Appendix II). Additionally, a community development model of collaboration
with joint responsibility and decision-making is regarded as an unmanageable, inefficient and inappropriate model. These functions are viewed exclusively as managerial domains.

Nancy Fraser (1989) suggests that within institutional systems, advocacy and activism are removed from the work of staff such as human rights workers by expert discourses put into place to respond to political demands from equity seeking groups. Expert discourses function to depoliticize and individualize structural issues through reprivatization discourses that filter demands into managerial processes by incorporating aspects of oppositional (transformative) discourses. This process was constrained by local circumstances, an impending human rights crisis that threatened to harm the institution’s reputation in a demographically diverse recruitment base. However, the transformative scope of the policy was tempered by college lawyers as discussed in the last chapter. They compensated for this by introducing transformative discourses in implementation manuals/guides for students, managers, faculty, and staff. Manager guides focused on how systems of discrimination operate. Faculty guides focused on the reproduction of harmful discourses in the curriculum. Student guides focused on their rights and responsibilities to work and study in a harassment free and safe environment and also simplified the cumbersome and complicated complaints resolution procedures.

This was not sufficient to stop the reprivatization of transformative/oppositional discourses. The organizational location of human rights at senior levels of the administration was downgraded to the bottom of the organizational bureaucracy where it has limited influence, power, profile or legitimacy. These developments are summarized by the faculty union president:

The organizational change oversight that we developed was lost on the new administration. They didn’t see this as an investment in the college community they saw it as a bureaucratic apparatus. Even the new Human rights director didn’t want it (the policy) and it goes back to VP Administration not wanting it. So she put people in place
who didn’t want to work with the union as partners either. That’s the way the office went. They were doing it but from a perspective that ‘we’re human rights’ and ‘we’re administration’ and ‘this is our job’. …What we lost was any ideological commitment to equity. It was more a business model now. The structure of the office changes and this is VP 1 bringing it into a bureaucratic model (Fox, 2008).

The previous infrastructure developed for human rights organizational change also became more managerial and the collaborative joint decision making body became a rubber stamp for equity initiatives. The union president elaborates:

The Joint Committee went from being a directing force to being an oversight body. So instead of management bringing decision making to the committee, they made the decisions and reported it to the committee, you could react, but it already happened. She couldn’t enter into a partnership with the union. In fact, when the Vice President of Student Affairs took over (as co-chair of the Joint Committee) it was useless, and people stopped going to it. With the Vice President Administration you could influence decision making but there was no thought that this was a joint responsibility. She took the joint out. So then if you look at that as her philosophy, and look at what happens to the human rights office, the human rights office does not work with the committee of stakeholders, instead she wanted a structure that reported to her. The new Human Rights Director was ok with this model (2008).

In addition to the Vice President Administration (VP1) disentangling human rights from Human Resources/Labour Relations, the Vice President Student Affairs (VP2) set up a process to separate academic matters from the human rights policy framework. The VP 2 states the rationale as, ‘academic processes are neutral, and have nothing to do with human rights’ at a meeting to review the policy (Meeting Notes, 1999). Human rights became the management of individual rights based conflicts; the structures that were put in place to track and analyze systemic issues were dismantled.

This researcher, now a faculty member, was invited to participate in these discussions and sent a letter of resignation after the first meeting which in part reads,

I would like to reiterate that when I facilitated the creation of the (policy) the college community articulated a number of principles from which the policy framework developed. A key feature included putting human rights at the centre of labour relations,
academic matters and safety and security issues. The architects of the policy which included representatives from all sectors understood that systemic discrimination is not deliberate discrimination, rather it is expressed in policies and procedures (written and unwritten) that appear neutral / ‘black and white’, when in fact they are not. A centralized complaints management system with a human rights focus when administered appropriately can act as a filter to identify and address these issues. It appears that the administration is moving in a different direction with regards to dispute resolution at the college.

Paulette Marchand, one of the new complaints officers at the time, reflected back on the managing diversity perspectives of this period,

Initially, the Vice President Administration was a champion for us (in her role) as co-chair of the Joint Committee. But she didn’t have an organizational change lens and I certainly at that time did not have that lens or understanding. I felt personally supported, she would speak about the importance of the office and we certainly felt supported by her. I can’t remember a vision being articulated (2010)

The faculty union president confirms that the new Human Rights Director sets out to redefine the work of the human rights office as complaints resolution not organizational change,

The new Chief Advisor hated the policy from the beginning. It wasn’t what he thought human rights should be…and the whole academic overlay underpinning that approach to equity, he just put to the side. He didn’t want to have anything to do with it (2008)

The shift from organizational reform to complaints management is also noted by two former staff members who worked in the human rights office during this particular period. Vandana Patel was the only member of the original team remaining in the office of human rights,

The role of the office changed drastically with the changeover, it was now doing 50% of the work, and a lot of the work we were originally doing was filtered away somehow. Aside from the complaints which were the functional work of the office, it was the Joint Committee that set the agenda for the (systemic) work that came out of the office. It was basically different people coming into the human rights office with different experience, a different mindset. The new Human Rights Director had issues with the policy; he said this was a very cumbersome document. It didn’t clearly set out the processes of things we should be doing and it needed to be looked at and rewritten again.
Marchand confirms in hindsight that the shift in approach to liability protection and complaints management displaced organizational change as the focus of human rights endeavours. The Human Rights Director accomplished this by discrediting the technical procedures associated with the complaints resolution process and ignoring the framework’s references to organizational change,

The new Human Rights Director was repeatedly drawing attention to the loopholes and limitations of the document. He was a real data guy; I can’t remember all of his concerns. I sometimes felt that that (the policy) was used as an excuse for things that we could not get done. The policy was held up as being flawed as opposed to examining our own practice. The office does become more of a complaints office. There is a lack of vision, planning, he didn’t see us being leaders in equity work. He was not a person who had a vision that was articulated to us as a staff. “Here is what we are doing, here’s what equity work at the college looks like, and here are the different components to that, the programming, the proactive stuff. It was very complaints focused, I was left to my own devices to choose what I wanted to focus on. So I became involved in LGTBQ initiatives, I became involved in gender initiatives. But nothing was embedded; we were not looking at any structural change. We were just reacting to issues and we weren’t looking to organizational change. Instead the Human Rights Director would just complain about the policy. I found that it was a bit of a default position. ‘Oh well, there’s problems with the policy, there’s constraints with the policy.’ We should have identified what the problems were and revised it. But he left us open and exposed by the relentless criticism of the policy and not doing anything about it. I developed the positive space campaign and it was very successful but it was not part of a strategy. I was new and didn’t fully understand the ways in which equity work needed to be embedded as a new equity person I had the skills to do complaints work, I had the skills to develop a training, I didn’t know how to embed it, I didn’t understand organizational change.

A key strategic feature of organizational change/reform approaches is defining and locating responsibilities and accountabilities for phases of implementation and evaluation mechanisms for these initiatives with stakeholder representatives. When these functions are confined to a single (administrative) office, obscured within the bureaucracy, initiatives can be easily dismissed or subverted (Barnes and Nazim, 2004). Within a framework of stakeholder accountability, strategic directions and the roles of senior and middle managers became transparent through their obligations to meet specifically defined organizational goals and
objectives (Lopes & Thomas, 2006). With strong assimilationist and valuing diversity discourses circulating in the organization (Table 1), rights protection through complaints resolution became the primary function of human rights offices performed through ‘expert roles’ with appropriate dispute resolution and legal knowledge. These human rights technicians limited the institution’s liability through their familiarity with case law and the perimeters of the code, thus minimizing the impact of complaints and at the same time, obscuring organizational systems and circumstances giving rise to the complaint/s in the first instance (Agocs, 2004).

Furthermore, the lack of a systems analysis removed the accountability and responsibility for addressing institutional inequity from managers by sending the message that equity/human rights are not core managerial requirements. There was no expectation within this model that managers address harassment and discrimination as systemic issues. In fact, management violators of human rights are protected by the institution’s lawyers and/or human rights officers to limit liability and protect the institution’s brand. The managerial assumption is that when a complaint is filed, the complainant becomes a legal adversary.

The faculty union and tempered radicals found common ground in the last administration to extend the scope of dispute resolution to include appointed leadership roles within the organization from the managerial and union steward pool to act as informal mediators where particular cases warranted such intervention. For the faculty union, this arrangement reassured their largely conservative membership that involvement in the process would minimize any

107 Recognizing that this process required systems change thinking and long term training and development. When operationalized by the team of tempered radicals, there were bi-weekly meetings examining human rights and administrative case law and human rights training to understand the various manifestations of workplace discrimination. Outside legal experts and mediators provided training on conducting informal mediation/dispute resolution and training on reporting, documentation and referring/forwarding cases to the human rights office (all cases would be processed through the office through reporting). Managers and union stewards were expected to function in these roles with assistance from the human rights office and regular training. This is not to minimize the knowledge required to manage these processes which would still be directed though the human rights office.
excesses of ‘political correctness.’ The team of tempered radicals saw this as conscientization, a means to entrench human rights and equity principles in the institution’s operations and dominant culture.

By taking these functions out of the realm of community responsibility and managerial accountability into an expert office, the Human Rights Director and the Vice Presidents in charge of these functions re-established an expert needs discourse to human rights operations as rights based complaints management and provide greater liability protection for the organization (Fraser, 1987).

These changes were welcomed by managers highly resistant to the idea of early resolution which required their active involvement and commitment to understanding the principles of human rights especially as it related to administrative law. Patel (2002) explains how these changes functioned to neutralize the transformative function of these roles,

This all disseminated, the CDRA’s (informal mediation) did not work, they didn’t have CDRA’s; training occurred during the last administration. There was one or two training sessions with the one of the new CDRO’s108 but it was clear that they didn’t have the expertise so it stopped. There was also less interest and engagement from the CDRA’s. The Human Rights Director recommends to the administration four CDRO positions (complaints officers contained within the human rights office) for each campus and complaints become the primary function of the office.

The faculty union president illustrates how the Human Rights Director changes the existing procedures in contravention of the policy with the complicity of senior managers,

He set up a bunch of rules that essentially eliminated early resolution and the CDRA’s. In fact, he made a rule that the office couldn’t do anything without a formal complaint, which is a violation of the policy. It wasn’t communicated to the college, it was just his rule. When we brought it to Vice President Administration, it was ‘Oh’; she’d look into it (2008).

108 There was one positions designated as a CDRO which dealt the complaints structures such as hearing committees, the appeal board, and oversaw the work of CDRA’s. With the new administration these becomes the main function of the office and up to 4 CDRO’s are hired.
Middle managers took full advantage of this arrangement to avoid managerial responsibility to address human rights complaints and dump all types of complaints on to the office. The caution from the human rights lawyer (during the policy development process), and Westerman (2008) that collapsing different streams of complaints (human rights, labour, student appeals, personal harassment) will result in the undermining of human rights becomes a reality. In this context however, this situation is completely avoidable,

What happens organizationally is that the community saw the human rights office as a complaint office. This came about from training and this perception that there is an office that deals with complaints. So it becomes more prevalent that OK if there is an issue from anybody, academic, managerial, whatever, just refer it to the human rights office. It could be partly from the legal aspect of the first round of training. But before there was nothing, before the policy there was no guidelines, no procedures, nothing, people dealt with these issues very badly, and now that there is something, people thought that’s great, they actually have an office that deals with complaints. So any time there was an issue, rather than deal with it themselves, they simply referred it to human rights, and the human rights office took it. (Patel, 2010)

Even with the focus of the office primarily on complaints resolution, the office of human rights develops a reputation as ineffective when dealing with complaints. During this administration, several reports by external consultants are commissioned on the functioning of the office. Reports released in 2002 and 2004 both conclude that: the office has a poor reputation for complaints handling, many in the community choose not to file complaints and the office is not fulfilling its primary managerial obligation to protect the college’s liability (Internal Documents). Major issues in the office became evident as a grievance by faculty members of sexual harassment at the male dominated trades campus reveals wide spread allegations of sexual harassment. As part of the grievance settlement a study of women’s safety is conducted and the Guberman Report confirms the allegations and highlights major flaws in the college’s current human rights approach.
Harassment is pervasive at (blank) campus; it is far greater than the number of reported and documented cases. The Consultant found that there is a feeling of low morale among women students, faculty and staff on campus. While this feeling cannot be definitively attributed to harassment, the experience of harassment and the perceived lack of adequate action to address it on a systemic level, do exacerbate the feeling of discontent.

The report suggests that by formalizing all complaints into bureaucratic processes, the institution sets up impediments to the reporting and documentation of incidents. As well, in the larger community there is a perception that the office of human rights is ineffective in dealing with complaints that are brought forward,

There are several reasons why documentation of the scope of harassment is not available. Firstly, currently there is no forum to document the daily barrage and experiences of sexual and gender harassment. People on campus experience and witness it, but have nowhere to take it because it is not perceived as ‘actionable’ under the current process. Because people believe that nothing can or will be done about it, and because they believe that there will be no immediate consequences to the harasser, victims and witnesses of harassment have stopped telling anyone in a position of authority to act (Guberman Report, 2002)

The report makes a series of recommendations and specifically recommends the hiring of a sexual harassment advisor position. A gender equity committee is set up at this particular campus and one of the existing CDRO’s is hired into this position reporting to the Vice President Administration, not the Human Rights Director. This administrative move was baffling to many in the organization not least the new hire,

Something was going on - why on earth, it made no sense for me to be separated from that office. I worked with them as a team, we were working collaboratively we would consult on cases, it made no sense for me to be outside of the structure of the (human rights) office (Marchand, 2010)

Lee, an external equity consultant hired during this period also finds the administrative response baffling. The singling out of one organizational location to address a system wide problem is a set up for backlash and failure given the existing toxic climate,
……after the Guberman report the sexual harassment position was created and reported directly to VP Administration. And this was only for this campus which doesn’t make sense because sexual harassment is not just at (blank) Campus; it is a college wide issue. There seems to be a lack of perception of organization, of the type of organizational structure required to deal with all these aspects of human rights, equity and diversity. This is not an organizational structural consideration, its short term planning. It doesn’t answer the college’s need to address this throughout all of the college. Only addresses for a time what’s happening at (blank) Campus. That person (sexual harassment advisor) is not providing services that are generic across campuses. Students are not getting the same message. How is this dealing with a college wide systemic problem? (2008)

Shortly after this report a campus CDRO assigned to the gender harassment committee is fired for failure to carry out scheduled training at student orientations and refusing to participate in positive space activities related to the work on the Gender Harassment Committee. Jackson (1990) claims that social justice functions are often deliberately set up to fail or become ineffective through hiring incompetent staff, under-resourcing, and rendering ineffective by limiting organization influence and power. Also, managing diversity’s essentializing notions of social identity construction can create conditions of competing hierarchies of oppression, or situations where human rights staff are able to focus on some issues of oppression and discount the importance of others, or as in this case, actively undermine GLTBQ initiatives (Acker, 2006).

The institutional action taken as a result of the Guberman report does little to change the overall climate at the trades’ dominated male campus. The primary approach taken by the Gender Harassment Committee established to deal with these issues is anti-harassment training. The faculty union president who previously championed human rights does not support the training either because this was management generated or it placed the union in a politically awkward position by highlighting the patriarchal/heterosexist culture within a specific academic department. According to the Sexual Harassment Officer at the time, she was set up to fail by the faculty union president because she didn’t want to be in a position of conflict with her
membership. And secondly, this was another instance of the faculty union using human rights as a ‘moral wand’ in power struggles with management,

She could never take a position around human rights which would cause her to be in conflict with the faculty. When I began to deliver these sessions, there was an extraordinary amount of backlash and I was harassed quite brutally and when I reported back to the Gender Equity Committee to say that these are my experiences and we are going to have to figure out a different way to deliver these. I am not going to be held out like a puppet to be bashed around while the organization doesn’t do anything about the problem, we need to develop this collaboratively with faculty and we need to get buy in from the faculty union and deliver this training collaboratively because those messages need to be owned not just by the sexual harassment officer because the environment is too hostile. We went through an elaborate process of revamping the curriculum with all of the stakeholders at the table and deciding on a delivery schedule and at the last minute the faculty union president pulled out. She said that she had to withdraw support because she could not be in a position where her members might have to grieve and we were like ‘grieve what?’ this is part of your settlement. There were some union folks we were very distraught by her position because it demonstrates her unwillingness to support this. This was basic legislative compliance all the critical equity stuff had been stripped away from the training - This is what harassment is, you can’t do it.

A union steward alleges that the aggressive tone of the training was to blame, a common response to feminist/antiracist training by those who disagree with the analysis,

It wasn’t that she (the faculty union president) didn’t support the training; the concern was more around how it was delivered. At the Joint Committee the faculty union reported that they received numerous complaints about the delivery of the training. Faculty were resentful about the approach not the content, they said it was very aggressive in tone. Also, for the faculty union, they were reacting to the way things were now approached, this was a departure from the original model of joint decision making where the collaboration came at the front, not after the fact.

A former human rights staff member reports that another factor influencing the faculty union’s response to this initiative was that the Human Rights Director was not fulfilling broader commitments required by the policy which left management (in general) open to criticism from the faculty union in the interplay of power politics,

Joint committee members including management and the union were not happy with the Chief Advisor’s style, he was assigned to committees, projects; he was taking his time, not meeting time lines. As Human Rights Director you are accountable for stuff happening out of the office, he was simply not delivering. For me, the union faculty
president who was one of the icons in the development of the policy and remembered how the office operated was stuck with that mindset of ‘this is the kind of things we used to do – how come it’s not happening anymore?’ She saw failure in the Chief Advisor’s approach. She was a strong voice on the committee and she brought historical memory (Patel, 2010).

The human rights office’s ability to protect the image and liability of the institution continues to falter as it is caught. The 2004 report into the function of the office identifies the conflict between two competing discourses of equity organizational change versus complaints management. Though not explicitly stated, the consultant identifies current senior management’s discomfort with the original vision of the human rights framework as a major part of the problem. The transformative organizational change policy framework approved by the board is resisted by all involved in administering human rights. Having dismantled the infrastructure created by the team of tempered radicals, the human rights administrative structure becomes a patchwork of functions that appears to lack purpose or coordination. The Joint Committee structure still in place but now completely dysfunctional,

Is the policy to be a tool to change the culture, where complaints are seen as sometimes related to the environment in which they arise, as the product of a culture that is hospitable in some ways to discriminatory attitudes? Or, should the policy instead be seen as the place that outlines a fair complaints mechanism and where the response to complaints is not primarily concerned with their possible environmental or systemic causes? ..........On the one hand, the College has devolved issues to the Human Rights Office which could be in keeping with a role as the centre of an organizational change strategy. Such issues include the Ontarians with Disabilities Act, accommodation matters, the need to provide a human rights participant in all hiring committees, review of curricula, and the development of a scent policy……The lack of clarity of the mandate of the human rights office and its role in implementing the policy was apparent throughout the review. It was also unclear where the enabling leadership for the policy should lie…..the recently created position of the Sexual Harassment Officer does not report to the same Vice President to whom the Human Rights Office reports but to the Dean of the School of (blank). With several people serving in such positions, it is difficult for the most senior level of the administration to provide a unified vision for the policy. Similarly, the Joint Committe was not described by any interviewee as a locus of visioning or strategic planning. Rather it was more often described as a committee where reports were made but little discussion ensued. New projects could be proposed at
meetings, it seems, but almost on an ad hoc basis rather than as part of a long-term goal or direction.

6.4 Mismanagement as a Management Strategy: Employment Equity

The management of the employment equity plan, (still on the books) also serves to illustrate the tensions between competing discourses of equity. The managing diversity perspective views employment equity favorably when it provides commodifiable benefits to the organization, while structural change associated equity is regarded as ‘reverse discrimination’. Assimilationist middle and senior managers implementing structural change deliberately sabotage employment equity initiatives or appropriate it as a business strategy to serve Managing Diversity objectives. An external equity consultant working at the institution during this period implies that at one point when the president gets directly involved with employment equity initiatives it’s for the purpose of leveraging diversity for college priorities (fundraising) not directly related to social justice or structural change (Neal, 1998).

The Faculty Union President (2008) alleges that the new Vice President Administration and Finance is supportive of employment equity in principle having previously experienced gender discrimination in employment (Thomas, 2008). However, her experience of gender discrimination did not lead to a critical analysis. She dismantles the human rights infrastructure put in place to create transparency and accountability for managers, and place checks on the gatekeeping function of the human resources. This department previously functioned to rubber stamp hiring practices that reproduced a largely homogeneous employee demographic, ‘white’ able bodied males and females (Jensen, Support Staff Union Executive member). The human rights office now has little power or influence over managing these processes and the human resources office is not equipped to carry out the strategic planning required, and functions
Instead like a personnel department. In addition to the Human Rights Director, an external consultant and a dedicated position in the human resources department is involved in the employment equity program. The external consultant elaborates on this organizational framework,

I started in the Human Resources department and my experience is that their capacity to do organizational change and their interest in doing org change has been minimal…..my understanding of that branch is that they were more of an old fashion personnel branch, very much involved in classification, recruitment, and I don’t think that there was a capacity or knowledge of organizational change because when I worked with the Human Resources Director at the time she wanted to move more towards an organizational change framework which integrated human resources planning with salary administration which makes sense. In order to do workforce planning you need that kind of resource to do org change because as long as you are preoccupied just with paying the employees you’re not thinking about how do you move this org forward, how do get a handle on the employees, the right number of employees, in the right number of places, the right number of temporary staff versus permanent staff and so on. For org. change you also need a commitment from the senior team and a president. There was no real interaction with the human rights office when I came; they were off in a separate space.

When the office of Human Rights was splintered off from Human Resources, and you look at the resources directed to the that office and what their responsibilities were, there was never a clear understanding of how do you combine equity(org. change) and human rights (complaints resolution). From my understanding the resources directed to the office were only sufficient to deal with complaints. This makes a huge difference in how an organization deals with org. change, human rights agenda, equity, diversity. (Chand, 2008)

According to the external consultant the college’s employment equity strategy was deeply flawed as an organizational change strategy. It was designed as a technical bureaucratic exercise devoid of the critical educational component previously developed to counter oppressive discourses and make the case for fair hiring practices,

From the time that you developed that policy to the present, the office became preoccupied with operational items, it moved in that direction. In terms of actual implementation of human rights within the college, certainly from a human resources perspective there was representation of human rights advisors on selection committees, but not really strong technical advice and direction from the office of human rights. When you look at organizational change with respect to human rights its more individual,
it’s either that they were working on policies or they were working on individual complaints

I was hired to do outreach recruitment, contacting the CNIB, community newspapers other than the Globe and Mail, barrier free training to the selection committees for full time faculty hires. This is not the full-scale human rights training that you and the others had done previously. When I was doing the recruitment for full time faculty it had been dropped because people (human rights staff) really weren’t carrying that on as training. So when I was doing the program and going through the recruitments I did what was given to me from the Human Rights Director which was the package that was used, but that initial training was three days, the training that I gave was perhaps an hour or so, it can’t be compared.

According to the external equity consultant, the Human Rights Director did not follow basic employment equity guidelines for identifying ‘visible minorities’ from the list of four designated groups identified for this purpose, opting instead to leave the definition of ‘visible minority’ ambiguous. This created an opportunity for some departments to sabotage the program by challenging the definition of ‘visible minority’,

There was no systemic plan per se, there were guidelines that Human Rights Director drew up and I tried to interpret with his guidance at times…….Definitely there was a flaw in the applicant survey ….. …..There was a piece missing in terms of the self-identification (criteria) and so it led to various interpretations. Are designated group people Jewish? What groups belong to racial minorities? The census and other self identification forms (when you look at the category of racial minority), break the groupings down so that you can choose certain areas to self-identify, but for racial minority (in the college’s self identification form) there are no groupings.

Ultimately, if you are removing barriers for designate groups, how you develop your selection criteria, how you develop your benchmarks for fully qualified, are all technical details, but if you don’t have the same agreement in terms of who is qualified (meets criteria), how are you going to review resumes and agree on who is qualified? How do you really interpret the guidelines?

So people were in some instances questioning whether someone was a racial minority or not. So the process got bogged down in terms of interpretation. This raises a lot of confusion. Basically the guidelines that were developed were rather confusing.

Deliberate sabotage is mentioned by Thomas (2008) as a strategy to thwart attempts to set up fair hiring practices in organizational climates that are hostile to such initiatives. Some middle managers and faculty sitting on some selection committees used this ambiguity to
frustrate the process. In one department the hiring process was stalled for 2 years.\textsuperscript{109} The faculty union president alleges that this department was given tacit support in this action by the Vice President Academic, who had been actively undermining the human rights initiative since the previous administration,\textsuperscript{110}

The person who was scuttling this behind the scenes, throughout this whole process was the VP Academic. He would say nothing in public and behind the scenes would say you can do that, you are going to get in trouble; the press is going to come down on us (about employment equity hires).

According to the equity consultant the process only got started again when the department was ordered to begin the recruitment and selection process when this individual left and a new VP Academic was hired.\textsuperscript{111} In this particular department over 96\% of the faculty were white (Equity Consultant, 2008).

Within managing diversity organizations senior managers rhetorically support organizational diversity. They proclaim support for principles of fairness, but not for the practices such as employment equity that might achieve stated institutional goals. Van Buren (1996) points out that employees in such organizations are also resistant to structural initiatives, “…workers are not resistant to the idea of fairness and EEO, but they “… are resistant to programs that seek to implement the value of equal employment opportunity” (quoted in Thomas & Plaut, 2008:17). Many of the college’s managers saw nothing wrong with the current employment demographics that were askew compared to community demographics and student representation; they continued to insist that the system operated on the basis of meritocracy. In equity training sessions some managers insisted that they were colour blind, associating equity

\textsuperscript{109} As previously mentioned the English/General Education Department was among the most vocally resistant to the policy development process during the last administration.

\textsuperscript{110} This VPA was also on the senior team during the last administration and was known to be opposed to the human rights direction developed during this period. He was fired during this administration (several months later) for giving the Board misleading financial information.

\textsuperscript{111} The new VP Academic was supportive of human rights and plays a key role in helping a tempered radical to challenge the neoliberal managing diversity discoursed as will be addressed further along.
with race, assimilationist guises for maintaining the Whiteness of the organization (Ahmed, 2008; Jackson & Hardiman, 1994).

The faculty union president suggests that the transformative policy framework adopted by the college’s board of governors was never embraced by the managerial core in spite of the extensive organizational development and training managers received,

But it begins to fall down before this around employment equity. In 1995 we did the employment equity data gathering and in 1999 we did a re-examination. What it showed was that in the first year that we did hiring we did a good job and then, it turns out after four years, even though we had great success the first year, less, but still some success the next year, by the time we were in the fourth year in this attempt to increase faculty diversity, people had figured out how to work the selection committees. So that all the processes we had in place that were meant to remove barriers; they knew how to get around them. If you looked over the four years, year by year it was going down (recruitment of designated groups), and in fact we weren’t meeting the targets that we should have, and when you look at the people that left we weren’t really approaching our goal which was to reflect the community.

Those middle managers have never worked for the College, they work for themselves first and they don’t follow direction. The college could set whatever goals it wants, they did whatever they wanted. Let look at Dean of (Z) or Chair D, they acted in their own interest in the selection committees for sure; they would control the selection committees and so wouldn’t hire minority candidates (2008)

The faculty union president also points out that these practices were not restricted to the middle managers who did most of the hiring but occurred at the very top of the organization. When the institution’s previous president, brought in specifically to address the looming human rights crisis is presented with the opportunity to hire the college system’s first Black president, (not because it would ‘look good’ but because he was eminently qualified as demonstrated by his work, and previous experience as Vice President Academic of a university and having held the deputy minister of education portfolio in the provincial government), she opts for an underperforming vice president fired within a year of assuming the acting president’s position.

The Faculty union president states, “When (Douglas) is passed over what it really showed was

112 See appendix 2
that the president didn’t get it. She basically controlled that board. She did what the good
president does; you know produce your board” (Fox, 2000)

The current president (Phase 3) is also supportive of equity in principle and becomes directly
involved in the institution’s employment equity initiatives but little is achieved because of poor
planning and the use of employment equity as a springboard for business priorities,

(the new) president (Phase 3) was on side to begin with too, again almost the same way
Hendricks was on side, not an understanding and not a commitment. The community in
Urbanberg has been burnt so often by this college. The last community meeting they had I
refused to go to, I can’t do this again. Every two years they invite them into a meeting.
They’ve been burnt by coming to those meetings and being promised that the college is
going to do this, that and the other thing, we are really dedicated to this, we could really use
you, we can get you people for jobs, we can work with you to develop some educational
programs to bring people through the hiring process. All this stuff has been promised, and
they go away and don’t hear from the college in two years when they do another outreach,
when we are on the verge of hiring (Fox, 2008).

The equity consultant also questions institutional motivations,

I interpreted it that the president’s office had perhaps a different agenda in terms of what
they wanted to do with these groups and that perhaps the work that I wasn’t part of what
they were planning, I don’t know, to me the natural linkage would be to use all parts of
your program as you approach employers, as you approach community groups so that
you are not giving different messages. The president’s primary responsibility at the time
was fund raising and this may have been connected, I don’t know.
There has been a large preoccupation with the budget, the budget is a serious problem at
(this institution) and has been for the last few years. That preoccupies everyone for a
certain number of months and until the budgeting, strategic planning, and organizational
change are integrated and there is a clear understanding where this college is going for
the president and senior team, then it becomes very difficult to know what is the
commitment to these issues (Chand, 2008).

The external equity consultant also wonders whether the program may have been set up to
fail or whether basic strategic planning was overlooked by the president’s office,

Human rights was being dealt with in a very sporadic way, some of it was through special
programs, some was through the president’s office because the president was trying to do
outreach to designated groups perhaps to create and build relationships. When I tried to link
to that process because I am doing this as part of the employment equity special program, I was not included.

I am trying to assist people so that it is easier for them to apply to college faculty positions and so the natural link would be to the president’s office and doing outreach. I was asked to do some orientation sessions to these community groups and I tried to put in place certain things but it was too late, the timing was off and really not one showed up, no one expressed interest. And there was a lack of planning, for what I was doing in human resources. And again trying to do a corporate approach for the college, there never really seems to be any connection with what you are doing over here to what is happening over there and to what someone else is doing over there. I think that has been the history of the college.

6.5 Academic Freedom, Human Rights and Neo-liberalism

Within this increasingly commodified discourse of education, marketplace principles increasingly dictate educational policy and curriculum content. Even within the university sector where the tradition of academic freedom is more contested, the commodification of educational and research activities have threaten the principle of academic freedom as publication restrictions are now placed on some corporate funded research.113

Tensions over competing discourses of equity are also apparent with regard to questions of academic freedom and the curriculum during the transition from Phase 1 to Phase 2 of equity policy struggles. In addition to determining who gets hired into the college, middle managers exercise considerable decision making control over curriculum content. The collective agreement positions management as the ultimate decision maker over curriculum content.114

This industrial model of education with its emphasis on customer-line budgeting and bureaucratic managerial control has resulted in a history of adversarial relationships between faculty unions and management, over ‘professional autonomy’ (Owen, 1995; Dennison, 1995).

113The defenders of academic freedom such as (Fekete, 1995) who organized provincial and national campaigns to thwart human rights policy initiatives in post secondary education policies because they restricted academic freedom have remained inconspiciously silent on this threat to academic freedom.
“Under the direction of the senior academic officer of the college or designate, a professor is responsible for providing academic leadership and for developing an effective learning environment for students…..”
Arvast (2006) and (Smith, 2004) have argued that academic freedom is further constrained by business interests who now enjoy considerable influence in the college system through provincial government priorities.

Neoliberal attacks on critical perspectives are most notable in the diminishing ‘value’ of liberal arts courses. Liberal arts subjects were introduced into college diploma programs to provide graduates with a range of ‘employability skills’ - a well rounded education and critical thinking skills. Such training was previously held in high regard by employers and supported by research as providing workers that excelled at a variety of tasks (Tambureno, 2009). However, more recent neo-liberal narratives of efficiency question the relevance of such courses for business, technical and science based diploma programs. These criticisms are supported by many academic managers who argue that such courses take valuable time away from core program content. This has resulted in the decrease of liberal arts requirements across the system. Until 1999, students in three year college diploma courses at this institution were required to take up to five general education/liberal arts courses; students now graduate from three year diploma courses with only two general education/liberal arts courses (General Education Department, 2011).115

As previously noted, the human rights policy tackled the thorny issue of curriculum. The initial implementation of this section of the human rights policy included the piloting of curriculum transformation initiatives in selected departments. This occurred in 1999 as the first phase was coming to an end. The first academic chair to agree to pilot this initiative was a recent hire and a former employment equity advisor in the university sector. In addition, three courses were developed by members of the institution’s human rights policy team (Mary Jones faculty

115 Students were required to take a program mandated general education course, a mandatory literature course and three general education/liberal arts electives.
training consultant and Ricardo Patterson, external training consultant) for the General Education/Liberal Arts department, the Human Rights in the Workplace course was offered as an elective. Valuing Human Diversity in the Classroom and Creating a Positive Classroom Environment were offered in the Continuing Education Department, within the Teacher of Adults program. This program was mandatory for new faculty, available to part-time faculty, as well as, trainers/adult educators from other private and public institutions. It was co-administered by the Centre for Instructional Development which assisted department/program areas with curriculum development and faculty training on emerging educational technologies and the newest adult education pedagogic techniques. The School of Continuing Education was involved as the business arm selling courses to other institutions and/or the general public. The ‘diversity’ course was popular and lucrative as public institutions enrolled employees for ‘diversity training’ (Faculty Training Secondee, 2010).

By the late 1990’s managing diversity discourses had largely eclipsed transformative discourses of equity. Anti-racist, anti-harassment, anti-discrimination training was out and Managing Diversity/cultural competency training was the new trend. Staff development/organizational development (OD) offices of many public and private institutions did not have in-house expertise in this area and contracted out such training to diversity consultants. College courses such as Valuing Human Diversity in the Classroom were in great demand since many public and private sector institutions found it more cost effective to enroll their human resources staff in these training programs often with the intention of developing their own in house training.

116 GLTBQ/positive space training was the one transformative training discourse that was now being incorporated into organizational discourses at this time. This area and disabilities was often not a major part of anti-racist and feminist training discourses in the 80’s and 90’s.

117 Neo-conservative critics referred to these developments as the ‘diversity industry’.
Competing narratives of equity displaced faculty and curriculum content as management exercised its power over curriculum content based on marketplace demands: training in cultural competency to ‘understanding the other’ for productivity, profit and efficiency. According to the Faculty Training Consultant, the head of the CID (Centre for Instructional Development) at the time did not support transformative human rights discourses; especially the transformative curricular initiatives developed by the change team, and the Continuing Education office saw an opportunity to expand their market share by delivering course content demanded by the marketplace. This was also in line with managerial needs required by the new funding regime imposed by government (Faculty Training Consultant, 2010).

After developing and teaching the course from 1996 to 1998, the Human Rights Faculty Training Consultant and three faculty members who delivered this course were dropped without notification from the 1999/2000 academic session. When the training consultant requested an explanation from the Chair of Continuing Education she was told that there were complaints that the course had too much of a focus on the college and the Program Advisory Committee (made up of college and industry representatives) made the decision to change both the content of the course and the faculty who taught the course. The Chair also indicted that the department would only be hiring PhD’s to teach the course. When this was challenged by the faculty training consultant as not being a bona fide requirement for teaching the course, the Chair’s alleged response was, “C.E. can hire and fire whomever they want to teach courses.” (One of the faculty dropped from the course had a PhD).

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118 This researcher was one of the faculty dismissed from teaching the course
119 The faculty training consultant and the external training consultant were also dropped from teaching the course “Creating a Positive Learning Environment” in the Teacher of Adults program after consistently receiving positive teaching evaluations.
120 Full time faculty teaching in The School of Part Time Studies, are not covered by the collective agreement. Teaching in this school is over and above the regular teaching load for full time faculty.
All of the instructors dropped from the course can be characterized as having racialized and/or minoritized identities and three were full time faculty. None of the instructors were notified by either of the two departments that their services were no longer required. The training consultant filed a complaint of systemic discrimination alleging differential treatment against minoritized faculty, damage to reputation of the instructors from publicizing that there were complaints about the course which led to the course revision and lack of fair and open procedures and accountability. The faculty training consultant (1999) points out in her complaint that it is not uncommon for controversies, tensions and conflicts to arise when teaching courses that challenge dominant discourses of equity:

The nature of the course is to challenge participants’ ideas about who they and others are in the teaching process through discussions of racism, homophobia, sexism, etc. The learning process in a course like this one can create discomfort, which does not mean that the teachers are unqualified, that important learning is not taking place, nor that the teaching strategies are flawed. Any system used to evaluate this course must take into account the challenging nature of the course and the possibility of teachers being targeted due to the nature of the course content and their own identities (race, ethnicity, sexual orientation, etc.)

The complaint was tabled publicly at the Joint Committee by the Human Rights Director in violation of the Due Process clause of the Human Rights Policy; complaints are confidential when being processed. The complaint was never formally dismissed, addressed or responded to by management, another violation of the policy. The faculty union did not challenge managerial practices violating college policy. According to the faculty training consultant, there was a move by the faculty union to limit the growing influence of the remaining tempered radicals in the human rights office during the transition from Phase 2 to Phase 3. They were now perceived as college advocates for ethical and human rights standards which the union regarded as encroaching on ground that gave them ‘moral’ legitimacy and increased their power broker position. This status was important to the faculty union who up to this point had successfully
used human rights as a wedge issues in the struggles with management’s arbitrary exercise of power (Jones, 2011).

An external faculty with a PhD was hired to teach and redesign the course for the 1999 session. Juxtaposing the course descriptions, learning outcomes, and course readings illustrates how assimilationist/managing diversity discourses of equity replaced transformative approaches to teaching in defiance of the college’s human rights policy (Appendix III), which directed middle/academic managers to support the development of critical curricular approaches, It is the objective that curriculum and teaching methodologies strive to reflect the diversity and changing nature of racial, cultural and religious groups in Canadian society, as well as the influences of gender, social class, age, disability, sexual orientation and geographic origin (UCCHuman Rights Policy, 1998)

The description of the revised diversity course reflects assimilationist ideologies by positioning diversity as synonymous with race and culture, intersecting social identities such as gender, sexual orientation, ability and class are omitted as part of the diversity rubric. According to Ahmed (2008) this is a move by educational institutions which has the effect of reinscribing Whiteness. Unlike the original course description, structural issues and critiques of ‘injurious ideologies’ related to privileging and othering are not covered as critical pedagogic strategies to counter misinformation, omission, distortions and generalizations that lead to the perpetuation of bias and stereotypes in the teaching and learning process (Kumashiro, 2000; Lee, 1998; Nestle, 2005). The revised course description states, ‘adult educators are faced with different

121 Another development during this period that raised questions about the union’s role as a champion of human rights occurred when a small number of racialized faculty members organized a human rights caucus to critique both the union and management’s inconsistent human rights approach. This group was organized by a highly regarded Black faculty member in the school of Business (Dr. Ranger) who had direct experience with the college’s discriminatory hiring practices. As previously mentioned she was turned down for Dean’s position in a process that was clearly biased and support from the faculty union was not forthcoming at the time. The group was quickly shut down by the faculty union who deployed racialized faculty supporters to argue that this would create a divide and conquer scenario and if faculty wanted to organize it had to be under the union (Faculty Training Consultant).
backgrounds....cultures,’ the subtext in this phrase suggests that teachers from the dominant racial groups are confronted with the culture of the other; therefore they must ‘learn about the other’ to better serve the other. The emphasis is placed entirely on the other, the racism, sexism, heterosexism, etc., of the dominant culture/s are not critically interrogated.

Reflecting assimilationist discourses that still have currency with the organization, the learning outcomes of the revised course limits the scope of diversity to ‘culture’(race), ‘Explore different cultures among the student population at (UCC)’. Managing diversity discourses now consider the culture/s of disability and GLTBQ employees, albeit superficially, however these intersecting issues are completely negated from this course.

The discussion of racial and cultural identities is framed using Hofstede’s (1980) theory of national cultural identities as the primary theory on diversity. This essentialist narrative frames national cultures as static and homogeneous. The learning outcomes omit any discussion on critical educational issues: how are issues of power are contested in the curriculum and classroom? What are some of the issues raised by critical educators about the social construction of disciplinary knowledges? What strategies have been articulated for transforming curriculum to meet the needs of all students?

The references that were considered too specific to the college, a key factor stated by management representatives for re-designing the course could be applicable to all institutions as easily as the ‘diversity of cultures’ approach. For instance, the first reference summarized

122 Hofstede (1980), surveyed workers within large multinational corporations to establish what differences in thinking and social action exist between members of 40 different nation states. He isolated four main dimensions of national difference on which country cultures differ with respect to work-related values: Power distance: Acceptance of human inequality, especially in hierarchical authority structures. Uncertainty avoidance: Tolerance for uncertainty in the face of choices and rules. Individualism: Relationship between the individual and the collectivity which prevails in a given society. Masculinity: Extent to which biological differences between the sexes have implications for social activities.
findings from the climate survey. It was included to counter the perception that institutions such as UCC had resolved the issues of organizational inequality and ‘special interest’ groups were overstating the case for structural/curriculum change and imposing regimes of ‘political correctness’. Consequently, teachers needed to consider these as important elements in structuring the teaching and learning process. The second reference to the demographic profile of the college’s students illustrated the diversity of the student body. The other references were to the human rights policy sections relevant to teaching and learning, disability accommodation in the classroom and the faculty collective agreement, documents and references that could be found at many institutions.

The most illustrative evidence of the ideological takeover of course content can be found in the reading list of the two courses. In the revised course, no critical approaches to diversity were included and the readings provided reinscribed Whiteness by positioning Whiteness as universal and ‘non-Whiteness’ as Other. The foundational analytical focus for the original course was intersecting oppressions. The reading package included readings from critical education theory with authors from anti-racist, feminist, critical pedagogy and post modern/structural perspectives. Training material from anti-racist/positive space/feminist/disability/anti-poverty educators/trainers were also included.123

The new reading list contained articles on adult education theory, learning styles and multiple intelligence theory (authors include, Allport 1955, Rogers, 1961, Maslow, 1968, Lawrence, 1987, Kidd, 1973, several by Garner, 1996). Much of the subject matter was covered in the mandatory courses such as Foundations of Teaching and Learning, Instructional Methodologies and Lesson Planning. Many of the articles could be considered outdated; many

123 A major focus of the course was also critiquing the merits of various educational approaches from conservative, liberal, radical (anti-racist, feminist, critical pedagogy) and post modern/post colonial perspectives.
were published in the 1960-1980’s. There was a large section of the course devoted to the Myers-Briggs Personality Profile which Burlew (1992) has characterized as Eurocentric. The articles on diversity focused entirely on racial and ethnic diversity. There were no readings on gender, GLTBQ, class, disability. Many of the articles focused on essentialized notions of cross cultural communications written in the 1970’s and 1980’s: “Cultures in Contact: Studies in Cross Cultural Interaction” (Bochner, 1982); Cross-Cultural Encounters: Face to Face Interaction (Brislin, 1981). The main article on culture is Brown’s (1994) summary of Geert Hofstede’s (1980) study of cultural differences across nation states. Hofstede is the author most cited in management textbooks when the issue of diversity is mentioned (McShane, 1998; Morgan, 1996). He has been criticized by critical management theorist and post colonial critics as outdated and essentializing. Some have pointed out that his essentialist concept of culture has long been abandoned by the field of anthropology where it originated.

### Discourses of Diversity

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<tr>
<th>Course Description</th>
<th>Previous Diversity Course 1996 - 1999</th>
<th>Revised Diversity Course 1999 -</th>
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<tr>
<td>Valuing Human Diversity in the Classroom is an introduction to teaching a diverse community of learners. Participants will be introduced to examples of ways in which people are identified in Canadian society. Power and privilege and their effect on teaching and learning will be examined, as will the selection of course materials, teaching methods and evaluations. Participants will explore methods to maintain a harassment and discrimination-free environment in the college.</td>
<td>Toronto is one of the most diverse cities in Canada. As adult educators we are faced with learners from many different backgrounds, learning styles, and cultures. By understanding some of the factors which account for diversity, we learn to enhance an atmosphere of learning based on respect, co-operation and dignity. Learners will be able to understand and appreciate the diversity of cultures and learning styles.</td>
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<td>Learning Outcomes/ Objectives</td>
<td>Upon successful completion of this course, the student will have reliably demonstrated the ability to:</td>
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<tr>
<td>1.</td>
<td>Identify several forms of diversity within the classroom and the larger Canadian society</td>
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<td>2.</td>
<td>Discuss how the dominant culture exercises power over those with less power in society and how power differences and systemic discrimination manifest themselves throughout the teaching and learning process.</td>
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<td>3.</td>
<td>Develop strategies to work with students of diverse backgrounds, including strategies such as appropriate communications skills and facilitation of equitable student participation.</td>
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<td>4.</td>
<td>Describe the impact of the following on student and teacher conduct:</td>
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<td>a) Ontario Human Rights Code</td>
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<td>b) UCC's Dispute Resolution Policy and Procedures</td>
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<td></td>
<td>c) Collective Agreements</td>
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<td></td>
<td>5. Identify strategies to ensure representation and inclusion of sources of knowledge, methods of</td>
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<th>1. Explore different cultures among the student population at UCC</th>
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<tbody>
<tr>
<td>a.</td>
<td>Identify various cultures</td>
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<td>b.</td>
<td>Access factual information about a specific culture</td>
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<tr>
<td>c.</td>
<td>Summarize factual information about a specific culture</td>
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<tr>
<td>d.</td>
<td>Explain factual characteristics about a specific culture</td>
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<td>e.</td>
<td>Interpret the characteristics about a specific culture</td>
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<tr>
<td>2.</td>
<td>Evaluate the affective factors present in a diverse student population</td>
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<tr>
<td>3.</td>
<td>Determine different factors affecting learning styles</td>
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<tr>
<td>4.</td>
<td>Identify own and others learning styles</td>
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</tbody>
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instruction, curriculum content and course materials, which reflect the diversity of the community.

| Types of readings/authors | Critical education theory and practice with authors from anti-racist, feminist, critical pedagogy and post modern/structural perspectives with a focus on intersecting oppressions and training material form anti-racist/positive space/feminist/disability/anti-poverty educators/trainers including but not limited to: (intersecting oppressions) bell hooks, Peggy McIntosh, Patricia Hill-Collins; (Anti-racism/Race privilege) Enid Lee, Alok Mukherjee, Tim McCaskell, Hari Lalla, Robert Moore; (disability) Dawn Braithwaite; (Class)Todd Erkel; (GLTBQ) Suzanne Paar, Paul Shang. A number of other articles focused on learning styles and motivation by authors such as Wlodkowski and Ginsberg (1995). | Adult education theory, Learning styles and multiple intelligences (authors include, Allport 1955, Rogers, 1961, Maslow, 1968, Lawerence, 1987, Kidd, 1973, several by Garner, 1996, . The articles on diversity focus entirely on racial and ethnic diversity, there are no readings on gender, GLTBQ, class, disability. Many of the articles focus on essentialized notions of cross cultural communications written in the 1970’s and 1980’s: “Cultures in Contact: Studies in Cross Cultural Interaction” (Bochner, 1982); Cross-Cultural Encounters: Face to Face Interaction (Brislin, 1981). The main article on culture is Brown’s (1994) summary of Geert Hofstede’s (1980) study of cultural differences across nation states. |

The combination of autocratic managerial power, marketplace ideology, and the treatment of minoritized faculty illustrate how the increasing commodification of education in the larger society functioned to undermine equity aspirations, faculty autonomy and academic freedom in this particular institution. In a relatively short time span the team of tempered radicals was replaced by equity staff whose vision was more in tune with UCC’s organizational culture. In spite of official institutional policy, management and the human rights staff
completely disregarded the transformative approach replacing it with assimilationist human
rights as complaints management approaches. Curriculum transformation was dropped from the
agenda, and fair and equitable hiring practices were subverted by both managers and the human
rights office. Management reinscribes Whiteness in curricular discourses by exercising control
of the diversity curriculum and fired faculty without explanation other than – ‘this is
management’s right’. Within the space of one administration, dominant managerial interests
recouped managerial discourses of equity. Dominant neoliberal discourses of equity are
embraced by newly hired senior management team who follow market based policy dictates
from the provincial government. These arrangements of power act disciplinary constraints and
radicals within faculty are unable to challenge UCC’s managing diversity discourses.
CHAPTER SEVEN


The classroom, with all its limitations, remains a location of possibility. In that field of possibility we have the opportunity to labour for freedom, to demand of ourselves and our comrades, an openness of mind and heart that allows us to face reality even as we collectively imagine ways to move beyond boundaries, to transgress. This is education as the practice of freedom

- bell hooks, 1994

7.1 Introduction

The disciplinary power of neoliberal discourses is expressed through shifting provincial government priorities; this in turn influences the choice of institutional leaders. Human Rights managers are hired to carry out these objectives. The existing human rights policy is at odds with new developments. This policy schism creates space for this researcher to challenge the new equality regime. This chapter explores the political strategies and contingencies that were used to interrupt these developments and question the ideological assumptions of cultural competency through the deployment of expert discourses, counter discourses and conscientization.

In tandem with the current pressures placed on Western universities and colleges to commodify educational service delivery in the global marketplace of international education, college management officially adopts neoliberal/corporate discourses of managing diversity by establishing cultural competency standards against which administrative, faculty and staff performance can be measured. Diversity is now framed within market based discourses of TQM (total quality management) (Arvast, 2006; Boyd, 2011; Carter, 2008). Since the rise of neoliberalism in the 1980’s universities and colleges along with other public services have been
chronically underfunded; to survive financially, post secondary institutions have been forced to adopt market based principles, relying on corporate sponsorship, replace academic administrators with corporate leaders, seek new market clients (students) and offer new ‘products’ – international education (Odin and Manicasn, 2004).

The result of these pressures is worsening working conditions for faculty, and increasing exploitation of part time faculty (Best, 2010). Adding to these pressures are classroom conditions that make teaching and learning an extreme challenge. With economic pressures and high unemployment, university educated students are increasingly enrolling in college programs where they work alongside increasing numbers of international students whose English language proficiency is incongruent with that of their colleagues as language proficiency standards are lowered to increase enrollment numbers. What is offered up as training for faculty to deal with difference in the classroom by the institution’s administration and the Joint Committee is ‘cultural competency’, not strategies to deal with new pedagogic challenges or education equity goals that are still official college policy.

Cultural competency is essentially a remixed, rebranded corporatized version of American Peace Corps cross-culturalism. This approach constitutes culture as shared social meanings - a whole and distinctive way of life experienced by all subjects in a given society, who generally make sense of the world in distinctive ways (Baker, 2004). Culture is a highly contested subject; there is no definitive definition of this phenomenon. Even multicultural and anti-racist writers such as Henry, Tator, Mattis & Rees (1995) who acknowledge the importance of power relations (unlike cultural competency advocates) fall into the essentialism trap by assuming fixity, cohesion, uniformity and consistency by defining culture as: ‘the totality of ideas, beliefs, values, knowledge, and way of life of a group of people who share a certain historical, religious,
racial, linguistic, ethnic or social background’. Critical writers such as Bhabha (1994) and Hall (1997) suggest that to understand culture we have to explore how meaning is produced symbolically as forms of representation. The key question for these critics is to uncover the ways in which the world is socially constructed and represented to and by us, how texts and language generate meaning and how these are consumed in various contexts. For these critics, culture is becoming less about location and more a hybrid of creolized meanings and practices that generate various possibilities of expression. This view of culture becomes fraught with ambiguity; there are no unified systems of meanings. Cultural processes can be conflicting, contradictory, dynamic and full of contending discourses (James, 1999; Wong, 2003; Walcott, 2000).

Neoliberal definitions of cultural competency erase contested relations of power in social, economic, political and institutional spheres. For instance, these perspectives minimize or omit the interplay of gender, sexual orientation and class and associated material impacts. So, it’s all about meritocracy (the individual) when explaining social inequities, and at the same time all about the ‘Other’ (stereotypical constructions of minoritized groups). This discursive move reframes issues of difference by stripping away issues of power, equity and justice related to human rights organizational change, replacing the focus on changing workplace attitudes about the Other through OD type training for employees with pseudo scientific signifiers that essentialize culture, so that difference in organizations are no longer structural but narrowly defined ‘cultural’ issues.\textsuperscript{124}

Neoliberal discourses construct the Other within a post colonial dichotomy with regards to minoritized/racialized social groups. The desirable systems and values of the West and patriarchal systems are juxtaposed to primitive systems and values of the Other (Bhabha, 1994; 

\textsuperscript{124} see Hofstede, footnote # 106.
Mohanty, 1991). Cultural competency discourses aim to make employees literate in the culture of the Other by offering appropriate ‘educational products’ that will better serve the market driven needs of the institution. The assumption is that these competencies will allow employees/faculty to make adjustments to educational services that will increase market share by increasing customer/client satisfaction through formulaic service delivery. Cultural competency also serves as a marketing tool directed to potential employers of students– we produce employees who can deal appropriately with difference in the workplace, (employees who will not engage in conflicts related to difference), and employees who can tap into niche (‘ethnic’) markets. This fits with the diversity discourse of difference as productivity, creativity and efficiency. Equity discourses that seek to change material and social conditions of inequality are now viewed as radical and extreme forms of ‘political correctness’.

7.2 The Culturally Competent Organization

The new direction to develop college wide ‘cultural competencies’ for faculty, managers and support staff is sanctioned by the Joint Committee. Patel (still the secretary of the Joint Committee) suggests that the rationale driving this initiative was based on business imperatives,

There was a subcommittee struck to look at what cultural competency should look like in the organization (it was) made up of faculty and deans. At the beginning they were struggling with a definition of what cultural competency should look like in the organization. What kind of competencies do we want to bring to the organization? It was decided that cultural competency was needed among staff and academics and these groups needed customer service training, you know how we deal with customers, it was said that when a person comes into an organization, what’s the first impression we should give them? We need to train our support staff in how to deliver appropriate customer service in culturally sensitive ways. And for the academics, within the classroom environment, what should cultural competency look like?
The committee is made up of representatives from internal stakeholder groups and the strategic goal stated below is written in the language of capitalizing on diversity as new demographic realities. Diversity signifies race, not other social categories:

a) Sustaining an operating environment that capitalizes on the unique contributions of our multi-cultural communities;
b) Equipping our students with the skills necessary to respond to the opportunities and challenges associated with ever changing societal demographics.

The mandate of the committee focuses on OD training and TQM principles as the main methodology to achieve cultural competency – ‘understanding the other’ (Kumashiro, 2000). How can we define the culture of the Other? How can we better understand the ‘culture’ of the Other? How can we develop organizational standards against which performance can be measured?

To identify, recommend and advocate for outcomes and standards of measurement\textsuperscript{125} which reflect an organization that is culturally competent. This will be achieved by recommending and guiding:

* the development of cultural competency standards and expectations for organizational activities, services and systems
* the development of cultural competency standards and expectations for educational programs and curriculum
* the development of training to support cultural competency
* the development of benchmarks for measuring outcomes
* the communication of College’s value of, and sensitivity to, diversity
* the use of resources and methodology

The section of the job description that speaks to content knowledge limits how equity/culture is to be understood institutionally, how it is spoken of, and textually defined (Brock, 2003). The focus on the ‘other’ privileges Whiteness as race and ethnicity become the signifiers of social diversity (Ahmed, 2008):

- Knowledge and understanding of cross cultural issues,
- Knowledge and understanding of culturally responsive curriculum development processes and teaching strategies
- Demonstrated sensitivity to diverse learners, and ability to work in a multicultural environment.

\textsuperscript{125} Italics are my emphasis
The transformative goals of the human rights policy to examine Eurocentric, male-centered and heterosexist curriculum and how they are historically and culturally situated and normalized in various disciplines and classroom interaction is erased from the mandate.

7.3 Reframing Cultural Competency/Managing Diversity

This researcher is one of two applicants for the Cultural Competency Facilitator position; the other faculty applicant has no previous experience work/research experience related to the task so I’m seconded to the position\(^\text{126}\) (Patel, 2010). Privileged with a full-time faculty job and benefiting from relative job security (as a unionized worker) I decide to test the possibilities and limitations of tempered radicalism by challenging the concept of cultural competency using the human rights policy.\(^\text{127}\) According to Myerson and Scully (1995) and Westerman (2008) individuals can successfully use their positions in organizations to strategize for incremental change.

Assessing the organizational environment for expanding, challenging and/or reframing dominant organizational discourses of equity (cultural competency) involves both an understanding of relations of powers and strategic planning. Speaking about the operation of power Brock (2003:xxi-xxii) points out,

‘…power and knowledge exist in a circular relationship. Power produces knowledge and knowledge produces power. As Foucault comments, “the exercise of power creates and causes to emerge new objects of knowledge and accumulates new bodies of information….The exercise of power perpetually creates knowledge and, conversely,

\(^{126}\) I mention this because I was surprised to get this secondment. Before her constructive dismissal, Mary Jones and I applied for several diversity related assignments and were not selected. We assumed that neither the union nor management wanted any involvement from us.

\(^{127}\) Unlike the university system there is no tenure system in colleges. In fact, there have been two waves of faculty layoffs. However, the collective agreement in most instances can temper the arbitrary exercise of managerial power in most instances, though as one informant reported, in this case study college, racialized and minoritized faculty have been disproportionately disciplined and fired (Faculty Seconded Training Consultant, 2010).
knowledge constantly induces the effects of power”. Knowledge is comprised of truths by which we live….truth is produced through power and there can be no exercise of power except through the production of truth. Moreover, the production of truths, and of power-knowledge relations, can only occur through the production and circulation of discourses- “Organized systems of knowledge that make possible what can be spoken about and how one can speak about it.”

Shifting neoliberal constructions of ‘cultural competency’ to legitimate other ‘truth productions,’ critical perspectives that examine the material and social impacts of oppression is possible with the strategic use of an ‘expert position.’ Strategic planning variables proposed by critical and anti-racist/feminist organizational change strategists, are useful when strategizing for change because they involve exploring and locating various sources of power, and strategically positioning change initiatives within the limitations and possibilities of the organizational context (Chesler, 2005; Thomas, 2006).

The instrumental power exercised through senior leadership support/buy-in is critical to advancing transformative discourses of equity in assimilationist and managing diversity organizations. Other sources of administrative support have to be explored since all VP’s and Directors involved with the project embrace the corporatized vision of cultural competency. Deviating from stated expectations by advancing counter discourses of equity would be certain to face either outright opposition through censorship and managerial control and/or subversion. A strategy to minimize this would be structuring the work itself so that it cannot be dismissed as the work of a single individual with a radical agenda and if possible adjusting the reporting structures within the bureaucracy to by-pass potential sources of resistance. In an academic organizational culture one way to counter managerial power is generating critical knowledges/truths through faculty academic production. For instance, consensus based faculty development teams based on a conscientization model could legitimate critical ‘diversity’
In a cost-cutting environment management buy-in is unlikely for such approaches. Another source of power is bringing in outside ‘experts’ that counter cultural competency discourses but again, this does not guarantee buy-in. In many programs within colleges, critical academics are regarded with disdain, viewed as ‘impractical’, ‘radical activists’, and ‘living in the clouds.’ In addition to ‘expert positions,’ access to communications strategies and media are powerful tools to deploy counter discourses that challenge and expose ‘market-based assumptions’ associated with the concept of cultural competency. The faculty union newsletter as well as, the corporate newsletter could be used to expose the two contradictory discourses of equity operating in the college - official policy (academic application of the code) and generating cultural competencies.

7.4 Constraints and Opportunities: Competing Discourses of Equity - Official Policy and Institutional Practice

In the fall of 2003, management sets a new tone with union management relations replacing the payroll driven style of human resources with a corporatized labour relations model that excludes the union from participating in joint decision making. The new labour relations consultant is a former union leader from another college who crossed over to management and garnered a reputation as a tough negotiator with strong anti-union sentiments. Others in the department include a former corporate downsizing expert.

The president of the college (who was enticed out of retirement), a key facilitator in the NDP human rights initiatives for the post secondary sector in the 1990’s, is winding down his term. During his tenure he left the human rights portfolios to the two Vice Presidents, though he did direct some attention to the employment equity file but with questionable motivations as
previously noted (External Equity Consultant, 2008). To be fair his primary focus was external, advocating the government to address issues systemic to the college system as a whole (i.e. state underfunding of the system). His internal focus was fundraising for this particular institution. Initially supported by the faculty union, relations became increasingly strained with the managerial approach to union management relations (Faculty Union President, 2008). He is replaced in 2003 by the Vice President Academic who acts as interim president. This acting president having spent some time in post apartheid South Africa is supportive of equity in principle, information he puts out publicly in supporting the goals of employment equity which continue to be subverted by middle managers who exercise control over the hiring process (External Equity Consultant).

The Cultural Competency Facilitator position is housed in the Centre for Instructional Development reporting to a newly appointed Director (also the Dean of English and General Education Departments when this department defied administrative policy and deliberately and openly subverted employment equity initiatives) as well as, the Human Rights Office and the Joint Committee. I use the first two (and only two) meetings of the cultural competency subcommittee as an opportunity to frame the issues as one of two competing policy discourses that had to be resolved. Committee members are provided articles supportive of managing diversity discourses (Thomas & Ely, 1996; Weiner, 1997) and articles critical of ‘cultural competency’ (Dean, 2001; Wong, 2003). Also provided are the Academic Application of the college’s Human Rights Policy (Appendix III) and a typology of radical and conservative discourses of equity developed by this researcher.128

128Dean’s (2001) critiques the concept arguing that culture is ‘individually and socially constructed, evolving, emergent, and occurring in language’ therefore such competencies are impossible to realize. Wong (2003: 149) is concerned about the adoption of these ideas in social work practice and suggests that proponents of the concept fail
The response to perspectives questioning the limitations of managing diversity perspectives that construct essentialized cultural frameworks is seen by most committee members as a subversion of the process that they and the joint union/management committee had established. Unable to discount specific criticisms raised in the articles they are disparaged as, ‘too academic’, the typology is characterized as - ‘too political’, ‘this will not fly at this college’, and ‘this approach is too radical’. The only support comes from the single faculty union representative a new faculty hire and a now a union steward (and future co-developer of the Positive Space Campaign).

I requested the cultural competency file several times from the Human Rights Director to highlight gaps in managerial decision making leading to the adoption of cultural competency given that the Academic Application (critical framework of curriculum transformation outlined in the human rights policy) is still official policy. The support staff in the office at that time alleges that she was instructed not to send me any files unless first reviewed by the Director. None of the requested files were ever sent (Patel, 2008).

It becomes clear that working under the direction of the human rights office, and this particular working committee with one supportive faculty member would become endlessly bogged down in power struggles and the process would be stalled. The current reporting structures do not provide any possibilities for shifting the cultural competency discourses. Additionally, there is little chance of this project succeeding because of two major factors: at this point the human rights office has little credibility within the institution (internal reports confirm this) and a managerial directed curriculum transformation process imposed from above has little chance of getting faculty buy-in. Though curriculum outcomes are mandated by management, to recognize the fluid boundaries and political character of culture. She also suggests that we need to identify power as central to our understanding of culture and we need to explore culture’s multiple narrative and meanings.
critical outcomes that contradict dominant conservative perspectives among faculty will only have credibility if it is faculty driven by a process of conscientization.

### 7.5 Strategic Maneuvering

A work plan is submitted to the Dean, and I make the case for independence from the human rights office by outlining the disadvantages of being too closely aligned to a curricular initiative:

*Overlaps/boundaries with other department*

- **Human Rights Office**
  - There are pros and cons with being closely aligned with the Human Rights Office. After the policy was developed, and several personnel changes later, this office has moved away from organizational development and is now primarily a complaints office. If most faculty perceive this office as the human rights police, being too closely aligned would make the task of curriculum change much more difficult. This perception could exist in the best of circumstances particularly when we are dealing with human rights and equity issues. Maintaining too much of a distance could make the ongoing work of curriculum transformation more difficult when this project ends.
  - It’s probably best to generate work independently of the Office and have the Joint Committee or the Cultural Competency Committee sanction different phases of the project as it develops

(October 28, 2003)

However, the Dean recognizing that she may be caught in the middle of a policy struggle does not take a stand or attend any future meetings of the joint union/management committee meetings where this topic is an item on the agenda. To challenge to the language of cultural ‘competency’ I begin using a new position description on all official correspondence - *Curriculum Diversity Facilitator.*

The first and only report to the Joint Committee is used to highlight the policy schism, contextualize the issues in a historical context, make the case for transformative curriculum
organizational change as outlined in official college policy, argue that the working committee
should be faculty driven, push for different reporting structures and enlist senior management
support for the transformative approach outlined in the policy. My comments are recorded in the
minutes.  

6.c.  **Cultural Competency Committee**

- Chet Singh, Curriculum Diversity Facilitator who was invited at the meeting to
  report the status of the new position in the Centre for Instructional Development
  and to provide status or any development on Phase 1 initiative – Cultural
  Competency training and implementation to faculty members in the academic
  area.

- Chet Singh began by problematizing the definition of the Cultural Competency. He briefly talked about the different approaches to addressing inequity in organizations and located this within a historical context. In the 1970’s and early 80’s, the multicultural approach which focused on providing cultural information to foster harmony was popular. In the mid 1980’s to mid 90’s the anti-racist /anti-discriminatory model was popular. This approached built on the limited analysis of multiculturalism which did not consider power relations and included other prohibited grounds. With the rise of neo-conservatism in the late 90’s Diversity was popular since it appealed to the customer line, diversity was good for business. In the 21st century, cultural competency has made an appearance. Originally developed within the health care sector to provide culturally appropriate service it has spread to other organizations. He suggested we need to be cautious in our use of this term because it suggests that we can in fact claim to accurately define an entire cultural system and become competent in understanding this cultural system. Culture is constantly evolving, it is not static and there is great diversity even within cultures. And to imply that someone is possibly culturally incompetent may not be a good idea. In fact there is a growing body of literature critical of the cultural competency approach. A more accurate description of the CID project would be curriculum transformation, curriculum diversity or education equity. As far as understanding ‘other’ cultures goes we must first understand the dominant cultures within societies and understand how these systems generate inequity. Understanding cultures different from our own is important but understanding why dominant cultures see difference as a negative and discriminate on this basis is also critical if we are to address harassment and discrimination in a meaningful way.

- He said the cultural competency project stems from the Dispute Resolution Policy and Procedures which many mistakenly see as only a complaints management

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129 These are from my notes sent to me by the recording secretary to edit; they may not reflect the final edited minutes. All files in the human rights office have been destroyed; in addition files of mine compiled about this period were also destroyed ‘accidentally’ from my work station.
system, The Policy is in fact an organization change strategy with human rights as the filter. It commits the college to examine all systems, procedures and practices to ensure that they are equitable.

- With respect to this initiative, Chet Singh asked members of the committee how he should organize it and then proceeded by providing the following suggestions:
  - the Cultural Competency Subcommittee membership needs to be reconfigured, more faculty and academic managers should be invited to sit on the committee. In order to sell this initiative to faculty, the committee approving the training strategy must include significant participation from the academic sector otherwise it will be seen as management driven and not as a collaborative effort between all sectors of the college community. The committee’s mandate they can discuss and approve the strategy. This committee or the JOINT COMMITTEE should be the body that oversees the overall framework and objectives of this initiative. Such a committee also needs to approve a training plan and actions plans. As well as make decisions, provide feedback on priority areas, etc. As well as recommend what resources will be needed to achieve the objectives.
  
  - Senior management has to visibly support this project and signal the culture shift we are striving for.
  - Since we are embarking on a culture shift with regards to curriculum transformation, Senior Management needs to publicly signal this shift.
  - who does he report to – is it JOINT COMMITTEE, or CID or the Cultural Competency Subcommittee?;
  - who endorses the conceptual framework of the training and action plans/strategy?;
  - resources in terms of support,;
  - Is LRC (library) able to provide support to this initiative? The college will have to collect teaching & learning resources to assist faculty to transform the curriculum?

  How will this process be coordinated? Will coordinators be the given the responsibility to work with faculty to identify resources and develop program specific action plans or will faculty who have the background be SWF(given time in their standard workload formulas) to do this work? For this to be a successful initiative we can’t simply add this on to existing faculty workloads or make it a voluntary activity. There also needs to be clear lines of responsibility and accountability within participating academic departments.

- (Vice President 2) asked what he meant by in terms support from higher level and he said that perhaps some kind of announcement to the community in terms of commitment and shift in this direction. He explained that it should also be incorporated in the college’s strategic planning; It should be tied to the performance appraisals of Deans, and Chairs He also said the faculty union needs to make their members aware of the initiative. And furthermore with regards to resources, is the training going to be mandatory and would it be SWF’d.
• It was said that JOINT COMMITTEE will follow-up with the Program Review Rationalized committee to look at their curriculum and planning;
• The process will involve developing generic learning outcomes for all programs as well as program specific outcomes.

**Action:** (Vice presidents # 1 & 2) said they will bring it to the attention of the Strategic Planning Committee

After this meeting there is no further contact with the human rights office or the Joint Committee until I deliver the Curriculum Diversity Framework Document (Appendix IV) one year later. The item that appears in the minutes of this meeting before the item that records my presentation and listed as an ‘issue’ is open to speculation but a cynical read of this entry suggests that there may have been a discussion to end the cultural competency project. First, the issue is framed within a managing diversity/cultural competency discourse of equipping students with skill sets related to demographic change. Second, it calls into question the legitimacy of the project itself – by implying that the strategic direction that drives the project may be applicable only to students and not faculty. In fact the support staff in an interview alleges that many were unhappy with my presentation but this individual does not recall the specifics (Patel, 2010).

**Issue** (College Strategic Direction): It was noted that under Strategic Direction (4) “value and respect our multicultural diversity”, the document makes reference to (b) “*equipping students with the skills necessary to respond to opportunities and challenges associated with ever-changing societal demographics*” but does not make any reference to similarity equipping employees. It was suggested that this (possible inconsistency or incongruence through lack of reference) should be examined to determine if there is any impact on the Cultural Competency Curriculum project and vice versa.
The Human Rights Director and Executive Director of Human Resources were charged with looking into this issue.

7.6 Deploying Counter Discourses

The cultural competency position has access to two communication media in the college, the union newsletter and the corporate newsletter; both are run by individuals supportive of critical perspectives. The faculty newsletter editor is the faculty union representative on the cultural competency subcommittee and the corporate newsletter is managed by a marketing staff who sat on the communications committee of the human rights policy development team during Phase 2 of these policy struggles. Access to these internal media become an important tool for challenging cultural competency discourses and produce new ‘truths’ that call into question neoliberal discourses of equity. A series of four articles are written over the next year. The first article does not use the term cultural competency and reframes the issue as one of ‘Education Equity’ (Appendix VI). The preface to the article quotes official human rights policy as the framework for developing diversity curriculum guidelines and ‘competencies’:

(UCC) Draft Strategic Plan and the Dispute Resolution Policy (Academic Application) both provide a framework for the implementation of ‘education equity’ in our academic programs. (UCC) has established a seconded position to develop help departments realize these goals.

The article goes on to situate the issues historically and document some of the struggles by parents and community groups to make curriculum more inclusive in public schools and interrogates the neo-liberal backlash to equity initiatives in the 1990’s. Cognizant of the range of audiences it pragmatically situates ‘diversity’/equity as issues as both a business necessity, and a corporate social responsibility,
There are many reasons why Canadian institutions promote diversity: As educators we all want to develop our students’ academic, social and cultural potential to the fullest. We recognize that they are not a homogeneous group and a range of teaching strategies must be employed in order to reach all students. Businesses recognize that individuals who are unable to function in a diverse workplace can create conflicts that reduce productivity and in some cases discriminatory attitudes and practices by employees expose them to liability issues. More importantly, some Canadian institutions recognize that they have a social responsibility to create the condition where equity and diversity can flourish.

The impact of the educational system in achieving these goals cannot be underestimated. The curriculum and classroom practices are enormously powerful. It defines what’s important and what is not, who and what is normal and natural versus what is abnormal and deviant. It determines where the margins or peripheries are and who occupies them. In short, the curriculum has the power to empower or disempower students.

Many Canadian institutions and organization promote diversity but diversity means different things to different people. As institutions grapple with how to implement fair and equitable practices a number of different models have emerged in the next article we will examine these in the context of education equity and situate (Institution’s) approach to this issue based on college policy and strategic directions (Singh, 2003)

The accompanying article to the first focuses on the concepts of systemic discrimination because in the organizational climate of neoliberal/neoconservative discourses, discrimination is seen as individual acts of bad behavior not as systems of oppression, and it is not uncommon to hear remarks from faculty about reverse discrimination and ‘we treat everyone the same, we have achieved equity,’ ‘why are we inundated with this politically correct propaganda’. This ahistorical approach ignores the creation of systems that maintain oppression as everyday practices woven into the fabric of cultural, economic and political institutions. Also outlined, are three discourse of equity labeled as Status Quo, Valuing Diversity and Transformative that make explicit the operating assumptions informing each approach. Cultural competency by this definition is not transformative, as many in management would like to project. The other articles speak to the material and social impacts of Eurocentric and heterosexist curriculum and

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130 This is the preliminary sketch for the typology used in this study – Table 1
provide preliminary suggestions for developing inclusive curriculum. There are no (known) negative responses directed to CID about any of the four articles in the union or corporate newsletters.

**7.7 Opportunity Knocks: Competing Discourses of Equity in the Senior Administration.**

After a presentation on the institutional advantages and disadvantages to three equity discourses at a meeting of senior academic managers, the VP Academic (now Acting President) publicly endorses the transformative approach to developing diversity curriculum outcomes. And he publicly states that it is an important initiative that college managers should endorse. The Acting President also endorses the collaborative inquiry approach for the first phase of the project using faculty teams from different schools to generate generic diversity learning outcomes (Brown, 2004; Friedman, 1994; Lee, 1984). This involves the establishment of school specific teams and providing time for research and development (in addition to individual faculty research, discipline specific articles on curriculum transformation were distributed, discussed at bi-monthly faculty meetings with the expectation that findings would eventually be applied to course outcomes). The outcome of faculty sessions would be discussing the applicability of the articles to curriculum transformation within their disciplines, the development of further research to expand knowledge bases in specific courses, the inclusion of marginalized perspectives and the development of preliminary learning outcomes in specific courses. Additionally, mini workshops presented by the diversity facilitator and invited outside experts in the area of curriculum diversity, social justice, and equity in education would also raise issues for discussion, dialogue and debate (Chesler, 2004). These collective activities would then form the basis for developing college wide diversity learning outcomes that would in subsequent years be
used to develop program and/or course specific diversity learning outcomes. This approach is time intensive, however, unlike the technicist OD approach of a one or two day workshop where outcomes are generated like widgets on an assembly line, it engages faculty in an examination of the social construction of knowledge and the ways in which omissions and distortions in the curriculum function to reproduce and perpetuate inequities (Chesler, 2005; Lee, 1998).

The next stage would involve faculty committed to the process taking on project leadership roles within their particular departments for the second phase of the process (Lee, 1986). This approach requires a significant investment in resources for faculty release time; hard to come by since full time faculty are considered a costly expenditure in an organization than is more concerned with expenditures that pedagogy (Carter, 2008). Where possible, extra work performed by underpaid part time faculty is always the preferred human resources strategy by management in the college system (Best, 2010). In addition, the critical inquiry approach unlike traditional OD training sessions is a long term, time intensive strategy that will take a many years, a minimum of five based on previous experience with similar approaches such as the Racism Awareness Series undertaken by Enid Lee in the North York Board of Education in the 1980’s and York University’s human rights policy development process in the 1990’s.

Unlike the Vice Presidents in charge of the equity portfolio, the Acting President does not appear to be wedded to neo-liberal discourses of equity. He appoints the ‘Diversity Competency’ facilitator to a number of equity/academic related committees such as the

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131 Modeled from the Racism Awareness Series, North York Board of Education, Enid Lee. 1984
132 Ibid
133 This process took two years and the final outcome was definitely transformative, with specific references to transforming curriculum. At the very end of the process, the president’s office got involved and confined the policy to a complaints process, with the rationale we can’t do everything at once, we have to do it in stages. Curriculum equity did not become part of the university’s equity policy.
134 This is a key moment and without this support the attempt at tempered radicalism would likely have ended here. Not unlike the Vice President in Phase two who assembled the team of tempered radicals, he is on his way to retirement and may have has less constraints limiting action/decisions that would hinder his status within the bureaucracy.
Academic Managers Committee meetings discussing Employment Equity, the committee revising the institution’s Academic Framework and shortly before he leaves the college in 2004 he follows advice from the Diversity Facilitator to strike a Diversity Statement committee to clarify the institution’s competing visions of equity. This senior leadership endorsement of the direction proposed by the Curriculum Diversity Facilitator gives the position considerable power to shape the institutional discourse of equity (Lopes & Thomas, 2004). However, the real power to effect change on the groups remains in the hand of academic managers and chairs that control curricular and hiring processes.

The Dean of the Centre accepts the work plan to create three faculty teams to develop the diversity learning outcomes/‘competencies’. It is decided that teams will comprise full time faculty from the human resource management program in the school of business, chosen strategically because this school has a reputation for conservatism. However, as the facilitator’s home department collegial relationships have been established and I have already transformed courses that I teach in the department with other faculty. The other teams comprise of twenty full time faculty from the General Education Department and three faculty and the Chair from General Arts and Sciences (university prep program).

135 I made this recommendation after academic managers were pointing out the contradiction in my approach to equity as well as that of an external consultant hired to work with the academic mangers on employment equity as well as provide training (To kick start the stalled employment equity process the Vice President contacted a mainstream social justice organization connected to the college and this individual was suggested, she had no previous background in this work, having worked in media). He agreed to settle the debate over competing discourses of equity operating within the college and used by managers to stall equity initiatives, through a statement clarifying what diversity meant to the college in terms of managerial commitment and employee expectations (though the work was started in 2004 the statement was not completed until 2005 – after the time period of this study. This exercise was opposed by the Director of Human Rights when it was suggested in a meeting with equity consultants, the faculty union and academic managers). A team representing the Deans, Chairs, faculty union and external consultants was put together by the acting president. It did not include the Director of Human Rights. Two external equity consultants were hired by the college during this period. One a professor with a transformative critique and the other with a valuing diversity approach.

136 I was hired in this program to teach organizational behaviour, labour history, equitable recruitment and selection and dispute resolution and had done considerable work revamping this curriculum to be inclusive and most faculty in this program was aware of this work especially the coordinator whom ‘tolerated’ my ‘radical’ sentiments.
The work plan also involves consulting with individual faculty on curriculum transformation initiatives, and with program areas and/or faculty developing new courses/programs. The facilitator also designs a workshop/presentation for academic departments and relevant bodies such as Deans/Academic Managers, College Council, and the Students’ Association to counter cultural competency discourses and at the same time circulate counter discourses from an ‘expert role’ position (Appendix IV).  

The presentations to academic departments elicit a range of responses from tepid support to outright hostility. As the concept of cultural competency is reshaped the greatest source of resistance and backlash comes from within the department that my position is located. A faculty colleague seconded from the English department accused me of bias against Whites. She stated that the only victims that I profiled were people of colour, and as someone from a working class European background, she was discriminated against and therefore is also a victim. She also presented me with a newspaper article written by a ‘visible minority’ who is against transformative discourses of equity. The author of the article individualizes the issue by suggesting that because they have not experienced racism as a ‘visible minority’ the issue is overblown. And since ‘we’ are immigrants we need to adapt to the dominant ‘Canadian’ culture. This Chilly Climate persisted for several months was acknowledged by the support staff, the only other racialized person in a department of six. The faculty member muttered in an off campus meeting of the group that either I had to go or she would leave the department.  

This critique is consistent with neo liberal and liberal anti-racist and feminist approaches where core criticisms of these approaches are deflected by repositioning truth, discrediting the

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137 This power point presentation was tailored for the School of Business.
138 The hostile climate eventually eased up and this individual actually copy edited the Curriculum Diversity Framework Document though she continued to challenge the contents. She also helped to tone down the language so that it would have broader appeal among faculty (Appendix, V)
messenger and various levels of violence or bullying are employed. Interestingly, this is a common phenomenon that I have experienced where in spite of using an intersecting analysis, the total sum of my identity is reduced to my ‘race’ as some White colleagues can only hear me speak about ‘race’ (as I am a racialized individual). Racialized colleagues with neoconservative perspectives also collude with this form of ‘truth production’ – reinscribing Whiteness. For instance, a conservative racialized faculty member in one of the faculty teams reported to his acting chair (Dr. Ranger) that my views were dangerous, that I was a communist and that my views had no place in the curriculum. When I circulated an early draft of the Curriculum Diversity Framework Document (Appendix V), the response from a racialized faculty who taught ESL was, “Oh my God, this is dangerous you can’t distribute this.” Implying that this document was going to make it more difficult for racialized people like her to remain ‘invisible’.

Presentations to management groups are contained and received as information related to yet another senior management driven, “flavour of the month’ imitative. The Vice President Academic/Acting President has endorsed the strategy at the Academic Managers meeting which includes all of the chairs and deans; this apparent indifference could be a strategy to wait out the retirement of the acting president as this group has done previously. The presentation makes the case that knowledge is socially constructed and that we ought to integrate multiple centers of knowledge in the curriculum where relevant. It presents three discourses of equity and quotes the college’s human rights policy and Academic Framework which adopts aspects of transformative discourses arguing that curriculum is not just the content of courses but the entire schooling experience, including systems of oppressive practices such as how faculty get hired and who gets hired. It also presents a preliminary framework to examine manifestations of bias
in the curriculum. It suggests that these conditions are the main reason why organizational inequities persist. And finally it presents a preliminary model to develop inclusive pedagogies.

There is engagement from some schools and backlash from others. During a session with the GAS (General Arts and Sciences) faculty, the faculty chairing the meeting cites both George Will – neoconservative commentator and Martin Luther King to argue that ‘Eurocentricism is right in North American curriculum because King generously quoted European philosophers in his speeches.’ Since he was a Black activist fighting for civil rights and he quoted ‘Dead White Men’ this counts as an endorsement for the superiority of European philosophy. The aforementioned colleague from the Centre for Instructional Development attends this presentation and sits beside me. The meeting room is circular and designed arena style with staggered seating so it may be unclear to some faculty whether I am the sole presenter or whether it’s a team presentation. At one point a faculty member (one of two openly gay faculty in the department and soon to be appointed member of the GAS curriculum transformation faculty team) accuses the facilitator of sexism because he is the only one who presented and spoke to the issues at hand, she does not speak to her colleagues defense of Eurocentricism. The lone faculty representative on the cultural competency committee (and other openly gay faculty member in this department and the only one of the two targeted by others in the department on the basis of sexual orientation) is the only one who challenges the faculty defender of Eurocentrism. So the facilitator is attacked for criticism of Eurocentricism and accused of being sexist. The colleague from the centre does not clarify that she was not in fact a co-presenter. The Chair of GAS who was present and also a member of the department’s ‘diversity competency’ committee does not speak up. The gay faculty appears to have survived in this hostile environment by colluding with ideologies that would portray her sexuality as aberrant.
A session with the School of Transportation, criticized by METRAC for its sexist ideologies and practices elicits backlash against the facilitator from a couple of faculty members. In response to an article I wrote on the Montreal Massacre (and an accompanying teaching and learning resource on violence against women developed previously by faculty training consultant, Mary Jones¹³⁹) a faculty member writes a letter in the corporate newsletter stating that he's not participating in the white ribbon campaign because he “is against all violence not just violence against women”. By appealing to neoconservative ‘common sense’ logic he reinscribes masculinity dismissing facts (that men are the main perpetrators of violence against women, each other and the environment) as irrelevant. Neoliberal and neoconservative discourses obscure structural inequities so we are all individualized without historical, social or economic context. Attempts to address various forms of inequality become reverse discrimination and privileged bodies become the victims in the equality regime. When the discussion evolves into the socially constructed nature of knowledge and the interests that this serves, who has the power to construct/distort the historical record, and how these are received/read/internalized by various subjects, the example of the Anglicization of Jesus as a white man was brought up. A faculty member sitting at the front of the classroom kicks the desk in front of him towards the front of the classroom, flings his chair to the ground and in body language displaying aggression and anger, storms out of the classroom. This behaviour, which I receive as an expression of violence against a racialized body is never addressed by anyone present; the dean of the school who is chair of the gender harassment committee set up after the METRAC report is silent as are other chairs of departments, coordinators and faculty.

¹³⁹Shortly after this faculty filed her complaint against the Continuing Education Department over the dismissal of racialized faculty teaching the Working with Diversity course she was constructively dismissed by her department and claims that the union was complicit because of her criticisms about the faculty union’s undemocratic processes.
At a presentation delivered to the School of Health Sciences, systemic discrimination in hiring practices is used as an example of how systems of privilege reproduce themselves through various unexamined human resource practices such as reliance on personal networks and erroneous assessments about the right ‘fit’. This department, like many in the college is overwhelmingly white. I point out that in a room of eighty faculty members where only four are racialized indicates that something is amiss with hiring practices. This particular field is not only highly racialized and gendered but racialized women are known to be highly credentialed. The context for this remark is a study by Tanya Das Gupta, (2003) about patterns of discrimination in this particular profession (distributed prior to the session as reading material). The Dean of this School remarks, that I am ‘making her feel badly as a white person’ and I am ‘making this into a racial issue.’ Other faculty respond that my remarks are inappropriate, and defend the school’s hiring practices as based on the principles of meritocracy. I rely on a great deal of emotional labour to make it through the presentation. Neoliberal discourses of equity dismiss the existence of systems of privilege. Therefore the facilitator is against meritocracy, favours quotas, and is arguing for the unqualified, minoritized, undeserving to be granted privileges that are not rightfully theirs.

This department has a reputation of discriminatory hiring among racialized part time staff that rarely make it on to the full time faculty complement. When the facilitator worked in the human rights office, this school had the highest number of student complaints against faculty members (Human Rights Annual Report 1997/1998). Mary Jones who came from this department has many stories of racialized individuals who have been passed over in the hiring process. She recounted on example that occurred just before she left her faculty position where a Black male part time faculty was passed over for a white female when he had met the
educational criteria and she had not (he had a graduate degree in the area advertised). When she queried the acting Chair (who also happened to be one of my six colleagues in CID) her alleged response was, “it’s easier”. One highly qualified Black faculty (graduate degree), highly respected among peers, and a recently minted union steward with previous management experience outside the college has applied several times for Chair positions in this particular school without success. When she meets with the Dean to find out what she needs to do in order to get a chair position, the Dean’s alleged response was, not to expect such a position as long as she was Dean (Marylin Davies, 2010).

In spite of renewed efforts on the employment equity front by the acting president, the college’s academic hiring managers continue to subvert employment equity hiring goals. In one department, under the previously mentioned Dean, twelve potential faculty candidates are short listed for two positions, the only faculty of colour to make the short list is not invited for an interview by the Chair and the position is offered to two white male candidates. When this information is brought forward publicly by the faculty union equity representative (Dr. Ranger) on the hiring committee, and later by a human rights commission complaint by the racialized candidate, the chair claims that it was an oversight. This institution has an employment equity policy, the Acting President is making the case for equitable hiring practices, the academic managers have had several recent meetings about this issue, and an equity consultant is hired to assist Chairs to broaden the representative pool potential candidates for faculty positions. In an Academic Managers meeting that I attended to discuss employment equity, this Chair claims that underrepresentation of racialized faculty in her department is because ‘they don’t apply for positions so we can’t hire them.’
Also in this department, when the opportunity arises to hire a popular part time faculty who is also Black, has taught several years at the college, has won the college’s prestigious Award for Teaching Excellence (the only part time faculty to do so), she does not even make it to the final round of interviews and another white female is hired into a department. All faculty in this department are white except for a mixed race coordinator who can ‘pass for white’ based on her physical appearance. This pattern of discrimination is repeated in other departments. Three part time Black faculty members who have taught in (blank) school for many years are overlooked by the Chair for three white faculty from the college where he previously worked at. One of the Black faculty has taught part time at this college for twenty five years, developing several courses in the department. He has applied for numerous jobs over the years and is yet to be hired after giving years of service to the institution (Dr. Ranger)\textsuperscript{140}. The college since 1999 has not conducted an employment equity survey as required (though not enforced) by the Federal Contractors Program (Appendix I).

As the faculty union president indicated earlier, this pattern of subversion by Chairs, who she argues are the real power brokers in the college, has been ongoing for some time. No senior managers within the last two administrations have been able to address this systemic discrimination within the organization’s managerial culture. Douglas and Duga were cognizant of this as a systemic issue and with the support of the faculty union attempted to set up a demographically diverse pool of qualified individuals that chairs could draw on for part time positions rather that the ‘word of mouth’ / ‘old boys network’ hiring practices relied on to fill these positions.

\textsuperscript{140} As part of the Employment Equity Strategy the faculty union appoints a rep to hiring committees, rumors’ of managerial subversion of the employment equity hiring process is well known among the critical faculty who sit on these committees and there are numerous examples of how this operates but details would identify and pinpoint specific departments. The example noted above were public with one of them going to the Ontario Human Rights Commission, where I was called as a witness in one case.
The acting president, though supportive of equity in principle, at times operates from a managing diversity perspective displaying disbelief, perhaps even naivety in the face of blatantly racist practices commenting that these practices were the actions of problematic individuals not systems of privilege operating in the college, ‘I can’t believe that this oversight happened, I have been telling Chairs that this is a college priority’. The consultant who he hired to assist the Chairs also operates within a managing diversity discourse, previously working as a media personality and having no apparent background in employment equity (unless being a racialized person qualifies one for this position). The faculty union president observes she is easily manipulated by the Chairs and business continues as usual.

As a ‘tempered radical,’ one has to choose battles strategically cognizant that only small wins and incremental change is possible, the context of this opportunity that presents itself to transform dominant discourses of equity, is that of an institution in transition. Operating with the safety net and privilege of a full time faculty position, and ‘expert role’ position, I focus specifically on the ideologies and practices that legitimate and normalize oppressive relations in teaching and learning processes. At this point, I have surmised that the structural power of the chairs in reproducing racist/discriminatory hiring practices is not about to change within the current arrangements of power, even though these issues are intertwined. When raised in one school in the context of the hidden curriculum, the Dean shut down this dialogue. And the acting president though supportive of equity is not about to become an administrative activist as Douglas was. Focusing on narrow and strategic interests are compromises of tempered radicalism that in the end could unravel any short term gains that may be achieved (Jones & Stablein, 2004).
7.8 Transforming the Curriculum: Redefining the Discourse of ‘Cultural Competencies’.

Faculty teams are provided with different curriculum transformation models such as Enid Lee’s Racism Awareness Series (Appendix V, Section 4), The New Jersey Project (1996), and Kumashiro’s (2000) categorization of diversity education models for teacher education programs which is useful for assessing the assumptions and interests that inform various training/education approaches. He argues that diversity education typically falls within four models. For instance, most assimilationist and managing diversity (corporate training and some public sector and post secondary training) discourses fall within his “Education For the “Other” and “Education About the Other” models where the aim is to learn about and acknowledge diversity among staff/students, embrace difference, structure the working environment/classroom in culturally sensitive ways to develop ‘cultural competency’ (Kumashiro, 2002). Kumashiro’s “Education that is Critical of Privileging and Othering” model is closely linked to critical educational approaches such as anti-racist education, feminist pedagogy. These strategies examine how some groups are marginalized and how some groups are favoured, normalized and privileged. This training/education model was popular in the 1980’s/1990’s during the Peterson and Rae governments and widely adopted as policy in public school systems. Also falling within transformative discourses is Kumashiro’s “Education that Changes Students and Society,” this model argues that oppression is the repetition of harmful discourses and histories. Examples could include, equating Whiteness and “Canadianess,” femaleness and

141 Documents a process where faculty are given release time to transforming courses in specific disciplines and develop models that other faculty can adapt. This institutional model is regarded as a successful model of curriculum transformation because faculty also document the process of awareness, locating the self, addressing the social constructions of particular disciplinary knowledges, the material and social impacts and strategies for including a range of knowledges that are regulated to the periphery. (Friedman, et al., 1996)
142 Kumashiro’s models have been incorporated into the equity discourse typology (Table 1 ) to provide an understanding of the interests/perspectives they serve.
weakness, heterosexuality and normalcy, and limited English language proficiency and incompetence. These occur through discriminatory institutional practices, economic disadvantage, through unfair legal practices and through moral and religious doctrines (Nestle, 2005). The strategies he proposes such as locating oneself within the system of oppression and discrimination can be useful for individual teachers and group processes. However, he does not examine the ideologies that teachers and other subscribe to, and the larger institutional and societal context within which curricular transformation or organization change occurs (Table 1).

Other strategies in addition to ongoing critical articles for discussion include seminars with academics who work in this particular field. Many of these are met with resistance particularly from the GAS department, when Rinaldo Walcott, Canada Chair on Social Justice is invited to address the larger faculty group, at a time when a regular department meetings is scheduled, only four faculty members attend (two are part time) one with their class. This event was planned with the school team and held at a time when faculty were known to be available. After the initial meeting with this group (previously mentioned) I am not invited to address the larger group again. Instead, the faculty member who accused me of sexism, now one of the three members of the department’s curriculum diversity team announces that the department has decided that team members will present on my behalf at future department meetings. Initially excluded from this department curriculum diversity team is a recently hired (one year) minoritized faculty whose expertise is human rights. Numerous requests to the chair to have the faculty join the team is subverted by the team member mentioned above who argues that this would be setting her up against other faculty members in the department. She eventually joins the team but quits after one semester. Meetings with this group to discuss the articles and report back on research findings and develop methodologies for developing inclusive curriculum for
specific courses gets bogged down in technical details as the group attempts to fit the proposed
learning outcomes to Bloom’s taxonomy of learning. Consequently, this group achieves very
little over the Fall and Winter semesters. Many of the courses in the department such as
psychology, philosophy and Canadian Studies, remain Eurocentric and heterosexist as course
materials and learning outcomes exclude the experience and presence of minoritized groups.
These actions are perceived as a deliberate strategy to use process to undermine the process, and
the previously excluded faculty member quits:

I'm sorry about deserting you and leaving you alone on the Cultural Competency
Committee. I've always been upset about this committee. First I was excluded from it by
(Blank) and (Blank). Secondly, I noticed how absolutely NOTHING was ever done.
Thirdly, as you noticed at times, I became angry about the incessant nitpicking of your
learning outcomes. We've spent more than three meetings nitpicking the language, and
not even addressing the content. Slow moving process, indeed. Moving on just one thing
has taken months! I know you understand why I'm jumping ship but nevertheless, it's the
principle of the matter.
(email, 2003)

Faculty and the curriculum can have enormous power over legitimizing particular discourses, as
Friedman (1996: 62) suggests in regards to the curriculum,

It defines what is real and what is unreal, what counts and what is important, who or what
is normal and natural versus who or what is abnormal and deviant. It determines where
the margins or peripheries are and who occupies them. It has the power to teach us what
to see and thereby the power to render people, places, things, and even entire cultures
invisible

The minoritized faculty member, who quits, alleges that some faculty continue to use neoliberal
discourses in the classroom as a wedge, to undermine and discredit individual faculty that use
transformative discourses in the classroom and the curriculum transformation process; in the
process creating a potentially hostile climate for these faculty in the classroom,

Sorry I was a little peeved off at our last (blank Department) cultural competency
meeting but I get quickly impatient and frustrated with the slow pace of change, period.
Actually, I'm pretty pissed off about a lot of things right now, especially when I hear from my students that certain staff and faculty are helping some white male students assert a "reverse racism," "I am a victim of civil rights," "Indians are stealing my job," etc. mentality. Damn, how frustrating! I'm the new white male hating teacher on campus.

Anyhow, I'm going to use your paper and have students in my Human Rights and Equity Studies class work in groups and create a presentation based on how they see the learning outcomes panning out within (the college) and in "the community." They are going to teach the teacher.¹⁴³ (email, 2003)

Members of the General Education department represent a wider range of equity perspectives. The most oppositional members initially stall the process, some behave badly in meetings and use bullying and masculinist behaviours when opinions are expressed that counter their views. For instance, in one of the early sessions, where faculty were exploring individual contexts of privilege and marginalization, a Jewish faculty member relays an incident that was personally revealing to him where he hid one of his social identities in the workplace. Two decades ago when working in the public sector, he had a very supportive boss and he moved up the career ladder rapidly as he applied for progressively senior positions in the department. He had anglicized his name to hide his Jewish identity because of internalized issues related to the experience of being born to parents who were survivors. After a period of exploration he decides to assert the Jewish identity that he had kept hidden and adopts his Jewish name. Shortly after announcing this, he notices a chill in the relationship with his boss. Coincidentally at the time, he had applied for a position that he was sure that he would get, having been groomed for the position by his boss.¹⁴⁴ He did not get this position or any of the others that he applied for afterwards. He surmised that the change in tone from his boss was related to his

¹⁴³ The faculty is referring to an early draft of what became the Curriculum Diversity Framework Document.
¹⁴⁴ Of course the subtext that doesn’t get addressed is how systems of privilege operate. Outside of the discrimination expressed by the manager in this scenario, what is not addressed is how this network operates, people are groomed for positions making it impossible form minoritized bodies to get in the door.
disclosure of being Jewish; his boss may have had anti-Semitic sentiments which in turn limited his opportunities for further career advancement. Another faculty member aggressively remarked, ‘how do you know that had anything to do with you being Jewish?’ Maybe you were incompetent, or they are hundreds of reasons why you didn’t get the job. There is no way that you can know this for certain that this is because of prejudice? What you are doing is dangerous, this is an example of ‘political correctness’, and you have made an accusation and have no proof to back it up I’ve had enough of this ‘politically correct’ bullshit.’ He directs his attention to me berates the curriculum project and does not attend future meetings. None of the other 12 faculty (all full time faculty, white, and about half are female) in the room say anything. Another faculty member (female), also resistant to equity expresses empathy over the tone of this session but is still unclear about her commitment to the process,

I feel for you in terms of the challenge of your mandate. Our last meeting exemplified just how tricky this is, since it is all-too easy for politically incorrect or dangerous statements to be made, even among faculty.

I left the meeting, aware of the need for "Diversity" education for faculty, and more aware of just how tricky that is.
Wish I had answers for you, me.
If I get brainwaves, I will share.

Hope you're doing okay with your role.
Wishing you the best,
and thankful to you for how well you're handling a "challenging" role/task.
(email, 2003)

As with the Liberal Studies department some faculty get bogged down the process and eventually stop attending meetings even though they have been given time on their SWFs (standard workload formulas) for this purpose. The six to eight faculty that remain engage with the articles, share what they have done previously to incorporate inclusive curricular strategies as well as, their current experiences, and after the second semester (winter 2004) have agreed to
adopt a single generic ‘diversity statement that the faculty union president had been previously pushing to get approved through the Joint Committee.\textsuperscript{145} The following learning outcome is added to the learning outcomes on all of General Education courses

Identify and discuss issues of diversity encountered in course content and materials to enable learners to develop a sense of social responsibility in their personal and professional interactions.

The Human Resources Management Program meetings are consistently well attended and faculty dutifully read the articles and discuss their applicability in the various program courses. Though many of these individuals subscribe to neoliberal ideologies, they have made a decision to support a department colleague since I have established working relationships with all of them.

Faculty struggle with transformative concepts, however learning was occurring as new articles were interrogated and as faculty shared their research findings and experiences with implementing inclusive methodologies. Demonstrating the homogenizing assumptions of ‘cultural competency’ that some faculty still subscribe to, one faculty mentions her attempt to engage South Asian students who ‘never participate in class discussions’. She screened the film Monsoon Wedding during a unit on social constructs of the family to bring a ‘cultural’ (othered) context into class discussion where she anticipates that South Asian female students who are familiar with these traditions would open up and become more engaged in class discussions - they didn’t. It occurred to her much later when she spoke to some of them individually, that they were all of Caribbean background and not from any South Asian countries. I suggested that this was not actually a failure, that the movie could still appeal to all students, not necessarily by

\textsuperscript{145} The faculty union president during the last administration had put forth this motion that this statement would appear on all course outlines as the implementation of the Academic Application Clause of the Human Rights Policy.
focusing in on the South Asian ‘cultural’ angle in the narrow sense (appealing to the other as an exotic) but focusing on how various aspects of cultural tension represented in the movie is relevant to all families. For instance, how families deal with class, gender, sexual abuse, and GLTBQ issues? All of these issues were undercurrents within the film. Unfortunately cultural competency reinscribes whiteness in an exercise of educating the other about the other. I am told of another incident that occurs during this experimentation phase by a couple of other faculty (individually) but not by the faculty at the center of this incident. In a Canadian Studies course the faculty in question presented a unit on Black History during Black History Month and the six Black males in the class walked out during the lesson. This faculty never raised the issue in any of our meetings and I didn’t because of information provide in earlier sessions with this faculty. For instance, I asked faculty to think about times when they had significant learning about issues of racism, sexism and heterosexism and what conditions were present? The example provided by this faculty was about her learning from a student about the oppression of women in India. What was troublesome about the description of her learning was the juxtaposition between ‘barbaric’ India compared to ‘civilized’ Canada. Canadian manifestations of sexism were minimized, and the issue of women’s oppression located on a racialized hierarchy. Other faculty had more ease with incorporating transformative approaches. In development psychology, one faculty reported back on research into this field and how it was ‘androcentric (the tendency in both theories and research design to use boys and men as the prototype for humankind with girls and women viewed as variants on the dominant themes), gendercentric (evident when separate and different paths of life cycle development are suggested for men and women due to biological differences), ethnocentric (tendency in theories and research designs to assume identical development for all individuals across ethnic, racial, and class groups), and heterosexist (when
the heterosexual orientation is assumed to be the normative, while GLTBQ orientations are deviant). She also spoke about feminist and anti-racist critiques of psychology and how she planned to incorporate this in the course (Faculty Participant, 2004). Faculty members in the Creativity class note how the infusion of diverse examples from various cultures (other than the Western European) was beginning to change the assignment choices of students. As they incorporated aspects of a range of cultural choices, a hybridity/fusion of artistic traditions that had not previously occurred was becoming more frequent.

Faculty from racialized groups are eager to, or have developed, courses about specific identity/racialized groups to add to the General Education option of courses. However, these courses fall under the cultural competency discourse where racialized groups are romanticized and essentialized (Walcott, 2003; Sealy, 2000; Wong, 2004). My response to a proposed course on South Asians raises questions about what appears to be a tourist approach that simplifies and essentializes all South Asians as a homogeneous group with similar cultural traits,

(Blank) your course description, learning outcomes and generic outcomes are very helpful since it’s much broader and multidimensional that the material that was forwarded to me previously. I particularly like the business and economic angle you bring to the topic. Gen Ed courses will probably become the foundation of the college’s education equity (cultural competency) strategy. Consequently, we are encouraging course developers to consider a number of variables in order to achieve a balanced and equitable curriculum that challenges stereotypes and misinformation about ‘non-western’ cultures and related issues. The Instructional Objectives you develop to achieve your learning outcome are critical in this regard. I’m assuming that you haven’t yet developed these since you didn’t send them. I have a number of preliminary questions for you to consider in order for us to achieve the college’s goal of an equitable, inclusive and balanced curriculum. These are in no particular order but generally relate to your stated learning outcomes.

- What approach/s do you plan to use when addressing the issue of culture? As you know there are a number of approaches to this controversial subject. Will you address them all and critique the pro’s and con’s?
- Who are Indians?
- What Constitutes Indian culture?
- What factors have shaped Indian cultures, society, economy, and politics historically?
- How do you plan to use the cultural learning process i.e., the variables and socializing agents that shape cultural identity?
- How do you plan to address the impacts of cultural socialization i.e., ethnocentrism, perception, stereotypes, etc.
- How will you address variations in cultural environments, i.e., class/caste, age, language, nationality, disability, gender, sexuality, etc.
- How will you address the presence of South Asians in Canada historically?

[The Canadian Context is very important particularly when it comes to dispelling the stereotype that South Asians are recent immigrants who have not contributed much to the development of Canada. Will you address the role South Asians played in the formation of the agricultural workers union out west (see the NFB film “A Time to Rise” featured in it is the former South Asian primer of BC who at the time was a labour organizer. Will you cover the Komagata Maru incident? Ali Kazimi has an excellent documentary on this. I know Sharon Pollock made it into a play some time ago. I also recommend a book on the South Asian experience in Canada – “Continuous Journey”. Don’t recall the author.
- How do you plan to address the issue of migration? Will you address the global, political, social and cultural factors that shape and create these processes?

- Will you look at the impact of colonization and more recently neo-colonialism and Global economic structures and their impact on the ‘Developing’ countries?

- How will you address the South Asian Diaspora and subsequent migrations form Fiji, the Caribbean, South America, Malaysia, etc.

- Do you plan on addressing the relationship between east and west critically, i.e., how call centers recruit Indians and train them to speak like Londoners and talk about the weather etc, what does this perpetuate and how does this impact South Asians in the West

- How will you address the cultural adjustment issues many of our students confront as their hybrid cultures clash with that of their parents? I saw an excellent documentary recently where this issue was addressed in fact it’s won a number of awards. The title is “Cosmic Currents” I don’t recall the name of the filmmaker but he is a young South Asian Canadian from Western Canada.

The course appears one dimensional. The complexity/contradictions/diversity of South Asian Cultures are not addressed, The Global dimension to SA culture is omitted the influences of other cultures on SA culture is not addressed i.e., Chinese, European, African, etc, issues related to the fluidity of the culture and the adaptability of the culture is missing particularly in the Canadian and British context where there are some fascinating cultural developments expressed as hybrids of various traditions and genres.

(Blank) I’m not suggesting you address all of these issues; this is your course after all. These are suggestions for you to consider as you fine-tune your generic and learning outcomes as you develop and define your instructional objectives. I would be happy to comment on your instructional objectives if you wish.
This faculty is frustrated by the process and complains to the Dean of the Centre for Instructional Development. In White supremacist contexts, racialized bodies are often pitted in opposition to each other as a management technique to discredit messengers that call into question the legitimacy of ruling relations (Sealy, 2000). The Dean suggests that I meet with a faculty who has developed a similar course about ‘Africa and Africans’ to consistently apply the criteria that I am using since I have also expressed similar critiques of this identity based course. Has she not considered the political implications of this, or is this a set up? She must know that this is potentially a messy battle; she was made aware of previous discussions I’ve had with this faculty and knows that my assessment is that he is not going to back down, since he is rooted firmly in the Afrocentric (Identity politics) tradition. For him, the sum total of the African experience is reduced to racial identity and other intersecting identities are minimized or completely excluded. Furthermore, the course has been developed, approved and running; it is also a very popular course that fills a huge gap in a largely White supremacist /Eurocentric curriculum. The representation of Africa and Africans is deeply flawed, but it does fill a void. As I express to the Dean,

With regards to (blank’s) course on The Glories of Ancient Africa my concern is that this is the only course on African heritage even though it fits into a pattern of approaching cultures as they appeared in the past. Many cultural critics (you may recall Rinaldo spoke to this issue last term) argue that with this approach there is a tendency to romanticize the subject/s. Others argue that this approach is necessary in a racist society that omits the experience and contributions of minoritized groups since it builds self esteem, is affirming to individuals form this group and fills a knowledge gap for all students. I won’t argue with the historical approach if these are the objectives. However, I would also suggest that we need to address present day realities because in addition to
affirming identity we are also attempting to foster critical thinking that could lead to positive social change in present day society. (blank’s) course is firmly rooted in the historical tradition and I’ve had discussions with him on this very topic and our perspectives are different. Consequently, I would probably stay away from the course as it is. If we did want to change the course at some point to reflect aims of the curriculum diversity project I would take direction from the African Heritage Month Committee or faculty who are well versed in this area such as Dr. Angela Ranger and Ralston Walters. In both instances we are dealing with minoritized communities who experiences, contributions and diversity are misrepresented, distorted and omitted in academic and popular culture medias and excluded from decision making. Therefore these individuals few as they are at the college have to be involved in courses that seek to represent critical knowledges and histories.

In spite of the small gains that were occurring in some spaces, after two semesters it becomes clear that the strategy of critical inquiry which sought to democratize the process of defining ‘diversity curriculum outcomes (challenging and transforming Eurocentric, patriarchal, heterosexist, ablest, and classist discourses that functioned to legitimate and perpetuate discriminatory structures and practices) was in danger of unraveling. Resistant faculty continue to engage in stalling tactics, and the conscientization process is time consuming, expensive, long term and bottom up. Also, key supports in the administration may no longer be in place. The Acting President is about to leave and a new President and Vice President Academic soon to be hired, and both are unknown quantities. One of the two Vice Presidents in charge of the equity portfolio is now the sole managerial director of the human rights office. This individual firmly entrenched in the neoliberal discourses of equity has set in motion, proceeds to dismantle the systematic reach of the human rights policy by splitting up its functions into silos through the development of a new human rights policy. So far she has been successful in rearticulating the function of human rights office as complaints management.

Generating generic diversity learning outcomes from the bottom up by faculty teams would entrench this approach not only among the faculty and departments involved but would
also serve as models for curriculum transformation for other departments in the organization. However, in an organizational climate where business models of efficiencies override pedagogy, the current process could be viewed an inefficient and too costly.

### 7.9 The Curriculum Diversity Framework Document (Appendix V)

Assimilationist and managing diversity discourses do not acknowledge systems of privilege that operate within organizations to reproduce the status quo. The uncritical default to meritocracy claims obscures the fact that these systems are dominated by privileged groups, are set up to identify with these groups and to act in the interest of these groups (Johnson; 2006; Thomas, 2008). In spite of the transformative human rights policy that addressed the core of these issues and training that explored how these systems operate, middle managers have not generally moved from their positions, consistent with French’s (2004) study that suggests in such organizations the imposition of affirmative action is the only organizational change approach that has worked. However, French is only referring to demographic representation. Systems of knowledge production continue to be centered on the knowledge, interests and experiences of dominant groups even as it reaches out to deal with difference (cultural competency) (Johnson, 2006:90; Kumashiro, 2000). Anti-racist and feminist scholars have pointed out that the hidden curriculum common in assimilationist educational institutions reproduce unequal material and social relations. They function to teach students who are supposed to be teachers/who can be teachers, who can legitimately run the college and what counts as legitimate knowledge. Notwithstanding, these scenarios can be read differently by various subjects. Not all minoritized students internalize oppressive discourses, some challenge and resist them. However, in
assimilationist/managing diversity organizations one can penalized especially when human rights polices function as liability protection for the institution (Neal, 1998; Bacchi, 2001).

However, the negative impact of ‘discourses of domination’ cannot be underestimated. Some of the impacts of the hidden curriculum were starkly revealed to me when a part time faculty member quit after his second class (stacked classrooms - excessive numbers of students are common among part time faculty who don’t complain for fear of not being rehired) and I took over his preparatory English class. With lecture preparation and marking, part time faculty make under minimum wage; you are paid only for in-class time (anywhere from $30.00 to $60.00 an hour). After my first class an older racialized man from South Africa came up to me and to state that when I walked into the room he was shocked, he said to himself, “this is our teacher? This is going to be a terrible class.” He wanted me to know that he was very surprised that it turned out to be an excellent class (in his opinion, this was the first and only time I taught an English course). I wasn’t sure whether it was my dress, age or race or some other factor and did not query him. In this class, I used texts such as rap/dub poems, speeches of Martin Luther King and Malcolm X, Rigoberta Menchu and other voices to teach the mechanics of English grammar, paragraph structure, and sentence structure. My intent is not to highlight the content but to normalize these texts as relevant and important knowledge as any of the Eurocentric, patriarchal and heterosexist texts than dominate the curriculum. I also used short films to generate exploratory writing using themes that I assumed students could connect with. Several classes on, I screened a short silent film that explored the concept of home and immigrant adjustment. The Kenyan filmmaker depicts experiences of racism, belonging, alienation and rejection as she tries to settle into her suburban British home. At one point in the video, the filmmaker constructs a dwelling of wood and straw in her back yard to reaffirm her longing for the comfort of a
particular/romanticized cultural identity that is under siege becoming conflicted about the hybridized cultural experience that was her new reality. After the screening, the older student expressed frustration and anger, “Why can’t you teach like a proper teacher? This is not scientific, I have attended college in England and other places and teachers don’t teach like this, why are you bringing this nonsense into class? This is not relevant. Why can’t we deal with normal facts like other classes?” This student never came back to this class. The class was 95% younger African, South Asian and Caribbean background students who did not have basic high school English and had motivation problems. However, they were very engaged with the material and even though we were dealing with technical aspects of language, using concepts and experiences and knowledges that they could relate to, created space for them to share knowledge and insights that improved verbal and written skills as many were highly motivated to learn and produce work (Wlodkowski and Ginsberg, 1995). With the older student, I never got the chance to debrief and I remained curious about what triggered his response. Did he perhaps view the video as stereotypical, portraying African and Africans as rural, ‘backward’, as much media representation does? His remarks did indicate that he viewed my attempts to diversity the curriculum as ‘political’ assuming that the political could somehow be neutral as neoconservatives insist (Apple, 1993).

It became apparent to me that lasting change is not necessarily going to come from administrative structures imposed from above because even when minoritized representatives are hired into faculty and/or administrative positions within assimilationist and managing diversity organizations they often have to be ‘the right fit’ with the organization. In many assimilationist/managing diversity organizations this means embodying the masculinist, heterosexist, Eurocentric managerial norms or not engaging in activities that openly challenge
them (Moodley, 2003). Organizational change based solely on demographic representation, that ignore oppressive ideologies are unlikely to transform organizations. Having minoritized teachers is no guarantee that these individuals will embrace progressive and cooperative approaches. However, conscientization efforts that come from the bottom up that are long term, that require dialogue and agreement, can positively impact curriculum, pedagogy, the classroom experience and perhaps the larger communities beyond educational institutions (Freire, 1994).

The opportunity to develop an institution wide curriculum transformation framework endorsed by senior management is still possible since the acting President has given legitimacy to the process thus far. Also, the Diversity Facilitator has the opportunity to entrench these perspectives into two policies (Diversity Statement and the Academic Framework). However, the institutional rationale for cultural competency is generated by market based governments and industry. Nonetheless, the curriculum framework as a policy document could be taken up down the road to argue for equity and justice claims as the human rights policy (Academic Application) was used to challenge the discourses of cultural competency.

A draft of the Curriculum Diversity Framework Document was completed in the winter of 2004. The document had a number of objectives, the first objective was to emphasize to the college community that transformative curriculum principles embedded in the human rights policy were still operative (Appendix V. Sec. 1.3). By juxtaposing three models of equity discourses (Section 2.0) the document gives a context for each model, identifies the interests that each speaks to and explores the implications for achieving organizational and curricular equity under each model.

The second objective was to provide a ‘pragmatic’ rationale for curriculum transformation by appealing to the disparate needs of stakeholders that the institution serves.
The information presented in this section suggests that the institution has to balance various interests and one cannot override the other.

Section 1.1 and 1.2 of the Curriculum Framework Document speaks to primary interests of government, minoritized communities, business and industry, academic managers, faculty and the college’s senior administration:

1. Governments are concerned with managing demographic factors funding initiatives for immigrant adjustment into the marketplace economy and creating training policy (on generic skills) required of future public and private sector employees.

2. Community groups and critical scholars are concerned with the material and social impact of inequality/oppression. And have documented how discriminatory ideologies/ideas and practices reproduce inequity in the educational, political, economic and cultural spheres of society. These groups emphasize the strong correlation between unequal educational outcomes and the unequal distribution of resources along lines of gender, race/ethnicity, and socio-economic class in North American society. Consequently, they are concerned with dismantling systemic structures that reproduce inequality (Black Educators Working Group, 1993; Grande, 2000; Henry and Tator, 1994; Hilliard, 1992; Lee, 1994; McCaskell, 2005; McCormick, 1994; Sleeter, 1995; Walcott, 2003; Zine, 2003).

3. Employer groups that are overwhelmingly interested in the cultural and communications aspects of diversity that lead to greater productivity and efficiency within the workplace as well as the potential expansion of market segments (Prasad and Mills, 1997). They are also cognizant of the fact that unprecedented rates of demographic change have lead to increased conflict and dissatisfaction in the
workplace. These conflicts express themselves in many ways, including: increased human rights litigation, reduced productivity, and low employee morale and retention resulting in billions of dollars of lost productivity¹⁴⁶ (Mills and Tancred, 1992; Dana, 2001). Consequently, private sector groups have urged postsecondary educational institutions to transform curriculum and teaching practices to ensure that students acquire the skills and knowledge necessary to participate in a diverse society and an increasingly interdependent global community.

4. Academic managers and faculty by are concerned with developing curriculum that expands the knowledge base in their disciplines/professions (to use a business term – expanding the ‘marketplace of ideas). Under the Ministry of Education’s Essential Employability Skills” (EES) Requirements and Credentials Framework, generic learning outcomes, in addition to subject specific outcomes, includes interpersonal skills and critical thinking. However, critical thinking is expressed narrowly within dominant discourses omitting issues related to equity. This exclusion certainly limits the scope of critical thinking skills in a ‘diverse’ society and workplace. Consequently the rationale for inclusion of equity/diversity outcomes is that many of the proposed ‘diversity learning outcomes’ in fact fall under existing curriculum policy mandated under the Ministry’s guidelines/ objectives. And the diversity outcomes would only enrich the academic experience.

5. And finally, the senior administration is (or ought to be) concerned with implementing educational policies that will produce citizens that are socially and environmentally responsible and competitive in available job markets.

¹⁴⁶ Consider, for example, the 2000 Canadian Labour and Business Centre Leadership Survey of 4,442 private sector business leaders, public sector management and labour leaders, which found that 70% thought that the principal indicators of a healthy workplace are good working relationships and high morale (Parsley, 2000).
Additionally, educational systems can challenge or reproduce oppressive ideologies and systems of privilege. Research compiled by from American Association of Colleges and Universities (AACU) is cited to provide evidence that inclusive curriculum, the institution, students and civic society. Studies indicate that inclusive curriculum enhances motivation, skill development and civic responsibility. Colleges that encourage and support inclusive curriculum have higher retention rates, higher levels of academic achievement and reported satisfaction with the learning experience (AACU, Diversity Works, 1997). Musil and Teraguchi (2004) report that inclusive curriculum encourages more debate and reduces diversity related conflicts. The Gurin Report (1999) states that such educational approaches better prepares students to live and work in a diverse society. Other arguments argument in the framework document include an appeal to branding; ‘(Blank) College has an opportunity to position itself as a leader in post-secondary education by developing diversity/equity models and practices that create meaningful (systemic) change.’ Arguments are also made that by transforming the demographic representation of employees as well as the diversity of perspectives in the teaching and learning process within the institution will develop meaningful relationships with its unions, external community partners and students by recognizing that’ knowledge generation and the development of

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147 Most post-secondary institutions approaches that include diversity/equity as part of their strategic planning process are superficial (the Valuing Diversity $ model). While this approach is common in the U.S.; however, the success and effectiveness of these initiatives have not been widely documented—one exception being the New Jersey Project.

148 As many educators have pointed out the Curriculum extends beyond the classroom (referred to as the hidden curriculum) and includes textbooks, posters, cafeteria food, guest speakers, race of custodial staff, teachers, staff, administrators, assignments, projects, ….the whole college environment (Racism Awareness Series, North York Board of Education).
diversity competencies involve an exchange of ideas that are mediated within a social, political and economic context.’ (Framework Document, 2004)

The third objective was to provide a draft of college wide diversity learning outcomes to the three faculty teams to either endorse them or alter. Once agreed upon these outcomes would be sanctioned by faculty teams triggering the process of incorporating outcomes into relevant courses outlines. Most importantly, it would signal to the academic community that the process was faculty driven and not something imposed on faculty by administration.

The current process moved very slowly partly because of the critical reflection model which was a time intensive, lengthy and ongoing process. Faculty were engaged in examining the dimensions of historical and social values that work in the ‘construction of knowledge, social relations, and material practices’ and how these relate to conditions of inequity and social transformation (Giroux quoted in Brown (2004:85). However, after two semesters of research and dialogue much progress had been made with the General Education faculty in particular those that chose to remain with the process. Many were beginning to understand the different discourses of equity in the curriculum and the universalizing tendency of Eurocentric/patriarchal/heterosexist/classist curriculum.

Preceding the draft diversity learning outcomes sections 2.2 and 2.3 makes the case that discourses of cultural competency operating within the college and the larger society are problematic. For instance the term cultural competency is operating as a code work for racial diversity,

‘Cultural competency’ should address issues of gender, sexual orientation, disability, class and other markers of difference since they comprise social identities that are marginalized within mainstream culture and curriculum

It also challenges the concepts stereotypical homogenization of minoritized groups,
There are many communities within an identifiable community (there is no homogeneous African, Asian or Queer community)

Section 3.3 identifies five content areas under which numerous diversity outcomes are covered. The broad areas are Critical Historical Context of Canada’s Peoples’, Analysis of the Structures That Perpetuate and Maintain Inequality, Theories of Difference (Analysis of Race, Ethnicity, Gender, Class, Ability, Disability, Sexual Orientation, Religion, Nationality), Developing Social Responsibility and Professional Preparation. The expectation was that once these were agreed up by the faculty teams, relevant outcomes under each of the five content areas would eventually be incorporated in courses where relevant. The Appendices to the Curriculum Framework Document provided a discursive framework of transformative discourses. Appendix I identified what the needs of industry with regard to ‘cultural competency’ could look like. Appendix II provide teachers with framework on how they could apply curriculum transformation principles in the classroom. And Appendix III identified features of a transformative organization.

The fourth objective of the document was to propose an institutional strategy that identified processes, roles, responsibilities, timelines and resources similar to critical inquiry/bottom up approaches the faculty teams were engaged in thus far. Section 4 of the framework provided a model based on the Racism Awareness Series and The New Jersey Project Previously discussed. When presented to the General Education Committee, many faculty expressed that the outcomes were too exhaustive and needed to be cropped. However, there is no specific criticism of the content. A highly respected member of the groups speaks out in support of the framework document and by the end of the meeting it is unanimously endorsed by the entire group. The Dean of English provide faculty with time on their SWFs (standard

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\[149\] Appendix V of this document
workload formulas) for the May – June period. Working in teams faculty members used the framework document to incorporate three outcomes in each of their courses (this would be an ongoing process) and use research material to develop lectures/lesson plans. The Human Resources Management Program is told of the General Education Committee endorsement. By the end of the semester, the school of business team had mapped all of the outcomes into their program courses and was beginning the process of researching and incorporating material into relevant course material. However, the Liberal Studies department committee continues to discuss the applicability of the outcomes to their courses and at this point accomplish little.

In the fall of 2004, a new president is hired and announces a mandate based on the learning organizational model and within this model identifies a commitment to social justice as a differentiating feature or brand of the institution (Chawla & Renesch, 1995). The college wide curriculum transformation project is abandoned and the work of the faculty teams is discontinued. Attention is focused on a ‘signature learning experience’, a corporate brand that will differentiate this institution from others in this urban geographic region. A voluntary task force is struck to develop the course made up of faculty from across the college; the task force is split when it appears that the Signature is going to be a single mandatory course on social justice. Faculty in the School of Transportation and School of Business argue that social justice is not a saleable brand. This researcher is recruited as co-coordinator of the course development team

150 Common principles of the learning organization include (1) creates continuous learning opportunities, (2) promotes inquiry and dialogue, (3) encourages collaboration and team learning, (4) establishes systems to capture and share learning, (5) empowers people toward collective vision, and (6) connects the organization to its environment. However, as public organization follow neoliberal discourses and adopt learning organizations strategies the question remains: whose interests are being served by the concept of a learning organization, and what relations of power does it help to secure? Workers are expected to learn continuously and embrace instability as the normal order of things, which is supposed to be empowering. Critics argue that this new business model of organizational development with concepts like continuous learning and shared vision represents an essentialist business hegemony that obscures worker exploitation as people struggle to figure out what they need to do to survive in an insecure workplace.
and the previously abandoned diversity learning outcomes are revived and become the foundation for developing this single course.

The adoption of a human rights policy with transformative elements in an organization with strong assimilationist tendencies, created opportunities at later stages for stakeholders/tempered radicals to utilize these as anchors for justice and equity claims that were resisted and recuperated by managerial interests in the next administration. Though policy gains were substantive and binding (approved by the Board of Governors), dominant discourses enabled managers to continue subverting attempts to establish fair hiring processes and institute other reforms. When an ‘expert role’ position (cultural competency facilitator) is created by the institution to meet the needs of corporate partners and the demands of government an opportunity is provided to expose the policy contradictions and challenge the concept of cultural competency. A variety of strategies are employed that result in the creation of another policy document, the Curriculum Diversity Framework Document (Appendix V). This intervention in the long term could shift the institutional conversation about equity and what solutions might address organizational inequities by tempered radicals seeking reform but not revolution. A decision is made to separate out curriculum reform struggles from fair hiring because it is virtually impossible to penetrate the hegemonic centers that hire and fire in this institution. Jones and Stablien (2006) have challenged both Myerson and Scully’s (1995) and Westerman’s (2008) assertion that tempered radicals can achieve substantive organizational change through incrementalism arguing that any advances are eventually recuperated by managerial and dominant interests within the organization. Their overall critique of is that ad hoc change does not change the larger structure and practices of domination. These conditions may be reformed for a period of time, but if the changes contradict dominant discourses they are eventually
recuperated. In this case even this most recent policy victory exposes the fantasy of policy as a means to change white supremacist patriarchal capitalist structures within this organization (See Chart 1, pg. 28).
CHAPTER EIGHT

Conclusion

_We didn’t have the conversation about how we (equity workers) were going to do the work_

- Ricardo Patterson, Human Rights Training Consultant

8.1 Introduction

Westerman (2008) and Meyerson and Scully (1995) have put forth that substantive change can be achieved through incremental acts of tempered radicalism in organizations. This study examined efforts to do so at UCC, an urban community college. Policy struggles were used as the vessel to anchor equity claims related to fair hiring practices and curriculum transformation. In this instance, Jones and Stablein’s (2006) and Fraser’s (1987) assertions that such efforts are bureaucratized, resisted and recouped by managerial discourses was true to outcomes of this case study over the three phases of policy struggles. The liberal discourse of individualizing systemic phenomena operates to mask oppression by enacting programs and policies that maintain the system. Human rights policies have been institutionalized as complaints based processes that are expected to achieve justice within administrative law. Equality of opportunity programs while recognizing systems of privilege reject them at the same time by promoting the individual’s freedom to engage in the marketplace through meritocracy. Thus explaining inequity as individual failing; within this construct, the very programs set up to reform oppression end up producing classist, racist, sexist and homophobic systems. While it is reasonable to conclude that the idea of policy as a means to achieve substantive human rights change may be a fantasy, policy struggles did achieve marginal change over the span of these cycles of policy conflicts. Therefore it should be noted that the agency exercised by individuals and groups to resist institution oppression shifted the organizational dynamics. Successive
stages of policy struggles broadened the scope of equity work such as curricular transformation. However, these struggles were situated in a critical analysis (neocolonial/intersecting oppressions) and the resultant change strategies consistently challenged the liberal positionality of subsequent change agents and administrations as they functioned to reproduce and legitimate oppressive neoliberal discourses.

As a neocolonial nation state, Canada remains a dichotomy on the one hand because policies such as multiculturalism holds great promise as a cultural and social experiment but dominant discourses continue to imagine the nation as a European society (Walcott, 2007). Canada continues to be stratified along lines of race, class, gender, sexual orientation and ability (Nestle & Kanee, 2008). First Nations sovereignty issues remain unresolved as indigenous Canadians continue to be ‘managed’ through patriarchal colonial state apparatus such as the ‘Indian Act’ and band councils. Canada has been repeatedly cited for its abysmal human rights record resulting from the impacts of racist colonial practices and policies (Monture-Angus, 1999). Global economic forces of corporatization continue to displace populations of the South whose professional and moneyed elites feed Canada’s demographic, social and economic needs through ‘brain drain’ immigration policies (Abu-Laban and Gabriel, 2002; Mirchandani & Butler 2006).

It was the shift in immigration from Europe to the Global South (through the easing of racist immigration policy) that precipitated multiculturalism as the state’s primary strategy to address issues of cultural difference in the 1970’s. Prior to this, it was labour, human rights and feminist activists during the Canadian civil rights movement of the 1950’s and 1960’s that
helped to usher in provincial and federal human rights policies (Walker, 1990). As this case study demonstrates, inequities in Canadian society continue to be challenged by community and activist groups, who have, over the last several decades contributed innovative and transformative programs such as antiracist and feminist pedagogy and fair hiring practices that have influenced government policies. However, organizational responses to these initiatives vary in the struggle to bring about conditions of equity and justice because neoliberal discourses of equity continue to legitimate needs of ruling elites. However, this ruling relations will continue to be contested in the larger society and within organizations as ideology, policy and practice.

This thesis highlights how policy struggles over the framing of equity and human rights at one post secondary institution was influenced by these dynamics. By focusing on one institution over time and the experiences and insights of those involved in change processes we uncover how the operation of systemic discrimination is manifested over time, how contestations over of what constitutes equity work constraints or advances equity initiatives, how dominant discourses shape policy content and choices, how policy is actually practiced and implemented, how these ongoing practices are challenged by various stakeholders, how power circulates at times through all stakeholders not just managerial elites, how power is used in the interests of particular groups, how this advances or prevents the advancement of equity interventions, and most importantly, how these are ongoing processes of resistance and recuperation by both dominant and oppressed groups.

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151 More recently the Charter of Rights (1982) is intended to provide further rights protection for minoritized groups (Mandel, 1992). Mandel’s (1998) analysis of charter cases argues that rather that protecting the rights of minorities and organized labour rulings have widened the gap between elites and venerable groups.
8.2 General Findings: Policy and Theoretical Implications

The Importance of an Intersecting Analysis

The study adds to the literature on human rights organizational change/reform in post secondary education. I use critical feminist and anti-racist approaches to locate these struggles within a discursive framework to get a broader read of organizational change rather that view these tensions as a binary of defined oppressed groups against identifiable oppressors (Table 1). Additionally, while I acknowledge the centrality of race and/or gender in the perpetuation of white supremacist capitalist patriarchy, it is critical that these social identities operate as intersecting systems of gender, heterosexism, white supremacy, ableism, fundamentalisms of all sorts, classism, colonialism, and neo-colonialism (Jones & Stablein, 2006: 156; Lee & Lutz, 2005: 7; Mirchandani & Butler, 2006; Prasad, 2006). Privileging one identity group sets up competing hierarchies of oppression, fosters divide and conquer nationalisms and does not acknowledge diversity and hybridity within groups (Selby, 2000; Walcott, 2007). This position does not negate the specificity of particular forms of oppression.

There is no Panacea for Change: Local Contingencies will influence the Scope of Reform

This study does acknowledge the contributions of identity specific struggles (gender in the university sector and antiracism in public schools) to define particular organizational approaches to equity and social justice that occurred within historical, economic and political contexts. However, it does not subscribe to meta-narratives (linear models) of organizational change proposed by some antiracist and feminist analysis that will lead to structural change (Lopes & Thomas, 2006; Price, 1987). These strategies are useful as guidelines, but are often used as checklists without deeper examination of oppressive organizational ideologies and practices. Manifestations of oppression at the micro level of organizational management are
often localized and contextual as are various forms of resistance to change efforts. This thesis
does establish for the purpose of this study three discernable discourses of equity (assimilationist,
managing diversity and transformative) that help to illustrate how the claims of equity seeking
groups are contested and managed over three administrations (Table 1). This typology is not
intended to be stable or fixed as the quest for justice and how to achieve this is always contested
and resisted within institutions and the larger society (Table 3). Within these institutional
frameworks various stakeholders attempt to influence organizational constructions of
equity/diversity and social justice. Dominant corporate approaches (managing diversity) are
interested in harnessing diversity to increase profitability, managing diversity to minimize
conflict, and promoting cultural competency for worker productivity and increasing markets;
institutional/public sector managers are influenced by these approaches. Assimilationist
organizations also embrace many of these tenets but promote social conservatism and legitimate
systems of privilege. Transformative approaches used by social activists attempt to expose how
these discourses reproduce inequality and oppression.

Based on this case study of human rights organizational change, we can surmise that
while expressions of power within organizations are influenced by dominant discourses of
equity, they manifest uniquely within specific institutional sites based on local contingencies.
How is it possible that an organization with dominant assimilationist ideologies, in a relatively
short time span adopts aspects of radical/transformative ideologies while similar organizations
move to the right? Interviews with major stakeholders and policy documents reveal that an
organizational/legitimation crisis, widespread harassment and discrimination, rapid demographic
change, union activism, a senior management champion, radicalism and tempered radicalism all
contributed to the events that shaped this organization’s responses to institutional inequities and policy struggles over three administrations.

**Policy Struggles: How Dominant Discourses Limit Strategy**

Unable to deal with the rapid diversity that exposed oppressive ideologies and practices, management was destabilized, not having the internal resources to addresses these issues. When the human rights crisis peaked for this organization in the early 1990’s the managerial practices and rhetoric was out of step with developments elsewhere in public policy discourses in government and the public school system. This institution had a human rights office but as with assimilationist organizations (Table 1) its primary function was gate keeping – putting a lid on complaints and protecting the liability of the organization, not advancing equity reforms in programs and services. The office was under-resourced and under-staffed, the numbers of complaints were high, respondents included both faculty and staff, and the office was ineffective and/or unable to resolve complaints. Dissension became more public as a powerful internal stakeholder, the faculty union, emerged as the champions of equity in the organization, using its newsletter to expose management’s discriminatory ideologies and practices.

Facing a legitimation crisis the institution’s board of governors put an administration in place to deal specifically with these issues. This period of instability led to the creation of a team of radicals and tempered radicals to oversee human rights organizational change. The union gained considerable legitimacy as internal advocates for human rights and were able to participate in institutional decision making particularly around these issues. They were responsible for the intuitional hiring its first racialized senior manager. The VP was a deputy minister in provincial government when anti-racist/feminist discourses began to enter the public service in the 1980’s. He assembled a team of activists, established the unions as legitimate
players in organizational decision making, and utilized the now defunct state (NDP) equity stakeholder participatory model of organizational change to fashion an equity framework. The team of radicals used this crisis, and management disengagement to put in place a human rights organizational change framework that was completely alien to the organization’s culture and dominant discourses of equity circulating in the mid-1990’s. The framework included curricular transformation, employment equity and other structural changes. This was out of step with dominant neoliberal discourse of equity in colleges and universities at the time. When Harris rescinded the Harassment and Discrimination Framework Document many institutions dismantled their human rights offices.

The policy framework, the implementation plan and resources for these processes were approved because the tempered radicals aligned with the unions and the Vice President, employed strategic planning techniques from anti-racist/feminist organizing strategies to address the resistance and backlash that often accompanies such initiatives in assimilationist organizations. This process was assisted by management disengagement. Typical of assimilationist organizations, external consultants were hired to ‘fix’ the problem. Management did not know how to deal with the crisis since they enacted the institutional conditions of oppression and injustice. The senior team completely ignored the human rights organizational change process, leaving it up to the newly hired VP. They made no attempts to understand the root causes or learn from the developments they were technically overseeing, the new president was mainly concerned about the expenditures to deal with ‘the problem’.

The team of radicals deployed discourses of the law to rationalize and legitimize the process and deal with backlash and resistance. By framing equity as a legal framework that covered all aspects of governance and pedagogy, the corporate message from key departments
such as marketing and communication, training and development, human resources and college media was: ‘we have to do this’, we have little choice given local conditions, and moreover legal interpretations of human rights jurisprudence necessitate these actions. Therefore we have to engage in these processes if we are to recover from the human rights crisis. Even when the Board’s lawyers rejected aspects of the policy framework, the Vice President used the law creatively by seeking a legal opinion from a human rights lawyer, albeit from the college system’s legal firm.

Other concessions had to be made; the title of the policy was deliberately framed within the legal context of “Dispute Resolution” reflective of the dominant discourse of equity in postsecondary institutions – human rights as complaints based procedures not organizational change processes. The structure of the text attempted to recoup the organizational change focus stating that human rights conflicts occur because of systemic structures, and complaints are not simply individual occurrences, they occur in a larger historical, social and institutional context. The assumptions were that yes, there are individual cases of harassment, and when these are brought forward they must be addressed and due process must respect the rights of all parties as well as, those of the institution (managements primary concern). However, institutions have a social responsibility to go beyond individual rights based complaints and interrogate the organizational context that gave rise to these complaints by developing infrastructure that seek information such as, what systems and practices may be implicated, how can we interrupt these harmful discourses?

The human rights policy was configured as a filter for all organizational polices and procedures as various dispute resolution mechanisms were collapsed into the policy. In a relatively short span of time tempered radicals in both the human rights office and senior
management (VP) with the support of the unions in this institution put together what is arguably one of the most comprehensive human rights (organizational change) policy frameworks in post secondary education at the time.

Foucault suggests that power circulates everywhere; in this instance micro and macro acts of resistance by various organizational stakeholders challenged organizational systems and produced major cultural and structural shifts in policy (Brock, 2003). Once the first phase of the task was completed however, (policy developed) the VP was constructively dismissed. Within a year and a half tempered radicals and radicals departed or were forced out of the organization (or from their roles in the human rights office). Policy commitments were more comprehensive that the organization’s management envisioned. Locating human rights and equity at the centre of all managerial structures and processes was incomprehensible in the assimilationist managerial culture. Given that this strategy was alien to the new crop of senior managers and the faculty union withdrew from its advocacy role. The implementation of systemic change is subverted and resisted by the VP’s in charge of human rights and the new Human Rights Director.

Anderson and Grinberg (1998) suggest that managers are not blindly following neo-liberal discourses or are incapable of critical insights but they are ‘trapped within a discourse of efficiency, productivity, and effectiveness that make problematization or critical reflection difficult” (quoted in Riehl, 2000: 11). In this case study, managers were certainly motivated by models of efficiency imposed by the government. However, the actions of managers in phase three were consciously undertaken and ideologically motivated by business models. Critical approaches to curriculum developed in Phase 3 that contradicted the market needs of the college

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152 Phase 1 refers to the assimilationist phase of the 1970’s and 1980’s, Phase 2 covers the period of the tempered radicals – 1990’s and Phase 3 refers to the early 2000’s.
were dropped and faculty fired. The two Vice Presidents that replaced the Vice President who hired the team of radicals did not view equity as organizational change, even when it was explained as such by remaining tempered radicals; it didn’t confirm to their analysis of equity, and what they understood the purpose of equity/diversity portfolios in organizations to be. They dismantled the organizational change apparatus diminishing the status and importance of the office, isolating it as a complaints management function and ignoring systemic policy clauses. The new manager of the human right office did not view his role as that of organizational change and appeared to sabotage systemic equity initiatives such as employment equity that he was assigned to.

In spite of the apparent confirmation of Fraser (1987) and Jones and Stablien (2006) forewarnings about changing the system from within, I would argue that we need to create an opening in these theories because justice based conflicts and struggles are not for naught. They do not lead to a dead end in all instances. Yes, these patterns of domination exist within institutions and cyclical patterns of resistance and recuperation are consistent with the findings in this case study. However, as I have demonstrated, strategic radicalism can generate possibilities for further action that may not have previously existed. Though acts of radicalism, and the changes achieved may be fleeting, as was the case in this instance, the cultural production of counter discourses (training, training materials, behavioral restrictions, dialogue, policy texts, implementation texts, and articles) continue to circulate within the organization. By introducing counter discourses such as antiracist, queer and feminist pedagogy/theory, as well as new understandings and insights into the operation of ruling relations and their negative impacts on minoritized students and staff the organizational culture is altered, new possibilities and way of working and relating can be imagined (Litvin, 2006, Walcott, 2007). For instance, the
curriculum transformation clause is still embedded in the official human rights policy, and though disregarded by the current stock of managers, was used by a faculty radical/tempered radical to challenge management’s neoliberal framing of equity as cultural competency when this institution wide curriculum project was introduced. Abandoned for a single social justice course that was used for marketing purposes, some faculty continued working on curriculum transformation on their own and the Framework Document provides strategies that would not otherwise be there to disrupt the status quo (Appendix V).

**Tempered Radicalism is Limited**

In this particular instance, radical interventions did have far reaching consequences over time, notwithstanding management recuperation of transformative structures. As established through examples in this case study, individuals and or groups were able to respond to managerial processes of resistance and recuperation when it became obvious that ruling relations continued to reproduce dominant interests that perpetuated organizational inequities and discriminatory ideologies by building on previous struggles and internal acts of radicalism/tempered radicalism.

However, this is not a full endorsement of tempered radicalism. This form of micro resistance that workers engage in when confronted with unethical, harassing and/or discriminatory behaviour in the workplace may only work in certain contexts. It is doubtful whether this strategy can achieve substantive change in the long term. In their survey studies of Canadian equity practitioners Agocs (2004) and particularly Westerman (2008) elevate tempered radicalism as a viable strategy available to organizational change agents in the quest to further equity and social justice in organizations. And while it is an important option, and often the only strategy available, this only serves to underscore the degree of constraint placed on equity work.
itself, even when organizational infrastructures are put in place specifically to bring about conditions of equity. While Agocs (2004) and Westerman (2008) acknowledge other change variables, they have focused largely on how the positionality of change agents limits or advances the scope of equity work through particular work roles such as advocates for equity and human rights, neutral parties in a legal dispute, social workers, radicals, tempered radicals or as management functionaries.

The above studies provide little information about critical frameworks, analysis, strategies and discursive contexts that inform such actions. Furthermore, in the tradition of American pop culture ‘hero’ mythology, it suggests that substantive equity/human rights change is reducible to individual effort. This may be possible, but generally, movements for change involve many individual and collective efforts over time. In this case study organization, major structural shifts in policy and practice was possible because circumstances allowed it. Furthermore, challenges to the managerial status quo by random and/or single acts of courage by tempered radicals and or radicals, with the hope that these may cumulatively result in major changes down the road is not a viable strategy.

Another problem with Meyerson and Scully’s (1995) approach that neither Westerman nor Agocs addresses is that change is focused on a single identity group, in this instance gender. Substantive change will not occur if this is a foundational assumption of change strategies. This problem is also evident with antiracist change theories proposed by Lopez and Thomas (2006) that focus on race. Responses that challenge ruling relations in organizations must be grounded in ongoing critical historical, cultural, economic analysis of inequality and how they are manifested institutionally, locally, and globally. It is critical that analysis of intersecting issues inform change strategies, otherwise is will perpetuate competing hierarchies of oppression and
lead to simplistic binaries of oppressed and oppressor categories that makes it difficult to interrupt processes of managerial resistance and recuperation (Acker, 2006; Mirchandani and Butler, 2006).

Equality Regimes

As we have seen with the case study institution, a critical variable that determines whether tempered radicalism is a viable organizational change strategy is the discursive framing of equity. Working as a change agent in both mainstream and community organizations I have observed how expressions of dominant discourses operate through the structures that establish the rules for speaking about institutional equity. For instance, limiting the terms of the debate, or determining the relevant questions one can ask about these issues, specifying methodologies to manage/contain the issues and establishing terms that appear non-negotiable. As we have suggested in this study valuing diversity and assimilationist discourses are dominant within post secondary institutions. Liberal legalism equity as administrative law, meeting obligations under human right codes enacted by the state and performed by management bureaucrats/experts. Hence, the process is individualized. Systemic inequality is acknowledged by the state through voluntary employment equity, but the discourse of individualism, aka meritocracy delegitimizes its utility. Expert roles ensure that the institution fulfils necessary obligation and efficiency models establish equity functions in silos. There is usually no coordination of functions, hence no institutional strategy for achieving equity. This discourse is supported by the human rights/diversity literature covered in the literature review; it guides managerial assumptions as well as the assumptions of many equity practitioners themselves. It is embedded in assumptions about equity work such as reporting structures, policy content and stated functions and
expectation of these offices. In Canada, the annual meeting of post secondary human rights offices focuses primarily on how to deal with complaints and the technical/legal mechanism and procedures that ensure institutional obligations are met. There are few or no workshops on organizational change and very rarely is curriculum transformation on the agenda.

**Radicals and Reactionaries**

However, it should be noted that these constraints are not restricted to mainstream institutions. Dominant discourses of equity can also be expressed through internal and external stakeholders involved in advocating for equity. Contrary to some anti-racist/feminist approaches, power is not a binary of oppressed and oppressors, since minoritized spaces also act as terminal points in the production of dominant discourses of equity. Community agencies that advocate for change in mainstream institutions have constraints placed on their mandates through programming and funding criteria imposed by the state policy and in some instances advocacy groups or stakeholders within organizations support equity for strategic reasons, and such political maneuvering which can also constrain the advancement and/or framing of equity in organizations.

As champions of human rights, the faculty union strategically focused on human rights as freedom from overt expressions of discrimination and promoting employment equity, these were all sanctioned by the state (Federal Contractors Program and the Code). Their advocacy did not extend into areas of curriculum change. By championing human rights with ‘legitimate’ boundaries and when it was popular to do, so the union did not offend their conservative membership and gained respect and legitimacy as a moral/ethical voice within the organization among ‘progressive’ stakeholders. The Saloojee report into systemic discrimination which
focused on how the curriculum and classroom climate perpetuated legitimated oppressive ideologies and where harassment and discrimination was occurring was quickly censored by the faculty union to avoid a major backlash from faculty.

As the human rights office and some of the individuals within the office gained legitimacy within the institution during the term of the radicals/tempered radicals, the union’s role as the moral vanguard of human rights was displaced. After the Vice President was constructively dismissed the union withdrew from the previous activist role in advancing human rights. In the second phase, they did not support the faculty who were fired from teaching a critical course on equity; they did not publicly make any statements when the course was changed to a managing diversity perspective. In the third phase, the neoliberal cultural competency ‘managing diversity’ curriculum project was sanctioned by the faculty union and management. The faculty training consultant and one of the external consultants suggest that the union’s support of equity was strategic. Management’s mismanagement of equity was a powerful leverage that gave the union organizational legitimacy, and elevated their power as decision makers within the organization.

8.3 Further Areas for Study – The Space In-between Rhetoric and Practice

The dynamics of organizational change are influenced by dominant discourses of equity, the positionality of equity practitioners,\(^{153}\) the political interests and motivations of various stakeholders and local contingencies as we have discussed. Another important variable not considered in this study but influential in the advancing conditions that can foster equitable relationships and practices in organizations are discourses expressed through the culture of inter

\(^{153}\) I am referring here to Agocs’s (2004) typology of equity practitioners which include: technicians, administrative allies, tempered radicals, radicals, professional, toxic handler and counsellor.
relationships that occur between various stakeholders, especially those that are involved in doing equity work. In a discussion with former colleagues Ricardo Patterson and Mary Jones about why the structures put in place during phase two unraveled, Ricardo and Jones pointed out that the change team never took the time to discuss was ‘how we were going to do the work’? Sure we were working on political change, but we focused on the structure of the work outside of ourselves. Interrelationship and ways of relating were off limits because there was an unspoken masculinist standard that was dominant in the organizational culture. Consequently, individuals in the human rights office and the faculty union reproduced hierarchical and masculinist behaviours. Moodley (2003) refers to this as the ‘mask of masculinity.’ These contradictions have implications for organizational change because they cover up oppressive discourses behind seemingly progressive initiatives. Another important variable is neoliberal commodification and appropriation of transformative discourses. This case study institution has embarked on a forth phase of organizational reform with respect of equity. UCC now brands itself as the ‘social justice’ college but without any critical interrogation of how organizational policies, practices and values contribute to the reproduction of oppressive values, attitudes, ideologies and practices. It continues with human resources policies and business practices that are misleading and/or oppressive - the exploitation of part time faculty, privatizing aspects of college operations, and commodifying education ‘services/products’ to international students and cutting back on the literacy and resource infrastructure required to support student success (Best, 2011; Stackhouse, 2011). New equality regimes frame equity in soft language, and the college promotes ‘the culture of caring’, and ‘respect’. Such policies have replaced human rights policies and the human rights policy has been removed but a Dean of Equity office has been established.
Occasionally managers do consciously support and even advance equity efforts in spite of dominant assimilationist/managing diversity discourses as was demonstrated in this study. However, managers generally embody a range of sociopolitical, organizational and psychological pathologies that are expresses in reproducing the ‘other’. In assimilationist educational organizations these approaches may be expressed as being ‘invaded/taken over’ by the ‘other’ through equality of opportunity programs. These fears present in the first and second phase of policy struggles did not enable managers to learn and they simply disengaged. Tempered radicals took advantage of this organizational paralysis and pushed the organization culture into a zone of disequilibrium. Administrators and some stakeholders in the second and third phase of policy struggles viewed the demographic shifts through managing diversity perspectives and programs sought to ‘help the other’, ‘learn about the experiences of the other’, and how to profit from the other. During the third phase of policy conflicts, the then Vice President Academic, demonstrates a collaborative and open leadership style; willing to invite a range of perspectives in order to grasp the organizational implications of various equity approaches. His endorsement of transformative approaches contradicts the dominant discourse of equity (cultural competency) promoted by the Vice Presidents in charge of human rights and the unions.\textsuperscript{154}

As the internal vanguards of human rights, the faculty union was the most important and consistent player shaping human rights approaches in this institution during the two decades examined; the approach taken by union leaders as stakeholders positioned outside of institutional hierarchies of power provides insights into expressions of power. At least two faculty members,\textsuperscript{154} It should be noted that structural change such as employment equity did not fare any better than previous periods as managers continues to subvert these process. It did not help that the VP surrounded himself with consultants operating from managing diversity assumptions, nor did he respond when a Chair blatantly discriminated against potential racialized candidates by excluding them from the interview process albeit ‘accidentally’.
both historically associated with the union’s equity initiatives, and a former sexual harassment
officer, all belonging to minoritized groups, are critical of the faculty union’s motivations as
champions of equity in the early 1990’s. These individuals are strong supporters of unions and
the role of unions in protecting workers rights and are especially critical of the college
management’s assimilationist/managing diversity approaches to human rights. These informants
claim that the leadership of the union while concerned about human rights strategically, piggy-
backed on this issue to maintain their thirty year reign, benefit from certain privileges and gain
more influence in local decision making.

These individuals claim that prior to emerging as local champions of human rights, the
faculty union ignored previous human rights infractions, information that openly circulated in the
organization. As mentioned earlier, during the mid 1980s, one of the few racialized faculty
members, highly qualified, having equivalent previous experience applied for a Dean’s position
and did not make the interview pool. An individual (white male) with lesser qualifications, and
external to the institution received the job. When this individual seeks support from the faculty
union, she is dissuaded from pursuing the case any further. Another faculty member and several
of her female colleagues were victimized by a serial sexual harasser for a number of years and
claims that the union did very little to protect them. This former human rights worker and union
steward surmises that by the time the union’s got interested in human rights in the late
1980’s/early 1990’s, anti-racist/feminist discourses had already entered mainstream discourse in
public education and some government agencies. Therefore, the timing did not threaten their
legitimacy and make have advanced their status among certain constituencies,

Initially the union was very much interested in human rights but …..
They used it more as a weapon against management – you’re not doing this, you’re not
doing that, you’re not doing the things you should do to uphold human rights in the
college and meet the needs of the student population, faculty population, etcetera. It was more something they could get management with rather than a sincere belief in equity. They could attack certain managers in *Underground* (when they violated human rights) I had a human rights complaint, I got, I can’t remember what I got out of it, but I got money, for sexual harassment against a colleague along with four others, we all got money, etc……because at this point the union started using human rights (early 1990’s), but I also want to acknowledge, things were terrible, this sexual harassment had gone on for 25 years and everybody knew about it, nothing was done, nothing. And the harasser, as was typical in those times, gets put out to pasture, gets paid full time to do nothing for years. But they didn’t care about that, it’s not about that, it’s about buying votes, like how do you keep people happy so they don’t threaten you position? Like they were in power for 30 years without a challenge, you challenge them and you went off to another college until you learnt to behave yourself. These were people who were fierce about holding on to their power, they got to exercise considerable control over the local functioning of the college, it was a lot of fun.

Unfortunately so much of this was personal and not political for them. It was about certain relationships but it was about power and about them continuing to find ways to pull levers in which they could look good to certain constituencies in the union such as some of the women, some of the racialized people in the union and others who were interested in this sort of work, it made them look progressive.

As the human rights office gained credible within the community as a vehicle for problem solving the spotlight shifted away from the faculty union as the vanguard for human rights. The union responded by attacking the character of human rights workers and their work using masculinist/heterosexist discourses when it suited their purpose. According to the Faculty Secondee these personal attacks were disingenuously designed as a rouse to divide minoritized groups by shifting the focus back to the union as human rights vanguard,

they created a monster that they didn’t mean to create because the human rights staff came to have a lot of credibility, there was this amazing synergy that was happening. The human rights office solved issues for people and addressed issues that had never been addressed – human rights issues, issues in the teaching and learning environment, non-human rights related conflicts in workplaces, labour issues, student rights issues, issues related to safety and security, but most importantly we made management accountable when they exercised arbitrary power that was bullying or violated various rights and policies. And this is not just because of who we were but these functions were never there before, there was really exciting change happening, we were working on systemic change.

…..Maybe a part of why the office became threatening (to the faculty union) was their fears became that what they were doing (using human rights a power leverage) would become evident. They were always making claims about drawing the line, because I was a member, a
union steward, I stopped getting invited to meetings, dropped off mailing lists, I was excluded from everything. In joint committee meetings my work would be criticized and I would be yelled at (by the faculty union president). In a meeting with the Faculty union president and the Human Rights Director where I presented the training plan for equitable recruitment and selection for hiring committees, she threw my work on the ground, it was incredible and the Human Rights Director did nothing, “it’s too long, there’s too many questions in here, there’s too much detail”, if I did a shorter version, it would have been too short. I knew that there was something else going on, and it wasn’t that I was queer, but the fact that I was queer became a weapon they could use against me. This to me was a clear indication of their lack of commitment to equity; it would come back to me that they would be saying that (blank) has a lesbian agenda, which I found hilarious. I mean, what would that be? They told this to people who they suspected would be homophobic or made a racist assumption that would be homophobic, or whatever, which would give them traction, or turn people away from the work we were doing (they saw what the team of tempered radials as going too far). They constantly intervened in the way we did the work, making sure that you and I worked separately on projects, not including us in projects that were our areas of expertise. When we were on various committees the faculty union president would ask why is she on that committee, insinuating it was about competency, I don’t think that they could find anything about my competency to be honest. All of us worked so very hard to never be a position where somebody could say we were incompetent. We knew that we couldn’t do that if we were in any way incompetent we were finished, not as individuals but as the human rights office. We had to always do 10 times better to keep going so it wasn’t about competency, but the insinuation was always there…

The goal was to isolate me at this point. It almost seemed that there was this assumption that if you were a strong woman, you had to pay a heavy price and that you had to be miserable, but I wasn’t miserable and I was having a lot of fun doing this work.

During Phase 2 the faculty union also exercises control over management to keep the Human Rights Director on staff even though he engages in unethical behavior. In one instance he was allegedly dating an individual he supervised. Shortly after she was declared surplus from another department he elevated her from a support staff position to management. According to Patel (2008) she did not have the necessary expertise and this created a burden on her as a support staff. According to Mary Jones the Human Rights Director’s masculinist and unethical behaviour was overlooked by the union because he ensured that the union was a major player in equity decision making and other human resources related functions.

The Human Rights Director was a brilliant strategist, it was all about him in the end, but he was a thinker and he had good ideas about how we could make this work, we were shifting the whole culture of the organization….
There was a very close association with the Human Rights Director and the Faculty union president. The Human Rights Director knew what side his bread was buttered on. The union broke all of their rules for him when he was hired into faculty, they red circled him, and they made sure he had a landing pad when this all fell apart. They wanted me fired the Human Rights Director fired me. The Human Rights Director’s personal transgressions were so visible and the VP had to keep putting out these fires, the contradiction was embarrassing and they wouldn’t have done this but the union used their influence to keep him. Also, people didn’t have a lot of expertise dealing with this stuff and they (management) didn’t seem to realize how serious it was. But the Human Rights Director was their guy (the faculty union’s); he let them do whatever they wanted, whatever decisions – firing me for example from the human rights office. They didn’t want me there; I was very challenging at that point so they wanted me back in the classroom. I would challenge them and there would be reprisals – how dare you?

Perhaps the union would argue that this was a trade off in the masculinist game of politics. After all, the human rights director was management; it was not their job to manage him. Behind the backdrop of masculinist and neocolonial undercurrents, to what extent were change agents and the union actually contributing to changing the culture of the organization? In an assimilationist organization, was this stereotypical behavior not challenged because it reinscribed Whiteness? Why were there no administrative consequences? These questions are not intended to diminish the importance of the union’s role and their contributions in bringing human rights to the forefront of organizational consciousness. Without their involvement it is unlikely that the institution would have developed aspects of transformative human rights policies and programs when it did. The Human Rights Director played a key role in strategizing for change. However, what remains an unknown is, had the faculty union leadership and others approached the work differently would there be different outcomes? Had the union leadership been less polarizing in their tactics, more consistent in advancing transformative discourse of equity and less self serving, would the change process have evolved differently? Had management acted on the Director’s transgressions would this have had an impact on other managers? That the behaviours and contradictions of key stakeholders involved in this case study may have shaped the perception of the office and constrained what human rights workers were
able to accomplish cannot be minimized. Oppressive ideologies alone do not explain the course of events in this organization as human rights staff and other stakeholders contested organizational change processes over the three organizational phases examined. Further research could clarify how micro variables such as relationship building and masculinist/bullying behaviours by human rights workers and other change agents influence the cycle of resistance and recuperation as contestations and contestations between transformative and neoliberal discourses of equity continue to shape organizational life.
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**APPENDIX 1**

**Comparison Between 1995 & 1999**
(Sample is 440 from 1995 and 466 from 1999)
1995 represents survey employees employed in 1995
1999 represents survey employees employed in 1999

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SYSTEMS REVIEW

ADVERSE EFFECTS/SYSTEMIC DISCRIMINATION

**Issues**
- Arbitrary or intentional action by an individual, group or college official against another

**Action Plan**
- Dispute Resolution Policy & Procedures
- Complaints Processing
- Human Rights & Equity Training
- Dispute Resolution Training

**Outcome**
- Change individual behaviour
- Communicate Legislation & College Policy to College Community

POLICY REVIEW

**Issues**
- Identification of Systemic Barriers (Practices, Policies) that have a Negative Impact on an Individual or Group

**Action Plan**
- Develop Criteria to Assess Systems and Practices
  - Academic and Academic Support Systems Review
  - Identify Barriers
- Develop Positive Measures to Alleviate Barriers

**Outcomes**
- Ensure equitable systems and practices
- Implementation of the Dispute Resolution Policy
- Implementation of the Academic Framework, College Mission and values statements
**DISCUSSION ITEM – NOT FOR DISTRIBUTION**

**ACADEMIC SYSTEMS REVIEW**

Draft for Joint Coordinating Committee on Human Rights

February 23, 1998

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<tr>
<th>Systems to Review</th>
<th>Issues for Review</th>
<th>Outcomes</th>
<th>Responsibility</th>
<th>Timelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Admissions</td>
<td>• Recruitment</td>
<td>• Students have equitable access to available program/career options</td>
<td>• Registrar's Office</td>
<td>• Review completed by June 98</td>
</tr>
<tr>
<td></td>
<td>• Selection</td>
<td>• Recruitment and selection practices are bias-free</td>
<td>• All programs – chairs and coordinators</td>
<td>• Recommendations of positive measures to</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Continuous monitoring is carried on of student placement, retention and</td>
<td>• Assessment Centre</td>
<td>alleviate barriers are completed by Nov. 98</td>
</tr>
<tr>
<td></td>
<td></td>
<td>reentry in relation to human rights grounds</td>
<td>• Office of Human Rights, Labour Relations</td>
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<tr>
<td></td>
<td></td>
<td>• Test instruments and procedures are bias-free and designed to meet the</td>
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<tr>
<td></td>
<td></td>
<td>needs of the individual students</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Curriculum</td>
<td>• Content</td>
<td>• Curriculum and teaching methodologies strive to reflect the diversity</td>
<td>• Centre for Instructional Development</td>
<td></td>
</tr>
<tr>
<td>development</td>
<td>• Teaching Methodology</td>
<td>and changing nature of racial, cultural and religious groups of</td>
<td>• All programs</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Materials</td>
<td>Canadian society as well as the influences of gender, social class,</td>
<td>• Manager Access Programs (Pilot)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Curriculum Review Process</td>
<td>age, disability, sexual orientation and geographic origin</td>
<td>• VP Academic</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Time Allocated to Curriculum</td>
<td>• All texts and materials used in the learning and teaching process are</td>
<td>• Office of Human Rights, Labour Relations</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Development</td>
<td>free of discriminatory biases</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PACS</td>
<td>Recruitment</td>
<td>Membership of PACs is representative of the diversity of the community</td>
<td>All program Chairs, Office of Human Rights, Labour Relations</td>
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<tr>
<td></td>
<td>Representation</td>
<td>PACs are oriented to the values and missions of the college</td>
<td></td>
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<tr>
<td></td>
<td>Orientation</td>
<td></td>
<td></td>
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<tr>
<td>Orientation of students</td>
<td>Information Covered</td>
<td>All students are informed of their rights and responsibilities under the Dispute Resolution Policy and Procedures</td>
<td>All program Chairs, Office of Human Rights, Labour Relations</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Formats</td>
<td></td>
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<tr>
<td></td>
<td>Time Allocated</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Orientation of New faculty</td>
<td>Information Covered</td>
<td>All new faculty are oriented to missions and values of the college</td>
<td>All program Chairs, CID, Local 558, Office of Human Rights, Labour Relations</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Formats</td>
<td>Equitable orientation initiatives such as mentoring are offered</td>
<td></td>
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<tr>
<td></td>
<td>Time Allocated</td>
<td>All new faculty participate in Human Rights and Equity Training for faculty</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Field placements/Co-Ops</td>
<td>Recruitment</td>
<td>All field placements and co-ops are oriented to their rights and responsibilities under the Dispute Resolution Policy and Procedures</td>
<td>All relevant program Chairs and Coordinators, Office of Human Rights, Labour Relations</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Selection</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Training/Orientation</td>
<td></td>
<td></td>
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<tr>
<td>5. Evaluation</td>
<td>Methods</td>
<td>Assessment instruments and procedures are free of discrimination and designed to meet the needs of different learning styles</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>Consistency</td>
<td>Clear guidelines for references for students are established</td>
<td></td>
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</tr>
</tbody>
</table>

| 6. Grading            | Consistency/ Fairness  | Grading expectations are clearly articulated across all programs  |
|                       | Time Limitations  | Sufficient time is allotted for fair and equitable grading  |

| 9. Academic Policies within Programs | Consistency/ Fairness  | All academic policies and practices are consistent with the missions and values of the college and the Dispute Resolution Policy and Procedures  |
|                                  | Communication of Policies  | All academic policies are clearly communicated to students  |

|  |   | Rights, Labour Relations  |
|  | Centre for Instructional Development  |
|  | All program Chairs  |
|  | VP Academic  |
|  | Office of Human Rights, Labour Relations  |

|  |   | Rights, Labour Relations  |
|  | Registrar’s Office  |
|  | All program Chairs  |
|  | Centre for Instructional Development  |
|  | Office of Human Rights, Labour Relations  |

<p>|  |   | Rights, Labour Relations  |
|  | All program Chairs  |
|  | VP Academic  |
|  | Local 558  |
|  | Office of Human Rights, Labour Relations  |</p>
<table>
<thead>
<tr>
<th>0. Graduation</th>
<th>1. Employment</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Access to Graduation</td>
<td>• Policies regarding graduation are clearly communicated to all students and staff</td>
</tr>
<tr>
<td></td>
<td>• Placement, retention and re-entry are monitored in relation to prohibited grounds</td>
</tr>
<tr>
<td></td>
<td>• Registrar’s Office</td>
</tr>
<tr>
<td></td>
<td>• All program Chairs</td>
</tr>
<tr>
<td></td>
<td>• CCSAI</td>
</tr>
<tr>
<td></td>
<td>• Office of Human Rights, Labour Relations</td>
</tr>
<tr>
<td></td>
<td>• Recruitment, selection and hiring</td>
</tr>
<tr>
<td></td>
<td>• Treatment of Employees</td>
</tr>
<tr>
<td></td>
<td>• Promotion and employee movement</td>
</tr>
<tr>
<td></td>
<td>• Training and development</td>
</tr>
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<td></td>
<td>• Performance Evaluation</td>
</tr>
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<td></td>
<td>• Terminations</td>
</tr>
<tr>
<td></td>
<td>• Salaries and Benefits</td>
</tr>
<tr>
<td></td>
<td>• Accommodation</td>
</tr>
<tr>
<td></td>
<td>• A discrimination-free recruitment and selection process is used consistently through the college</td>
</tr>
<tr>
<td></td>
<td>• All personnel involved in recruitment and selection are trained to recruit and select equitably</td>
</tr>
<tr>
<td></td>
<td>• The college work force reflects the diversity of the community</td>
</tr>
<tr>
<td></td>
<td>• Selection committees reflect the diversity within the community</td>
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<tr>
<td></td>
<td>• The human resource long-term plan reflects staffing needs consistent with the demographic make-up of the community</td>
</tr>
<tr>
<td></td>
<td>• Vacancies within the college are widely advertised and include outreach to designated groups</td>
</tr>
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<td></td>
<td>• Professional development is allocated equitably throughout the college</td>
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<tr>
<td></td>
<td>• Performance evaluation is done for all employees in a consistent manner</td>
</tr>
<tr>
<td></td>
<td>• All program Chairs, Deans and Directors</td>
</tr>
<tr>
<td></td>
<td>• Local 558 and 559</td>
</tr>
<tr>
<td></td>
<td>• Human Resources</td>
</tr>
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<td></td>
<td>• Office of Human Rights, Labour Relations</td>
</tr>
<tr>
<td></td>
<td>• Review completed by June 98</td>
</tr>
<tr>
<td></td>
<td>• Recommendations of positive measures to alleviate barriers are completed by Nov. 98</td>
</tr>
</tbody>
</table>
| I. Employee Accommodation | manner with discrimination-free criteria  
| | - Salaries and benefits are determined and administered on an equitable basis  
| | - All employees are oriented to college's missions and policies and implications for their role  
| | |  
| | - Employee Disability Accommodation Policy  
| | - Employee Disability Accommodation Policy is developed and implemented  
| | - Accommodation is made available when needed  
| | |  
| | - Human Resources  
| | - Local 558, Local 559  
| | - Manager, Safety & Security  
| | - Office of Human Rights and Labour Relations  
| | |  

## ACADEMIC SUPPORT SYSTEMS REVIEW

<table>
<thead>
<tr>
<th>Systems to Review</th>
<th>Issues for Review</th>
<th>Outcomes</th>
<th>Consult With</th>
<th>Timeline</th>
<th>Consultant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resource Centres</td>
<td>- Communication of services</td>
<td>- College community is aware of and has equal access to Resource Centre services</td>
<td>- Manager, Resource Centre</td>
<td>- Manager, Learning Centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Access to services</td>
<td></td>
<td>- Program Chairs</td>
<td>- CCSAI</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Criteria for Selection</td>
<td></td>
<td>- Learning Centre employees</td>
<td>- Local 558</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Dealing with Theft, other infractions</td>
<td></td>
<td>implement Dispute Resolution Policy and Procedures</td>
<td>- Office of Human Rights, Labour Relations</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Awareness and Implementation of Dispute Resolution Policy</td>
<td></td>
<td>- Peer Tutors</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Employment Systems *</td>
<td></td>
<td>- Local 558</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>- Office of Human Rights, Labour Relations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Learning Centres</td>
<td>- Access to Services</td>
<td>- College community is aware of and has equal access to Learning Centre services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Services Provided</td>
<td>- Outcomes of Services</td>
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<tr>
<td></td>
<td>- Awareness and Implementation of Dispute Resolution Policy</td>
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<tr>
<td></td>
<td>- Employment</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Systems *</th>
<th>Systems *</th>
</tr>
</thead>
<tbody>
<tr>
<td>Curriculum and teaching methodologies strive to reflect the diversity and changing nature of racial, cultural and religious groups of Canadian society as well as the influences of gender, social class, age, disability, sexual orientation and geographic origin.</td>
<td>All texts and materials used in the learning and teaching process are free of discriminatory biases. Participants in the teaching and learning process challenge expressions and manifestations of discrimination and harassment. Materials that contain discriminatory biases are used exclusively in a critical context. See Employment Systems above.</td>
</tr>
</tbody>
</table>

3. Information Centres
- Services Provided
  - Access to Services
  - Awareness and Implementation of Dispute Resolution Policy
  - Employment Systems *
- College community is aware of and has equal access to Information Centre services.
- Information Centre employees implement Dispute Resolution Policy and Procedures.
- See Employment Systems above.

4. Financial Aid
- Distribution of Funds, Bursaries,
  - Communication of Services
  - Access to
- College community is aware of and has equal access to Financial Aid services.

- Information Centers Manager
- Program Chairs
- CCSAI
- Local 558
- Office of Human Rights, Labour Relations

- Financial Aid Office
- CCSAI
- Program Chairs
<table>
<thead>
<tr>
<th>Award</th>
<th>Services</th>
<th>Financial Aid staff implement Dispute Resolution Policy and Procedures</th>
<th>Local 558</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registrar's Office</td>
<td>- Communication of Services</td>
<td>- College community is aware of and has equal access to Registrar's Office services</td>
<td>- Registrar’s Office</td>
</tr>
<tr>
<td>Registration</td>
<td>- Access to Services</td>
<td>- Information Centre staff implement Dispute Resolution Policy and Procedures</td>
<td>- CCSAI</td>
</tr>
<tr>
<td>Scheduling</td>
<td>- Awareness and Implementation of Dispute Resolution Policy</td>
<td>- See Employment Systems above</td>
<td>- Program Chairs</td>
</tr>
<tr>
<td>Grades</td>
<td>- Employment Systems</td>
<td></td>
<td>- Office of Human Rights, Labour Relations</td>
</tr>
<tr>
<td>Graduation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bookstore</td>
<td>- Communication of Services</td>
<td>- College community is aware of and has equal access to Bookstore services</td>
<td>- Bookstore Staff</td>
</tr>
<tr>
<td>Ordering and Sales of</td>
<td>- Access to Services</td>
<td>- Bookstore employees implement Dispute Resolution Policy and Procedures</td>
<td>- CCSAI</td>
</tr>
<tr>
<td>Academic Support</td>
<td>- Awareness and Implementation of Dispute Resolution Policy</td>
<td>- See Employment Systems above</td>
<td>- Program Chairs</td>
</tr>
<tr>
<td>Supplies</td>
<td>- Employment Systems</td>
<td></td>
<td>- Local 558</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Office of Human Rights, Labour Relations</td>
</tr>
</tbody>
</table>
| Assessment Centre Assessment Process | • Use of Assessment Data  
• Access to Services  
• Connection to Admissions  
• Employment Systems * | • College community is aware of and has equal access to Assessment Centre services  
• Assessment Centre employees implement Dispute Resolution Policy and Procedures  
• Assessment instruments and procedures are free of discrimination and designed to meet the needs of different learning styles  
• Student placement, retention and reentry are continuously monitored on human rights grounds  
• See Employment Systems above | • Manager, Assessment Centre  
• CID  
• Registrar’s Office  
• Program Chairs  
• CCSAI  
• Local 558  
• Office of Human Rights, Labour Relations |

| 7. Communications and Marketing  
• Internal and External Communications  
• Marketing of College and Individual Programs | • Targets of Marketing  
• Access to Information  
• Criteria for Assessing Materials  
• Awareness and Implementation of Dispute Resolution Policy  
• Employment Systems * | • Communications and Marketing materials reflect the diversity of the community  
• Criteria are developed for ensuring materials comply with Dispute Resolution Policy  
• College community is aware of and has equal access to Communications and Marketing services  
• Communications and Marketing employees implement Dispute Resolution Policy and Procedures  
• See Employment Systems above | • Manager, Marketing and Communications  
• All program Chairs  
• Office of Human Rights, Labour Relations |
| Counseling and Centre for Students with Disabilities | • Counseling  
• Accommodation for Students with Disabilities  
• Assisted Devices and Technology | • College community is aware of and has equal access to counseling services and services for students with disabilities  
• Counseling services are culturally appropriate  
• Accommodation is provided for students in compliance with Dispute Resolution Policy and Procedures and Ontario Human Rights Code | • Manager, Counseling  
• Manager, Centre for Students with Disabilities  
• CCSAI  
• Local 558, Local 559  
• Office of Human Rights, Labour Relations |
| Information Systems | • Information Systems  
• Information Systems Support  
• Training | • College community is aware of and has equal access technology, information systems support and training  
• Policies are developed and implemented for the use of information technology that comply with the Dispute Resolution Policy and Procedures and the Ontario Human Rights Code | • VP Innovation and Technology  
• CCSAI  
• Local 558  
• Office of Human Rights, Labour Relations |
NEW FACULTY ORIENTATION:
CENTENNIAL'S APPROACH TO DIVERSIFYING THE CURRICULUM

August 29, 2004
Chet Singh – Curriculum Diversity Facilitator

OBJECTIVES

1. To identify the College's approach to diversity/equity
2. To review the business & community case for diversity
3. To examine different approaches to 'diversity management' and discuss the pros and cons
4. To review what the Curriculum Diversity Framework Document/SLE are attempting to achieve
5. To highlight the benefits of inclusive practices for the College
6. Small group activity
KEY CHALLENGES OF THE 21ST CENTURY

Industry groups, International agencies, NGOs all agree on the following:

1. How we deal with DIVERSITY
2. How we use TECHNOLOGY
3. How we address ENVIRONMENTAL concerns
4. How we address national and global ECONOMIC INEQUITIES

Rationale: The Business Case

"Diversity in academic institutions is essential to teaching students the human relations and analytic skills they need to thrive and lead in the work environments of the twenty-first century. These skills include the abilities to work well with colleagues and subordinates from diverse backgrounds; to view issues from multiple perspectives; and to anticipate and respond with sensitivity to the needs and cultural differences of highly diverse customers, colleagues, employees, and global business partners." (Harvard Educational Review, 2002)
The Case from Minoritized Communities

- Persistent inequities in educational, economic and political spheres in society (Social Planning Council, Stats Canada)
- Denial of inequities
- Racial inequity is not a problem of immigrant adjustment (Ormstein, 2003)
- Not a settlement or education issue: Built into the social structure
- Education level for Blacks for example don’t correlate with their income levels
- Educational institutions can challenge or perpetuate unequal life chances

Diversity Quiz

1. In Canada, women earn ___ cents for every dollar men make and women accounted for almost ___ of minimum wage workers in 2003.
2. ___% of ‘visible minorities’ and ___% of aboriginal people live below the poverty line in Toronto, for ‘whites’ the figure is less than ___%. (C.C.S.D., 2004)
3. ___% of people with disability in Toronto live below the poverty line.
4. Over ___% of LGBT youth report that they sometimes or frequently hear homophobic remarks in their school.
5. ___% of the city’s population have some form of disability.
6. The last segregated Black school in Ontario was closed in 19___.
DIVERSITY QUIZ:

7. Most ________ are segregated in insecure low-end jobs: processing & manufacturing, banking. (Gatelzut, 2001, Yourk, 2002)
8. The U.S. accepted 200,000 Jewish refugees from Nazi terror, Argentina received 50,000. Canada received ________.
9. ________% of lesbian, gay and bisexual youth report hearing homophobic remarks from faculty or school staff.
10. ________% of Canadian women have experienced at least one incident of sexual or physical violence.
11. Racialized Canadians born outside Canada (as well as Aboriginal Canadians) earn ________ cents for every dollar earned by a foreign born white Canadian.
12. Women form the majority of the poor in Canada. One in 5 Canadian women is living in poverty—that's ________ million women.
13. The Suicide rate for Aboriginal girls is ________ times the national average.

Student Experiences

- Climate Survey 1997-47% of respondents recipient of harassment based on prohibited grounds and 25.9% experiences harassment and discrimination from a professor
- Declining Enrollment
- Poor KPI results
**Equity Models: Influenced by Politics, People, Policy.**

- The Status Quo Model: is this really necessary?
- The Valuing (S) Diversity Model: This is Important to our bottom line
- The Transformative Model: How can we create equity and inclusion for all social groups and work towards developing sustainable environmental and economic practices to establish healthy and peaceful communities

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**Diversity Strategies**

<table>
<thead>
<tr>
<th>Values and Assumptions</th>
<th>STATUS QUO</th>
<th>VALUING DIVERSITY</th>
<th>TRANSFORMATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Neo-conservatism -fiscal and social conservatism</td>
<td>- We have achieved equity. Minoritized groups have a social agenda, &quot;we&quot; don't. We're neutral/normal.</td>
<td>- Neo-liberalism- economic conservatism, social liberalism. Discrimination is primarily viewed as the problem of a few prejudiced individuals in isolated incidents.</td>
<td>- We all have political orientations (neo-conservative, feminist, anti-racist, etc.) that shape our understanding of diversity. These in turn influence organizational cultures.</td>
</tr>
<tr>
<td>- Private businesses should have the 'freedom' to discriminate</td>
<td>- Minoritized groups are 'special interest groups' who want special privileges that result in 'reverse' discrimination.</td>
<td>- Unable to grasp concept of systemic discrimination — individual acts of bad behaviour.</td>
<td>- Recognizes that inequities are based on historical factors. Though the values and beliefs that created these inequities have long been discarded, they live on consciously and unconsciously in attitudes and practices within institutions. Discrimination creates under-representation for minoritized groups.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Human Rights policies exist to protect legal liability of the organization</td>
<td>- Organizations have a social responsibility to promote social justice and environmental sustainability. Excellence is not achievable where there are inequities.</td>
</tr>
</tbody>
</table>
### Diversity Strategies: Cont'd

<table>
<thead>
<tr>
<th>Organizational Practices</th>
<th>Status Quo</th>
<th>Valuing Diversity</th>
<th>Transformative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diversity programs are in place because of legislation</td>
<td>Diversity is a business necessity—economic viability of the organization is tied to demographics/markets</td>
<td>We must actively eliminate injurious policies, practices, behaviors (direct and systemic discrimination)</td>
<td></td>
</tr>
<tr>
<td>Managers spend more time getting around human rights policies than implementing them</td>
<td>Some attempts to promote human diversity but serious issues are forced underground/hidden (legalistic model of complaints mgmt.)</td>
<td>Management accountability for eliminating discrimination and promoting diversity is clearly defined and linked to performance appraisals (complaints as symptoms)</td>
<td></td>
</tr>
<tr>
<td>Managers that violate human rights policies continue to be promoted</td>
<td>Management is largely unrepresentative, diversity experts/consultants/bureaucrats hired to tap into potential markets superficially manage internal issues</td>
<td>Human rights integrated into all organizational systems/plans, regularly evaluated</td>
<td></td>
</tr>
<tr>
<td>A few token individuals from minoritized groups are hired and they tend to mirror the values of the status quo. They are generally not represented in senior positions</td>
<td></td>
<td>Minoritized groups are represented in key positions of power. Individuals with diversity expertise represented in all employee groups especially senior management</td>
<td></td>
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</tbody>
</table>

### Diversity Strategies: Cont'd

<table>
<thead>
<tr>
<th>Curriculum/Training Assumptions</th>
<th>Status Quo</th>
<th>Valuing Diversity</th>
<th>Transformative</th>
</tr>
</thead>
<tbody>
<tr>
<td>The yardstick by which society is measured reflects dominant groups described as predominantly, European, heterosexual, Christian, able-bodied and middle class, modernist view of the environment</td>
<td>Some integration of diverse voices</td>
<td>Seamless integration of diverse perspectives is sought</td>
<td></td>
</tr>
<tr>
<td>Attempts to change the 'cannon' and include diverse perspectives action of the 'thought police'</td>
<td>Diversity training focuses on the cultural nuances of minoritized groups. Individuals from such groups are seen as representatives of their group—not as individuals with intersecting identities</td>
<td>Acknowledges that knowledge is created within a social context</td>
<td></td>
</tr>
<tr>
<td>The teacher is the expert</td>
<td>Training/education geared to work productivity</td>
<td>Diversity training—the long term facilitation, transformative, collaborative, emphasizing self-knowledge (discovering one’s own prejudices and strengths) in addition to exploring the experiences of other groups.</td>
<td></td>
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<tr>
<td></td>
<td>Black History Month approach to educational</td>
<td></td>
<td>The teacher is a learner as well as facilitator, training part of an overall change strategy. Minoritized people (internal and external) key players in the change strategy</td>
</tr>
<tr>
<td></td>
<td>The culture of the dominant groups and the systems that perpetuate inequities are not examined because it may create bad feelings</td>
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APPROACH TO DIVERSITY:

1. Dispute Resolution Policy and Procedures (DRPP-1997) – Academic Application
3. College Strategic Plan
4. President Task Force on Learning
5. Signature Learning Experience

DRPP: ACADEMIC APPLICATION

Provides a framework for Curriculum Development:
1. Protects academic freedom within the Canadian context
2. Establishes that our curriculum will be inclusive of all students
3. And, our students will be trained to be critical thinkers in order to challenge expressions and manifestations of harassment & discrimination
Curriculum

- Curriculum is not just the content of courses. Curriculum is the entire schooling experience. Students learn from who is running the school, how conflicts are addressed, what's hanging on the walls, who most of the teachers are, who foods they eat in the cafeteria, how the college relates to the local communities, in sum it's the total cultural experience of school.

How the curriculum perpetuates inequities

- Historical Inaccuracy
  - Omission/Disparagement

- Cultural Inaccuracy
  - Distortion/Assumptions
  - Inertia/Language and terminology

- Factual Inaccuracy
  - Labeling/Hidden messages
  - Visuals
A blueprint for curriculum transformation:
- Builds on the practices of teachers
- It critiques the concept of 'cultural competency'
- Outlines principles and practices to guide the process
- Proposes a set of Diversity Learning Outcomes
- Outlines a training plan for academic departments
- Defines the expectations of academic managers and faculty
- Establishes competencies for faculty and academic managers

**DISPUTE RESOLUTION POLICY AND PROCEDURES**

**DRPP. Academic Application**

It is the objective that curriculum and teaching methodologies strive to reflect the diversity and changing nature of racial, cultural and religious groups in Canadian society, as well as the influences of gender, social class, age, disability, sexual orientation and geographic origin. The College actively encourages a critical examination of all texts and materials in the learning and teaching process since, for historical reasons, they may contain stereotypes and unintentional discriminatory biases.

It is a policy of the College to strive for an educational environment in which participants are open-minded, discerning and analytical and aware of historical and current values, attitudes and behaviours in order to challenge expressions and manifestations of Discrimination and Harassment.
Signature Learning Experience (SLE)

Expansion of College Wide Curriculum Diversity Learning Outcomes

- Identify, and explore the history, roots and impact of structural inequality and discrimination within Canada and globally, as they relate to issues of social justice, the environment and technology.

- Analyse the processes and conditions through which certain groups have become marginalized and "othered" and through which other groups have become privileged.

- Identify society's "tools" of power (economic, political, technological, environmental, energy), and examine how these may facilitate and perpetuate conditions of global inequality.

- Demonstrate through the use of a portfolio, the development of a personal, social and ethical framework that shows personal growth, and that will guide your actions for affecting an inclusive work environment and a more sustainable and equitable society.

Transforming the Curriculum: Out the Learning Goals

What do students in your field need to know about:
- the history of marginalized groups; their writings, theories, and patterns of participation
- the social dynamics of identity formation and change
- structures of power and privilege in society; prejudice, discrimination, and stereotyping
- theories of personal, institutional, and societal change
Transforming Curriculum:
Question Traditional Consrucst

- Have traditional ways of organizing content in this course obscured, distorted or excluded certain ideas or groups?
- What new research is available that addresses past distortions and exclusions?
- How will the course change if I include this new research?

Transforming the Curriculum:
Understand Student Diversity

- What perspectives and experiences will students bring to the class?
- How can I assess students' prior knowledge of power and privilege with regards to race, class, gender, sexual orientation, etc.?
- How can I incorporate diverse voices without relying on students to be spoke persons for different groups?
- How will I raise issues of intersecting identities?
- How will my own characteristics and background affect the learning environment? Will some students see me as a role model more readily than others? How can I teach to all students?
**Transforming the Curriculum:**
Materials and Activities

- If the course topics remain the same, what new research, examples, writings can illustrate these topics?
- Is there a new thematic approach to this material that will help to foreground issues of diversity/equity?
- How do I integrate new material so that it's not simply an "add-on"?
- What teaching strategies will facilitate student learning of this new material?

**Reflective Practice**

- What are my strengths and limitations relative to the new content and teaching techniques?
- How will I assess student learning in the transformed course?
- How will I handle difficult or controversial and conflict in class discussion?
- What resources are available to assist faculty members in transforming courses?
**Curriculum Activity**

- Review Course Outlines in groups of 3/4 and present your recommendations for making the course content more inclusive.

---

**Equity and Diversity Benefit Everyone**

- **The Learner:**
  - Enhanced critical & complex thinking through inclusive pedagogy
  - Preparation to live and work in a diverse and complex society
  - Greater academic success and decreases in prejudicial attitudes and behaviors
  - Advancement of leadership skills through deeper understanding of self and others
  - Greater engagement in life long learning
  - Deeper exploration of societal and global challenges leading to a more democratic and equitable society
Equity and Diversity Benefits Everyone

- The College:
  - Higher Levels of Student engagement
  - Greater satisfaction with the college experience
  - Higher Levels of Academic Excellence
  - Competitive Graduates: Preparation of students for a diverse society and workforce
  - Greater employee diversity at all levels

- Curriculum:
  - Exposes students to a global ‘marketplace’ of ideas
  - Expansion/Rethinking of disciplinary knowledge
  - Faculty renewal
  - Faculty student engagement with material
Equity and Diversity Benefit Everyone

- Economy:
  - Enhances problem solving abilities
  - Higher levels of innovation and creativity
  - More productive workforce, reduced stress, higher level of workplace retention

- Society:
  - Greater civic engagement and social responsibility
  - Critical awareness about inequities and other societal challenges
  - Increased Equity/Access in Society

Teaching To All Students

1. Use several strategies to reinforce a lesson:
   - e.g., videos, overheads, handouts, blackboard, website, etc.
   - Hearing the concept is not enough. Language development requires repeated exposure and many opportunities for practice
   - This is helpful to all students
Teaching To All Students

2. Make Linguistic Adjustments:
   - Provide a glossary of key words prior to the lesson
   - Stress key words during lectures
   - Use several examples to illustrate concepts, especially examples that students can relate to
   - Often students understand the concepts – vocabulary is the problem

Teaching To All Students

3. Model Good Samples of Work
   - Show on overhead
   - Have they review examples of past assignments
   - After tests, exams distribute samples of correct answers
Teaching To All Students

4. Language development has an affective base
   - Students need to be encouraged to ask questions and take risks
   - If students give incorrect answers don't be negative or belittle them
   - Provide a safe environment where students can make mistakes - it's part of the learning process

Teaching To All Students

5. Language development requires interaction
   - Build in cooperative learning, pairs, etc.
   - For group work mix language groups
   - At times students may benefit from using first language to explain concepts
6. Build on Student's experiences
   - They come with rich experiences and knowledge - find ways to incorporate this
   - In building language skills don't try to assimilate them - let them know that it's not necessary to Anglicize their first names

7. Set High Expectations
   - content should not be diluted or compromised
   - Don't accept careless or sloppy work
Teaching To All Students

8. Evaluate Fairly
   - ESL students may need extra time to process information and express their ideas
   - Modify tasks – give oral presentations to a smaller group
   - Always use rubrics – students need to know how they gain or lose marks
   - Mark language skills as well as discipline specific content
   - Use multiple assessments

Teaching To All Students

9. Classroom Climate influences learning
   - Students need a safe environment and need to feel respected
   - Deal with harassment, racial, sexist, homophobic jokes
   - Give equal attention to all students
   - Engage in critical self reflective practice
Conclusion

Thank You
Appendix V

DRAFT
For discussion

Urban Community College (UCC)

CURRICULUM DIVERSITY
FRAMEWORK DOCUMENT

CENTRE FOR ORGANIZATIONAL LEARNING AND TEACHING

This document is being shared for your research/information purposes but is not to be modified or copied for your institution's purposes.

Chet Singh, Centre for Organizational Learning and Teaching
# September, 2004

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Chet Singh, Centre for Organizational Learning and Teaching
UCC: A FRAMEWORK FOR CURRICULUM TRANSFORMATION

1.0 INTRODUCTION

UCC has one of the most diverse student populations in Canada.\(^1\) The College recognizes that we have a social responsibility to promote equity and fairness in order that our graduates are successful in their chosen careers. We also recognize that education is a powerful medium that could provide students with the tools to make a meaningful contribution to society through the promotion of practices that embody human rights principles and ethical standards. Several institutional policies and initiatives commit the college to achieving these objectives. The Cultural Competency Facilitator\(^2\) position was established in the 2003/2004 academic year to research and develop college-wide curriculum outcomes related to diversity\(^3\) and to promote critical self-reflective practice. The second phase of this project will cover the non-academic service areas of the college.

Many educators have pointed out that a curriculum that reflects the experiences, contributions, histories, philosophies and cultures represented in Canadian society dispels discriminatory attitudes and beliefs, challenges stereotypes and contributes to the richness and complexity of knowledge in higher education.\(^4\)

It is well documented that status quo approaches to curriculum result in unequal educational outcomes. Such approaches have historically omitted and/or distorted the contributions and experiences of vast segments of the population. Consequently these curricular perspectives perpetuate discriminatory ideas and practices.\(^5\)

This project builds on the work of Centennial faculty within various programs who incorporate diversity principles in their research, teaching and learning practices. It will also provide faculty with the opportunity to explore various approaches to diversity and examine a range of educational practices and assumptions to ensure that we are providing learning opportunities that promote growth and success for all students.\(^6\)

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\(^1\) UCC – Rae Review, 2004

\(^2\) Henceforth referred to as the Curriculum Diversity Facilitator for the purposes of this project

\(^3\) “Diversity” is a “hot button” term that can evoke negative responses – see the definition in the Appendix

\(^4\) Enid Lee, George Dei, Ministry of Education, etc.


\(^6\) Some of the practices that educational researchers cite that diminish the educational potential of students from minoritized groups include: different expectations of students based on gender, race and other social categories, not addressing discriminatory behaviour in the classroom, patterns of interactions which favour
The Curriculum Diversity Facilitator will selectively consult with faculty groups, academic managers, community partners and the CCSAI before presenting this document to the Vice President Academic and Local 558 for approval and distribution to all academic managers and faculty.

Core diversity learning outcomes will be defined for all college students. Academic areas will meet with the curriculum diversity facilitator to establish timelines and develop a plan to achieve the goals and objectives of this initiative.

The curriculum diversity plan within each academic department will reflect faculty input and consider the unique subject areas and specific needs of that particular discipline.

1.1 Rationale: Why We Need to Develop Inclusive Curriculum

- The increasing complexity of Canadian society creates an imperative to transform educational policies and practices to ensure that they are culturally and socially inclusive.\(^7\)

- Students will experience increased levels of motivation and academic success because the curriculum relates to their experiences and the learning environment validates them as individuals.\(^8\)

- Inequities create a lack of social cohesion which is a precondition of prosperity and competitive advantage.\(^9\)

- Government agencies and some private-sector companies have urged Colleges and Universities to prepare students with the skills and knowledge necessary to participate in a diverse society and an increasingly interdependent global community.\(^10\)

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\(^7\)We exist because of our students. Consequently, schools must address issues of race, gender and ethnicity, language, culture, income levels, family structure, ability/disability, sexual orientation, age, academic preparation, previous educational background, knowledge of academic discourse, fluency in English, etc. The interaction of these factors creates a challenge to educational institutions to provide resources and supports to ensure student success. It also presents a challenge to faculty to teach in ways that are inclusive. Some faculty already do this; however, inclusive teaching needs to be practiced throughout educational institutions (Mellow, Van Slyck and Eynon. 2003)


\(^9\)Address by Dr. Avis Glaze (Sept., 2004)

\(^10\)I.e., Conference Board of Canada: Essential Employability Skills;

A Brief of General Motors states: “Diversity in academic institutions is essential to teaching students the human relations and analytic skills they need to thrive and lead in the work environments of the twenty-first century. These skills include the abilities to work well with colleagues and subordinates from diverse backgrounds; to view issues from multiple perspectives; and to anticipate and respond with sensitivity to the needs and cultural differences of highly
• The College recognizes that it has a social responsibility to contribute to the building of a society based on principles of diversity, equity and fairness

1.2 How Will The College Benefit From System-wide Inclusionary Practices?

• UCC has an opportunity to position itself as a leader in post-secondary education by developing diversity/equity models and practices that create meaningful (systemic) change\(^{11}\)

• UCC graduates will be recognized as having the knowledge, skills and abilities to compete, perform and interact in a diverse workforce, as well as influence positive social change in society. More specifically they will be able to:

  - Work effectively in a diverse team-based context,
  - Resolve conflicts within a diversity context,
  - Excel as critical thinkers, and
  - Demonstrate socially responsible behaviours in the workplace, their communities and the larger society

• The work of faculty and or Departments who are innovators in the area of inclusive curriculum will be shared with colleagues

• The college will develop meaningful relationships with its unions, external community partners and students by recognizing that knowledge generation and the development of diversity competencies involve an exchange of ideas that are mediated within a social, political and economic context

• College faculty (as well as administration and staff\(^{12}\)) will represent the diversity of the larger community in critical mass as well as in the diversity of perspectives they bring to the teaching and learning process\(^{13}\)


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\(^{11}\) Most post-secondary institutions approaches that include diversity/equity as part of their strategic planning process are superficial (the Valuing Diversity S model). While this approach is common in the U.S.; however, the success and effectiveness of these initiatives have not been widely documented—one exception being the New Jersey Project.

\(^{12}\) As many educators have pointed out the Curriculum extends beyond the classroom (referred to as the hidden curriculum) and includes textbooks, posters, cafeteria food, guest speakers, race of custodial staff, teachers, staff, administrators, assignments, projects, ....the whole college environment (Racism Awareness Series, North York Board of Education).

\(^{13}\) For instance, in reference to the health care sector, the Bureau of Primary Health Care in the U.S. in its Guidelines to Help Assess Cultural Competence in Program Design, Application, and Management states that institutions must understand that, “...people from different racial and ethnic groups and other cultural subgroups are usually best served by persons who are part of or in tune [my emphasis] with their culture....” Similar arguments have been made with regard to the education system. (George Del).
• Student achievement will increase because the college fosters a climate of inclusion and respect\textsuperscript{14}

• Students will value their learning experience and will be committed to the college as a valuable institution within their communities

1.3 College Policies and Strategic Directions on Curriculum Transformation:

• The College's Academic Framework and the Dispute Resolution Policy and Procedures provide a clear direction to faculty and academic administrators to develop college-wide standards to eliminate conscious and unconscious discrimination in the teaching and learning process:

\begin{quote}
\textit{\ldots It is the objective that curriculum and teaching methodologies strive to reflect the diversity and changing nature of racial, cultural and religious groups in Canadian society, as well as the influences of gender, social class, age, disability, sexual orientation and geographic origin. The College actively encourages a critical examination of all text and materials in the learning and teaching process since, for historical reasons, they may contain stereotypes and unintentional discriminatory biases.}
\end{quote}

\begin{quote}
\textit{It is a policy of the College to strive for an educational environment in which participants are open-minded, discerning and analytical and aware of historical and current values, attitudes and behaviours in order to challenge expressions and manifestations of Discrimination and Harassment (Dispute Resolution Policy and Procedures, 1997; Academic Framework, 1997).}
\end{quote}

• The College's Strategic Plan requires academic program areas to support and develop inclusive curriculum practices because:
  - We want to develop our diverse students' academic, social and cultural potential to the fullest
  - We want to prepare our students for the challenges of a diverse workplace
  - We have a social responsibility to create conditions where equity and diversity can flourish (Strategic Plan, 2004).

• The College's president has indicated that the promotion of equity and diversity are key principles in the development of learning communities.\textsuperscript{15}


\textsuperscript{15}Ann Buller, Centennial Day address, August 26\textsuperscript{th}, 2004
2.0 What is “Diversity” / “Cultural Competency”?

The term “cultural competency” was first popularized in the health care sector where it was used to describe efforts to change ethnocentric practices that did not consider the cultural and religious needs/practices of some minoritized Canadians.\(^\text{16}\) Currently, it is the term used to describe the process of achieving equity and fairness in organizations. However, it is a hotly contested term. Many human rights organizational change strategies are ineffectual because they ignore issues of power and sidestep the culture of racism and discrimination within the dominant culture.\(^\text{5}\) Some educators suggest that the term “Cultural Competency” has gained popularity because its literal meaning focuses on the superficial aspects of culture and not on the structural/systemic issues that create inequity and differential treatment in societal institutions. They also suggest that the highly charged debates over “political correctness” during the 1990’s resulted in a backlash against systemic human rights organizational change efforts in higher education, resulting in a resurgence of superficial approaches to diversity.\(^\text{18}\) At a policy level UCC’s unions and Management have adopted a transformative framework to achieve human rights organization change.\(^\text{19}\)

2.1 Organizational Models For Achieving Equity

There are numerous approaches to achieving “diversity” / “cultural competency” within organizations. Consequently, there isn’t a single definition of the term. As is evident

\(^\text{16}\) I use the term “minoritized” (see glossary) and not cultural because we all have a culture. In North America, the term “culture” is used to describe groups that are not of the dominant culture. The same is true for terms such as “ethnic;” we all have an ethnicity, yet the term is incorrectly used to describe groups that are seen as not ‘Canadian’. Not surprisingly, First Nations/aboriginal peoples are an uncomfortable fit with the term Canadian.


\(^\text{18}\) Some conservative commentators see terms such as anti-racism, feminist pedagogy, critical pedagogy, equity, and human rights as negative and/or radical. Though some organizational change efforts may be questionable in terms of achieving equity, the different approaches were all characterized as “politically correct” by neo-conservative and neo-liberal scholars who saw them as extremist or as favoring minorities over white males. Ironically white males also belong to the so-called special interest groups, e.g., people with disabilities, underemployed, gay/transgendered, etc. See Chet Singh and Ruth King, Globe and Mail, 1990.

\(^\text{19}\) Though largely seen as a complaint document, the College’s Dispute Resolution Policy and Procedures adopted by the Board of Governors in 1997 established a framework for human rights organizational change. For example, see Academic Application, Systemic Discrimination. The curriculum equity framework was also adopted in the Academic Framework, 1997.
with the three approaches described below, one’s philosophical/political orientation generally defines the approach an individual and/or organization adopts.20

Model 1: Status Quo Organizations
The approach is informed by neo-conservative philosophical/political assumptions that promote fiscal and social conservatism. Within such organizational cultures, human rights/diversity programs exist because they are required by legislation. Managers generally spend more time getting around human rights policies than implementing them. Such organizations assume that we have achieved equity, yet only a few token individuals from under-represented groups are hired and they tend to mirror the values of the status quo. These organizations have little or no representation from minoritized groups in senior positions. Individuals who challenge organizational values are marginalized. Discrimination is considered an individual act; the fact that it can be embedded in systems is unfathomable. The yardstick by which society is measured within this approach is predominantly, European, heterosexual, Christian, able-bodied and middle-class society. There is much cynicism over measures to address societal inequities. Supporters of this approach argue that over the last few decades the social fabric has been unraveling because of “political correctness” and advances such as gay marriages. They characterize minoritized groups as “special interest groups” that hide behind the banner of human rights to gain special privileges that result in “reverse discrimination.”21

Model 2: Valuing Diversity Organization
These organizations embrace the tenets of neo-liberalism, which subscribes to the economic policies of neo-conservatism but rejects its social conservatism in favour of universalism. Differences are acknowledged, but the emphasis is placed on our common experiences. While this approach accepts that discrimination does occur, it is seen as coming from a few prejudiced individuals in isolated incidents. Because there is no systemic analysis of social issues, this approach to diversity tends to be superficial. The institution’s primary motivation for promoting diversity is to capitalize on society’s changing demographics. Because diversity is a business necessity rather than a social responsibility, human rights issues are forced underground while there is a veneer of human rights/diversity promotion. Training tends to focus on the cultural nuances of minoritized groups where the underlying assumption is that cultural literacy will lead to harmony. A systemic examination of the attitudes and practices of dominant groups who have the power to maintain and perpetuate discrimination in organizations is avoided because it creates bad feelings. Programs like employment equity may be in place but are ineffective because, as with the previous model, they are seen as reverse discrimination. For example, senior management may not differentiate between targets and quotas where

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20 The Models are adapted from The Politics of Human Rights Organizational Change, C. Singh, 2000. These are not intended to be rigid categories, and individuals and/or organizational cultures may adopt aspects of all models.
21 George Will, Denesh D’Souza
there is clear under-representation of minoritized groups. They may not provide resources or the conditions to make these programs successful; i.e., there are no accountability mechanisms in place and it's not part of the performance appraisals of managers.

Model 3: Transformative Organizations

These organizations recognize that all political/philosophical approaches must be considered in the context of a human rights framework. The analysis of feminist, anti-racist, and other critical discourses informs the organizations' diversity programs. There is recognition that there are patterns of inequity in society based on historical, cultural, political, economic, and religious factors. There is an understanding that the values and beliefs that created these inequities, though long discredited, live on consciously and unconsciously in attitudes and practices within institutions. This approach argues that organizations cannot claim to be free of discrimination when there is unequal representation of minoritized groups and when organizational practices directly and indirectly lead to unequal outcomes. Consequently, this approach argues that organizations need to move beyond valuing differences to actively eliminating injustices within organizations. Adherents of this organizational change strategy argue that specific human rights objectives, outcomes, and implementation plans need be developed with all stakeholders including unions and representatives from local communities. They also point out that, unless some senior managers understand and champion the need for systemic change, little will be achieved because there will be ineffectual accountability measures put in place to achieve meaningful change. Organizational change experts argue that committed senior managers must anticipate resistance and be prepared to address it. They suggest that managers should be accountable for implementing human rights/diversity organizational objectives through performance appraisals and appropriate training that emphasizes self-knowledge (discovering one's own prejudices and strengths) in addition to exploring the experiences of other groups.

TRANSFORMING THE CURRICULUM

2.2 Culture and Pedagogy: Issues and Considerations

- Culture is a predominant force in shaping behaviours, values and institutions

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22 In Canada unlike the U.S. the quota system was never legislated. However, opponents of equity measures have certainly created this public perception. In the U.S. the Affirmative Action programs have been based on righting historic injustices whereas in Canada the focus is on making the recruitment and selection process fair and equitable. Discrimination most often occurs in the interview process which is highly subjective and unreliable as a measure of future performance (See Sutherland et al, Human Resources in Canada). In the Canadian employment equity scenario an unqualified minoritized candidate should not get the job over a qualified candidate from the dominant group. Generally speaking the issue of choosing the candidate should only arise when there are two candidates of relatively equal qualifications and one is from an over-represented group and the other from an underrepresented group.

23 See Appendix 3
• Understanding cultures different from our own is only possible when we first understand our own cultural values and how they have been shaped by historical, political, social, and religious factors.

• ‘Cultural competency’ should address issues of gender, sexual orientation, disability, class and other markers of difference since they comprise social identities that are marginalized within mainstream culture and curriculum.

• Dominant cultures generally define themselves in relation to subordinated cultures. (i.e., civilized vs. uncivilized in the case of Aboriginal peoples and other colonized peoples). These ideas are embedded in educational materials, literature and popular culture. Historically, they justified appropriation of land, genocide and slavery. Currently, they account for social, economic and political inequities.

• The tendency to universalize cultural characteristics and expressions other than our own can lead to ethnocentrism (i.e., judging other cultures from our cultural framework).

• Culture is not based solely on ancestry. (not all people of Chinese ancestry share the same culture. A Chinese Jamaican may have little in common with a person of Chinese ancestry from Hong Kong). In addition people belong to numerous socially constructed groups that have an influence on cultural characteristics, such as class, age, sexual orientation, education or geographic origin, etc.

• Culture is not fixed in time. It is constantly changing based on economic, socio-cultural and political factors. (For instance, South Asian cultures evolve as they come into contact with other cultures either through colonization or migration. Second-generation immigrant youth of various cultures/racial groups may share many cultural similarities though they may have different experiences of racism based on their skin colour). 

• There are many communities within an identifiable community (there is no homogeneous African, Asian or Queer community).

• Concepts such as “family” and “community” are different for various cultures and even for subgroups within cultures.

• First Nations/ Aboriginal peoples argue that their issues are separate and distinct since they involve sovereignty and land claims, which often get lost in the cultural mosaic approach of multiculturalism/cultural competency.

24 Walcott, Rinaldo. Lecture to commemorate Labour Day. UCC, 2004
2.3 Curriculum Transformation: Principles and Practices

Principles

- Schools are a microcosm of our society and, as educators; we cannot distance ourselves from issues that occur outside the confines of schooling.

- Race, gender, sexual orientation, dis/ability, religion, class, and other socially prescribed categories have a powerful impact on people and organizations in all societies. Systemic discrimination, because it is hidden, and often unintentional, is difficult to eliminate.\textsuperscript{26}

- Anti-racist educators and others acknowledge that we must address all issues of discrimination, but at the same time we must be cognizant of the tendency that in so doing, race often gets minimized because of the pervasiveness of racism against certain racialized groups in North American culture and society.\textsuperscript{27}

- All learning materials are created from particular biases, negative and/or positive. As educators we need to identify the biases/perspectives that inform our curricular choices or we can unwittingly perpetuate attitudes/belief systems that perpetuate discrimination and oppression.

- Excellence in education requires inclusive and fair curriculum and teaching practices and considers contemporary research related to diversity and other developments

- Educators and administrators need to create a safe space for students (as well as for themselves) to engage in a dialogue that challenges various opinions, attitudes, values and beliefs, a space where biases and stereotypes can be examined, including the ways in which they influence our interactions with each other.\textsuperscript{28}

- Curriculum and classroom practices have the potential to legitimatize and perpetuate discriminatory ideas or challenge them.

- Curriculum and classroom practices can provide students with the tools to build a more just and equitable community and society

\textsuperscript{26} The Harassment and Discrimination Climate Survey from 1997 indicated that 47% of the student respondents were the recipients of remarks based on a prohibited human rights ground and 25.9% experienced harassment and discrimination from a professor.

\textsuperscript{27} Stephen Lewis Report, 1996.

\textsuperscript{28} Wane, N. “Anti-Racism in Teacher Education: Rethinking Our Practice”. Orbit, Volume 33, Number 3, 2003.
• Implementing diversity practices must consider the specificity of discrimination experienced within various minoritized communities.  

• Diversity practices are skills that must be developed through knowledge acquisition and training because of conscious and unconscious stereotypes and prejudices perpetuated in popular culture and educational materials.

Practices

• Transformative organizations recognize that training is not enough to ensure inclusive educational practices. Such institutions integrate diversity competence into governance; institutional policies and procedures; community and stakeholder participation; data collection and research; institutional standards and accountability measures; equitable recruitment and retention; curriculum development and delivery.  

• ‘Cultural competence’ of individual educators is not enough; there is a need to develop culturally competent systems of education. This requires systemic change and committed leadership.  

• It is not sufficient to accommodate cultural and religious practices within the education sector. We must also address the history of stereotyping, marginalization, distortion and omission of minoritized communities in the curriculum in order to achieve fairness and equity.

• UCC recognizes that the communities it serves are a valuable source of knowledge and will solicit and incorporate their input in meaningful ways.

• People from different racial and ethnic groups and other minoritized groups are usually best served by persons who are part of and/or in tune with their culture.

3.0 OBJECTIVES OF CENTENNIAL’S CURRICULUM DIVERSITY FRAMEWORK

3.1 The Goals of a Diverse and Inclusive Curriculum

A diverse and inclusive curriculum will serve to

29 For instance, equitable hiring practices have historically favoured white women, Asian and South Asian Canadians over African Canadians, First Nations and the People with Disabilities. Level of educational attainment is not a factor since research from Statistics Canada indicates that African Canadians have a higher level of educational attainment than the Canadian average. Employment Equity/Statistics Canada, 1996.

30 Ibid.


32 Bureau of Primary Health Care: Guidelines to Assess Cultural Competence in Program Design, Application, and Management. (undated handout Cultural Competency Sub-Committee)
• Ensure that curriculum and teaching methodologies reflect the diversity and changing nature of racial, cultural and religious groups in Canadian society, as well as the influences of gender, social class, age, disability, sexual orientation and geographic origin

• Encourage students to entertain competing constructions and understandings of social, historical issues

• Help students recognize the ways these constructions are rooted in the cultural, historical and economic experiences/positions of the people who espouse them

• Provide an educational environment in which participants are open-minded, discerning and analytical and aware of historical and current values, attitudes and behaviours in order to challenge expressions and manifestations of Discrimination and Harassment

• Help individuals understand self and others as cultural beings acting within a cultural context

• Provide a structure for students to understand their own cultural and ethnic identities and to examine the origins and consequences of their attitudes and behaviours towards groups that are different from themselves

• Provide students with an understanding of the dynamics of discrimination, bias, prejudice, and stereotyping within Canadian society and globally

• Help individuals recognize similarities and differences within the Canadian mosaic

• Incorporate cross-cultural/diversity team building and conflict resolution skills in the curriculum

• Provide students with knowledge, skills and abilities to affect positive social change in their communities and workplaces

3.2 Objectives for Faculty and Academic Managers

Knowledge

33 The Association of American Colleges and Universities has suggested that core programs in Liberal Studies need to give sustained attention to the connections between cultural knowledge and civic competencies and responsibilities: "...citizens in our society need new understandings and competencies— including interdependence, collaboration, holistic vision, cross-cultural and intercultural communication, consensus decision making, and community global thinking”

34 See Appendix for Diversity and Human Rights Competencies for Faculty and Academic Managers

Chet Singh, Centre for Organizational Learning and Teaching
• To build on previous diversity training and incorporate these frameworks/ideas in their curriculum and teaching practices.

• To understand how different analysis and perspectives of diversity and related issues influence curricular choices and classroom practices.

• To critically examine different approaches to developing inclusionary curriculum and determine the effectiveness of these approaches for achieving college and department goals.

• To examine how stereotyping/discrimination is manifested in curriculum materials.

• To examine how exclusionary educational practices affect the learning of all students.

• To examine theories of privilege and new scholarship on theories of the social construction of whiteness, sexuality, disability, etc.

Practice

• To utilize their skills and knowledge to critically examine texts and materials for stereotypes and unintentional discriminatory biases.

• To re-examine evaluation and assessment methods as well as classroom practices to ensure that they meet the needs of all learners.

• To identify/document current teaching practices that foster inclusion and work with the curriculum diversity facilitator to share these with their colleagues.

• To apply diversity/equity concepts to their discipline

Diversity Planning

• To work towards achieving a common core of learning objectives regarding equity in the curriculum where relevant

• To develop subject-specific diversity learning outcomes in addition to the above where relevant

• To work with the LRCs, community representatives and practitioners/researchers in their field to provide discipline-specific diversity information

• To identify and eliminate systemic barriers that impede equitable outcomes for student achievement

• To incorporate curriculum diversity as a strategy in the school’s diversity plan
3.3 Proposed College-wide Diversity Learning Outcomes For Students

The college will have to determine the process for adopting generic diversity learning outcomes. Once there is agreement on outcomes, academic program areas are expected to work with the Diversity Curriculum Facilitator to map outcomes in program courses as well as develop discipline-specific diversity learning outcomes where relevant.

Critical Historical Context of Canada’s Peoples’
Introducing students to the histories of Canada’s different peoples before and after European colonization. Including their literature, arts, worldviews, experiences and contributions to the contemporary nation state. Exploring how minoritized communities identify themselves and how dominant communities identify themselves in relation to minoritized communities.

Student will be able to:

- Analyze differing perspectives on the past and diverse visions of the future as well as processes leading to a more equitable society

- Demonstrate an understanding of Canadian history prior to European colonization; demonstrate an understanding of the political, economic, social and spiritual structures of the First Nations

- Research/investigate a variety of sources with alternative perspectives and assumptions as they study and analyze various subject matter

- Analyze how their own perspectives and assumptions on social, economic and political issues are shaped by variables such as schooling, textbooks, the media, popular culture, mainstream media, etc.

- Demonstrate an understanding of current national issues such as First Nations Sovereignty, Francophone Separatist Movement, Same-Sex Marriage, etc.

- Demonstrate an understanding of diverse fields of intellectual thought including various conceptions of justice and equality

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35 Diversity outcomes were adapted from Working with Diversity (Fleming and Centennial Community Colleges), University of Washington, American Medical Student Association, Dayton U., Buffalo State U., Loyola U., Education Commission of the States, University of Michigan, Association of American Colleges and Universities.
• Explain how culture is shaped by power relations and social factors such as race, gender, sexual orientation, ability/disability status, religion and spirituality, age, education, socio-economic status, language/communication modality, etc.

• Analyze the central role that race, culture, and ethnicity played in the formation of contemporary Canadian national identity through immigration policy, segregation and social policies such as residential schools

• Describe the specific contributions that different cultures, ethnicity, genders have had on the different occupations, disciplines and profession

Analysis of the Structures That Perpetuate and Maintain Inequality
The study of structures of inequality that have differentially shaped people’s live chances and choices within the context of sociocultural, economic and political participation.

Centennial’s graduates will:

• Demonstrate a broad understanding of the origins and characteristics of issues relating to economic, political, and social injustice and their effects on humanity and the environment

• Describe various perspectives on issues such as colonialism, neo-colonialism, globalization, patriarchy, heterosexism, able-ism, classism, etc.

• Understand how social, cultural, racial and gender and other inequities are developed and perpetuated, and the impact on those groups affected in the workplace and the larger society

• Articulate how discrimination can be internalized and how and why individuals from privileged groups resist changes that would bring about equity in the larger society

• Demonstrate an understanding of the symbiotic relationship between ideas, power, prejudice and discrimination; understand how privileges are conferred based on race, gender, sexual orientation, ability/disability and other social categories

• Describe concepts and tools for understanding the social realities and problems in contemporary Canadian society

• Demonstrate analytical skills and problem-solving abilities while acquiring an understanding of the diversity of Canadian society

36 “Culture” is broadly defined as including variables such as race, gender, sexual orientation, ability/disability status, religion and spirituality, age, education, socio-economic status, language/communication modality, etc.
Theories of Difference (Analysis of Race, Ethnicity, Gender, Class, Ability, Disability, Sexual Orientation, Religion, Nationality)
The study of how categories of race, gender, etc. are socially constructed and how to identify hidden assumptions and perspectives in knowledge construction.

Centennial’s graduates will be able to:

- Synthesize ideas about the complexity of culture and the various factors that form and impact identity formation including factors such as race, gender, sexual orientation, ability/disability status, religion and spirituality, age, education, socio-economic status, language/communication modality, etc.  

- Demonstrate an understanding of the complexity, multiplicity, and fluidity of identities determined by self and others

- Articulate the historical, social and institutional experiences of one or more traditionally minoritized groups

- Demonstrate a critical self-awareness of what it means in our culture to be a person of their own gender, race, class, etc. as well as an understanding of how these categories affect those who are different from themselves

- Analyze their own attitudes, behaviours, and beliefs regarding ‘diversity’; racism, sexism, sexual orientation and other forms of discrimination

- Demonstrate the ability to think critically, and with an open mind, about controversial contemporary issues that stem from gender, race, class, ethnic, sexual orientation and religious differences

- Identify whose perspectives are represented and whose voices have been excluded. Examine their roles in relation to the issue.

Developing Social Responsibility\(^{38}\)

\(^{37}\) Referred to as “hybridity” by postcolonial scholar Homi Bhaba. A superficial approach to understanding culture freezes culture into static frames that overlook the multiple identities we all have. This is not to suggest a relativist paralysis where we can all claim a ‘relativity’ of experiences – as some postmodernist writers suggest. Black students though they may have multiple identities, are stereotyped in a particular ways and experience anti-black racism whether they are lawyers or underemployed (Stephen Lewis, 1990)

\(^{38}\) The Universal Declaration of Human Rights, Article 26.2, states that, “Education shall be directed to the full development of the human personality and the strengthening of respect for human rights and fundamental freedoms. Social Responsibility here is defined by our institutional obligations under the
The development of knowledge and skills through which students are empowered to create a more equitable and socially just society through self-awareness and ethical practices and behaviours in their communities and/or workplace.

Centennial’s Graduates will be able to:
- Identify various laws and legislation that address issues such as human rights, the environment and workers’ rights, fair trade, child labour, etc.
- Describe how these laws came into being and the process by which they were achieved.
- Analyze and appraise the functions and impacts of institutions and policies established in the name of social justice (e.g., Universal Declaration of Human Rights, federal and provincial human rights codes, International Court of Justice, etc.)
- Identify when harassment and discrimination are features of conflict and address these through appropriate channels to achieve fair and equitable outcomes.
- Articulate an ethical framework from which to address issues that they may be faced with in the workplace or the larger society.
- Articulate a personal philosophy of responsibility to promote a more just and humane society within a sustainable global environment.
- Demonstrate an ability to recognize behaviours that are insensitive to others or demean others.
- Demonstrate an ability to express the way they are feeling and to empathize with the feelings of others, especially those who have different perspectives from themselves.

Professional Preparation
The development of knowledge, skills and abilities to participate effectively in the workplace.

Centennial’s graduates will:
- Understand the demographics of the workforce and marketplace and the impact of diversity on organizational culture and practices.
- Demonstrate the ability to manage and be part of a diverse team (demonstrate effective dialogue, consensus, and teamwork).

Ontario Human Rights Code notwithstanding its limitations with respect to social class and other minoritized social categories.
• Demonstrate effective communication skills to interact with persons who are different from themselves

• Demonstrate recognition of and respect for people’s diversity and individual differences

• Understand sources of conflict among individuals and groups and identify a range of solutions to resolve conflicts and problems that arise out of differences

• Analyze policies and practices for differential impact on individuals and groups

4.0 PROJECT DESCRIPTION

The overarching goals of inclusive education are to assist all students regardless of their gender, sexual orientation, race, ethnicity, social class, religion, ability/disability or language to develop their full potential for academic, social, and vocational success. Inclusive education challenges distorted messages, misconceptions and stereotypes that exist in the media and learning materials that have the potential to limit the life chances and choices of some students.  

This project builds on the success of individual teachers and academic departments that have developed/are developing curriculum and classroom practices that consider multiple perspectives, and include complete and accurate information. It also acknowledges that departments will have differing needs and expectations based on their academic/vocational discipline and previous work in the area of inclusive curriculum.

4.1 Project Facilitation Principles

• Discriminatory practices are promoted by belief systems and social structures. The eradication of racism and other forms of discrimination requires recognition of the relationship between beliefs and social structures and the changing of both institution and individual practices in order to promote equity.

• In order to facilitate inclusive educational practices, educators need to examine their own cultural perspectives, how dominant cultures influences organizational

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15 A study conducted by Ryerson’s Francis Henry and U of T’s Scott Wortley, found that the media cover blacks more when they commit a crime, sing or dance, and portray them less often as normal citizens. Blacks were identified twice as often as whites in crime stories and feature in 50% of crime stories when, in fact, they don’t commit crimes at anywhere close to that rate. Stories involving white offenders usually focus on personal pathology (family background, psychological problems, etc), whereas Black crimes are often attributed to problems with the entire black community or to aspects of Caribbean culture. Many educators argue that these distortions influence interactions between cultures and lead to differential treatment in the classrooms, courtrooms, etc.

and professional practices with respect to diversity and how these impact on the teaching learning process

- The curriculum transformation process will not be imposed on faculty. Rather, it will be a negotiated process that considers the needs and expectations of the College, academic program areas, and faculty within the context of current research, and relevant societal laws and legislation

- Many faculty currently incorporate diversity principles in their curriculum and teaching practices. This process will promote the work of such teachers and provide opportunities for them to share curriculum transformations with each other and their colleagues

- Successful development of curriculum change strategies depends on participants creating strategies and solutions themselves with support and information from the Facilitator (Faculty will refine and adapt diversity learning outcomes according to the needs of their discipline/subject area)

- Educational change will occur only when the Curriculum Diversity Facilitator creates a respectful and positive learning environment

- Faculty need a safe space to engage in open dialogue within the perimeters of college policies

- Faculty are likely to make changes in their sphere of influence when there are a support system and dedicated resources within the school/department to provide feedback and encouragement. Research and gathering of program specific resources should be addressed either through SWF (i.e., a dedicated faculty in each department) or the LRC.

4.2 The selection of academic program areas

- It is expected that all academic departments will participate in this initiative. This is a major undertaking that will require several years to achieve; consequently, academic managers and the Vice President Academic will need to agree on priority areas and a time frame.

- The content will be consistent throughout all schools/departments. However, the process will reflect the needs, unique issues, and challenges that the department/program area may have.

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41 Ibid.
42 Currently Gen. Ed., GAS and some areas in Management Studies are participating in this project. There is also individual mentoring with faculty whose departments are not officially involved in the project.
43 It is anticipated that each academic area will have specific needs and issues unique to their discipline, department culture, and student and faculty demographics, etc. For example, in Nursing and Early
4.3 Duration/Format

- 2-4 semesters/ongoing
- Six to ten, two-hour sessions and longer sessions during May/June and March Break
- Where possible, this project will be integrated into regular departmental curriculum planning initiatives/meetings.
- It is expected that the process of diversifying the curriculum will be an ongoing activity that will require continued research, development and sharing among colleagues.

6.3 Expectations of Chairs/Academic Leaders
It is expected that Academic Managers will

- determine the program/department start date in consultation with the curriculum diversity facilitator
- work with the Curriculum Diversity Facilitator to determine the logistics of the project, access training/mentoring needs, review project outcomes and develop a strategy for achieving the project’s goals and outcomes. 44
- develop priorities and assign school/program responsibilities for achieving these objectives
- identify resource and other needs for achieving diversity objectives
- ensure core diversity competencies are program-specific and are adapted and integrated in all curriculum
- develop a system of accountability to ensure that diversity plans are fully integrated throughout schools/departments

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Childhood Education, issues of culture and cultural practice need particular focus; consequently, external community representatives who specialize in these areas may play a major role in some of the training activities. In areas such as General Education, the focus may be on curriculum content. Issues addressed will include an examination of whose perspectives are included/excluded. In Transportation, the emphasis may be on the social/cultural dynamics within the classroom.

44 For example currently all members of the Gen Ed department are involved in all phases of the facilitation process. In the GAS department, the Facilitator is working with a three-member team who will document how they have transformed their curriculum (as well as identifying current inclusionary practices they practice within their classrooms). This work will form the basis of future workshops with the entire department and will be facilitated by the department team and the Curriculum Diversity Facilitator.
• present a Diversity Curriculum Action Plan to the Vice President Academic after the completion of the last session facilitation session

• work with the Diversity Curriculum Facilitator to develop an evaluation mechanism

6.4 Expectations of Faculty
Faculty members will
• examine their practices within a cultural/philosophical context

• provide an analysis of their classroom/day-to-day experiences regarding diversity issues and concepts

• maintain a Reflection Journal

• review and access existing classroom/curriculum practices that incorporate diversity and discuss these approaches with colleagues

• work collaboratively with other colleagues and the Curriculum Diversity facilitator to adapt the College’s core diversity learning outcomes for relevant courses in the department

• develop subject/discipline-specific diversity learning outcomes for all courses in the department where appropriate

• review and map diversity learning outcomes in all department/program courses

• conduct research with the assistance of the LRC’s to develop subject-specific resources, learning materials and strategies for creating equitable classroom practices

• evaluate the success of their curriculum diversity strategies

• present a workshop on an aspect of curriculum diversity to the group and/or document an aspect of the curriculum transformation process

• participate in the development of further curriculum diversity activities for their school/department

6.5 Proposed Facilitation/Training Sessions
The following 10 sessions are meant as a guideline and are subject to change depending on the needs of academic program areas.
Session 1: Cultural Diversity and the Curriculum

1. Introduction and participants’ needs assessment/expectations
2. Project rationale and UCC’s approach to Diversity
3. Education Equity: What cultural communities have to say about the curriculum
4. Major philosophical/political perspectives and their influence on curriculum choices
5. Phases of curriculum Transformation
6. Reflection on current practices that promote diversity

Session 2: Cultural Diversity and the Curriculum – Part 2

1. Manifestation of Bias in the Curriculum
2. Diversity and classroom dynamics
3. How schools, organizations and people in authority perpetuate discrimination without knowing it
4. How dominant cultures define themselves in relation to subordinated cultures

Session 3: Communities in the GTA: How we see each other (Guest Presenters)

1. How the media construct images of communities
2. The Experiences of Racial and Cultural Groups in the GTA
3. The intersections of class, gender, ability/disability and sexual orientation
4. What post-secondary institutions can do to foster diversity and social responsibility

Session 4: Discussion of Readings and Diversity Learning Outcomes

1. Participants work on developing learning outcomes and generate ideas from readings/research

Session 5: Agreement on Diversity Learning Outcomes

1. Participants agree on core and course-specific diversity learning outcomes
2. Mapping diversity learning outcomes

Session 6: Meeting Diversity Learning Outcomes

1. Faculty develop lesson plans using project handouts, materials from the LRC’s, and individual research materials
2. Faculty share and discuss lesson plans with the larger group

Session 7: Evaluation of Lesson Plan Implementation

1. Faculty discuss and analyze students’ responses to the lesson plans as well as additional insights/learning generated from this process
Session 8 & 9: Faculty Presentations

2. Faculty work individually or collaboratively to develop a workshop demonstrating how an aspect of diversity can be applied to the curriculum, department programs and policy, etc.
   *Instead of a workshop faculty may choose to document how they address diversity issues in their curriculum and/or how they transformed aspects of their curriculum to be more inclusive of students’ lived experiences, etc.

Session 10: Evaluation, Follow-up and Action Plans

1. Faculty assess the outcomes of the project
2. Faculty may share sections of their Reflection Journals
3. Faculty and Academic Leaders develop an Action Plan to address areas for further development
   *Evaluation will be ongoing throughout the sessions.

6.6 : Resources

- Resource needs will be determined on a department-by-department basis. They may involve public education/speaker series, materials development, and resource acquisition.

- Faculty who work with the project facilitator to develop materials and workshops will receive appropriate SWF time.
5.0: APPENDIX 1

DIVERSITY AND HUMAN RIGHTS COMPETENCIES FOR FACULTY AND ACADEMIC MANAGERS

Awareness of Values and Attitudes

5.1 Awareness of Own Cultural Values and Biases
- Aware of and sensitive to own cultural heritage and self-identity with relation to ethnic and cultural definitions – including race, ethnicity, gender, sexual orientation, class, dis/ability
- Aware of own background/experiences, values and biases and how they influence interaction with students, colleagues, community partners and others
- Able to recognize the limits of own diversity competency and expertise
- Acknowledges and is aware of own racist, sexist, heterosexist, or other detrimental attitudes, beliefs, and feelings
- Aware of differences between self, students and colleagues in terms of race, gender, sexual orientation and other socio-demographic variables
- Engage in critical self-reflection regarding personal identity and attitudes to other groups, self-monitoring, and self-correction
- Understanding of how oppression and discrimination personally affect oneself and one’s work
- Valuing and respecting humility and willingness to learn from others; open-mindedness

5.2 Awareness of Student’s/Colleague’s Worldview
- Values/respects differences, diversity among and within an identity/cultural group
- Respects religious and/or spiritual beliefs of others
- Respects indigenous helping practices and community networks (in relevant programs)
- Values language skills in self and others
- Can be non-judgemental –
  o does not view one’s own beliefs and practices as superior to those of others
  o does not judge the beliefs and practices of others as bizarre or weird

Knowledge

5.3 Culture-Specific
- Possesses specific knowledge about cultures one serves to anticipate barriers to access (single parents, homeless people, members of specific ethnic/religious communities, racialized people)
- Possesses enough knowledge about cultures ones serves to avoid breaching taboos, beliefs, or rules of interaction (where relevant)

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45 Adapted from Marylin Kanee, Manager Equity and Diversity Mt Sinai Hospital, 2005

Chet Singh, Centre for Organizational Learning and Teaching
- Knowledge of resources for culturally-appropriate services (where appropriate)

### 5.4 Culture-Generic

- Aware of institutional barriers that prevent some students from receiving appropriate supports to succeed academically
- Knowledge of history, experience and consequences of oppression, prejudice, discrimination, racism, and structural inequalities
- Knowledge of the heterogeneity that exists within & across cultural groups and the need to avoid overgeneralization and negative stereotyping
- Good understanding of socio-political system and its treatment of marginalized groups in society, immigration, poverty, powerlessness, etc.
- Knows how discriminatory practices operate at an organizational and societal level
- Knowledge of the impact of one's own behaviour and communication styles
6.0: APPENDIX 2

CRITICAL SELF-REFLECTIVE PRACTICE

6.1 Curriculum Content is as complete and accurate as possible.

- Is it culturally inclusive? It is the seamless integration of concepts of gender, race, ethnicity, class, age, sexual orientation, and other social categories

- Is it based on current scholarship and incorporating opposing opinions and divergent interpretations?

- It avoids tokenism i.e., covering the Black experience in Canada only during Black History Month.

- It examines racist, sexist and other discriminatory materials that may appear in course materials within a critical context. For example, Organizational Behaviour textbooks attempt to be inclusive by including core characteristics of global cultures in a section on diversity. However, this attempt at inclusivity can lead to stereotyping because the model used to describe various national cultures is static and presents them as homogeneous. Such material needs to be critiqued and supplemented by alternative explanations of culture.

- It does not represent under-represented groups as the “other”.47

- It incorporates student experiences, concerns and interests.

- It makes explicit the features and assumptions of both dominant and subordinate cultures/groups and explores the relationship between them while acknowledging the diversity within them, whenever relevant.

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47 This is the process of perceiving non-European and non-mainstream groups in a negative frame i.e., as exotic, primitive, backward, outsiders, etc. Though African Canadians have been in Canada in large numbers since Pre-Confederation, many Euro-Canadians do not view them as Canadians. Oftentimes there is an assumption that they must be from the Caribbean or Africa.
• It openly and frankly deals with the issue of discrimination/oppression in our history and our present, when appropriate.

6.2 Teaching and Learning Materials are diverse

• I seek out new articles/research in my subject area on diversity and where relevant incorporate them in my curriculum

• I review and supplement textbooks, software, supplementary materials, and media for accurate, balanced, representation of diverse groups and perspectives

• I examine all materials for discriminatory content i.e., do my science materials use male-centric language?

• I use discriminatory materials in a critical context

• I review and supplement textbooks to ensure content is contextualized in a historical, political, social, and cultural context i.e., the history of the Canadian Political system does not begin with European Parliamentary systems but also considers that Canada was peopled by Aboriginal peoples with their own political cultural, economic, social and spiritual systems

6.3 Perspective: Content is presented from a variety of perspectives in order to be as accurate and complete as possible

• I recognize that knowledge is a social construction that must be viewed in a contextual framework

• I am knowledgeable about various perspectives on diversity issues and have examined and am aware of my own perspectives on these issues

• I recognize perspectives that deny/omit/distort the discriminatory experiences of minoritized groups and incorporate materials that present alternatives to these perspectives. I.e., How do we define classical music or literature? Whose perspectives are these? From whose perspective is history told? First Nations or Europeans? Do courses such as psychology and human relations consider that the test groups for most studies are white middle-class males? What of the experience of minoritized peoples?

• I recognize the biases within my discipline and present alternative materials that challenge these perspectives. I.e., Do business textbook look at various economic systems? Whose perspectives are represented in Organizational Behaviour textbooks? Employers’ or Employees’? How are developments such as Globalization presented?
6.4 Critical Inclusivity

- I provide opportunities for student input in the teaching and learning process. I recognize that Students (and the Teacher) can learn from each other’s experiences and perspectives.

- I encourage students to ask critical questions about all information they receive from me and curricular materials, and model this type of critical thinking for them.

- The content and delivery are relevant for all students and they connect it with their everyday lives.

- I draw on and build on the experience of students in a manner that does not single them out or patronize them (i.e., I don’t make them the expert or spokesperson for their entire race, religion, etc.)

- In addressing the various types of discrimination I, make a conscious effort to address the different manifestations of each.

- I acknowledge the enormous diversity within cultures. (i.e., I avoid simplistic attempts to homogenize racial and cultural groups as all having similar cultural traits).

6.5 Delivery acknowledges and addresses a diversity of learning styles while challenging the dynamics of power and privilege in the classroom

- My course goals are clear to all students and I provide continual feedback on how students are meeting them.

- I incorporate a variety of instructional strategies to teach concepts, skills, and problem solving to meet the needs of diverse learners.

- I provide opportunities for the students to develop interpersonal and inter-group interaction skills, as well as conflict resolution skills in a culturally diverse context.

- I provide opportunities for diversity competencies to be demonstrated in assignments.

- I use multiple evaluation tools to ensure student success (e.g. not all multiple-choice tests).

- I incorporate student’s prior knowledge/learning experiences where appropriate.
6.6 Social Responsibility

- My teaching and learning processes prepare students to detect and challenge both overt and subtle manifestations of racism, sexism, heterosexism and other forms of discrimination
- When the opportunity arises to address racism, sexism, homophobia, classism, or other forms of discrimination, I facilitate it
- When appropriate, I have open discussions of privilege, unfairness, inequities in my discipline, school, and larger society
- I connect teaching and learning to local community and larger global issues
- I encourage students to think critically about societal issues
- I model positive attitudes toward uniqueness, differences
- I talk about differences as natural, common, valuable

6.7 Classroom Climate

- I establish ground rules (classroom agreements) collaboratively with students and regularly reinforce them
- I maintain flexibility in pursuit of emerging interests
- I provide the opportunity for students and teachers to learn about each other’s unique backgrounds
- I provide an equitable quantity and quality of attention and questioning to both sexes and diverse groups of students
- I get to know my students as individuals rather than as representatives of particular groups
- I don’t ask a student to speak for a whole group (e.g., for women, for Muslims, etc.).
- I provide opportunities for students to interact in different groups
- I encourage students to understand, develop, and express different points of view
- I encourage the use of non-sexist, unbiased, non-derogatory language in the classroom.

- I don’t let injurious/derogatory statements pass without comment.

- I recognize that disruptive behaviours or problems might (though not always) be coded or explicit messages that I may not be reaching all students.

- I allow students to disagree with others, or me, but within guidelines that promote a safe learning atmosphere in the classroom.

6.8 Student Evaluation

- I clearly communicate criteria for excellence (e.g. I use an evaluation rubric that allows my students to know where they are succeeding and what areas need work)

- I design group work so that the grading scheme is as fair as possible. I design activities to minimize freeloaders and incorporate student peer evaluation using a rubric

- I build conflict resolution strategies into group work activities

- I am clear on who has contributed what to the process. I grade rough work/notes and approve group roles and the distribution of work.

6.9 Evaluation/Self Reflection

- I understand why I have designed my curriculum in the way that I have

- I request and openly accept feedback from my students

- I include in my course evaluations questions on inclusionary curriculum and classroom practices

- I work with colleagues to examine and critique each other’s curriculum and frameworks
7.0: APPENDIX 3
GLOSSARY OF TERMS

Language not only expresses ideas and concepts, but it actually shapes thought...."

- Benjamin Whorf

The language related to equity/diversity/human rights organizational change is constantly evolving and so we continue to see new terms and phrases being developed and old ones being re-interpreted. These terms have been drawn from a number of sources including: Canadian Council for International Cooperation: Diversity Policy Workbook, The Association of Canadian Community Colleges’ Towards True Equity, The Canadian Labour Congress’ Teach me to Thunder: A Manual For Anti-Racism Trainers, Beyond Heroes and Holidays: Enid Lee, et al, Canadian Heritage’s Toward Full Inclusion: Gaining the Diversity Advantage, The Colour of Democracy, Henry and Tator and Cultural Subjects, Gedal, Boulter, Faflak, McFarlane.

Aboriginal Peoples: The original inhabitants of North America. Other recommended terms that refer to these groups of people are First Nations Peoples and Indigenous Peoples.

Agency: The socially determined capability to act and to make a difference.

Anti-Racist Organizational Change: A process of dismantling visible and invisible barriers to the full social participation of minoritized groups, and of establishing organizations responsible to the larger community. This movement was initiated by educators such as Enid Lee and grassroots community organizations to challenge Eurocentric educational systems.

Anti-Semitism: The body of unconscious or openly hostile attitudes and behaviour directed at individual Jews or the Jewish people, leading to social, economic, institutional, religious, cultural or political discrimination. Anti-Semitism has also been expressed through acts of physical violence and through the organized destruction of entire communities.

Appropriation: The claiming of rights to language, subject matter, and authority that are outside one’s personal experience. The term also refers to the process by which members of relatively privileged groups “raid” the culture of minoritized groups, abstracting cultural practices or artifacts from their historically specific contexts.

Adverse Impact: The extent to which policies, procedures, and practices disproportionately exclude certain groups.
Assimilation: The process by which minoritized groups are either coerced into, or voluntarily adopts the culture, values, and patterns of the dominant social, religious, linguistic or national groups (e.g., residential schools).

Barriers: Obstacles preventing people because of their ethnicity, gender, physical or mental ability, religion, age, level of literacy and/or sexual orientation from participating as they are qualified and entitled. Generally they fall into three areas: attitudinal/behavioural; procedural; physical. Visible barriers include qualifications and requirements that are not job-related, such as unnecessary certification and credentials, “Canadian experience”, and working conditions that lack reasonable accommodation for special needs. Invisible barriers include those unstated but widely accepted assumptions that can be discriminatory, such as what constitutes an acceptable accent or dress, stereotypes about different groups and their abilities, and failure to recognize or give weight to knowledge of cultures and languages.

Bias: The prejudgement of others in the absence of information about them as individuals. A special perspective; an inaccurate and limited way of perceiving the world or a given situation. A negative bias towards members of particular cultural, racial, religious, and linguistic groups, expressed through speech, written materials, and other media, which harms the targets in many ways.

Behaviour: Outward expression of values. Values are communicated by individuals in behaviour such as language, signs, gestures, actions, customs and styles.

Cannon: Refers to a body of work held to be the most important within a particular academic tradition. This idea has been questioned on the grounds that there is no universal grounds for making such judgements.

Classism: Attitudes, actions, and institutional practices that subordinate working class and underemployed/poor people due to structural and other conditions.

Capitalism: An economic system characterized by the private ownership of the means of production. These owners are called capitalists and their main aim is to produce goods to sell at a profit. During the early phase of industrialization, the major capitalist is the factory owner. More recently merchant capitalists deal specifically in the buying and selling of wholesale commodities at the international level. Under this system there is never full employment for the population to account for fluctuations in the economic system. To mitigate against these conditions the social welfare system was established. Dominant ideologies generally blame poor people for their underemployment rather that the structure of the economic system.

Censorship: The suppression of information and ideas that are considered unacceptable or dangerous for political, moral, or religious reasons. This is a major problem in the news/entertainment media because of the global concentration of corporate ownership.
Colonialism: The process by which a foreign power dominates and exploits an indigenous group by: appropriating its land and extracting the wealth for it while using the group as cheap labour, exterminates the indigenous population and uses slave labour, invades the land under the guise of security, terrorism, democracy (also referred to as neo-colonialism). The terms also refers to a specific era of European invasion and expansion into Asia, Africa and the Americas during the 16th and 20th centuries to achieve economic, political, cultural, military hegemony.

Commodification: The process of turning a thing into a commodity, that is, into an object or service that can be bought or sold in the marketplace.

Culture: The aspects of individual and group identities that include: language; religion; ethnicity; gender; experience of migration/immigration; social class; political affiliations; family influences; age; sexual orientation; geographic origin; experience or absence of experience with discrimination. Culture is dynamic, complex, relational, contextual and informed by power. It is not just based on race, ethnicity or religion; consequently, many view the notion of cultural competency as a fallacy. While notion of culture is dynamic and ambiguous our ability to know who is in one’s own or another culture can be quite specific.

Cultural Competency: A set of academic, interpersonal, advocacy and organisational skills that enable individuals and institutions to increase their understanding of cultural differences and similarities and their implications in a social, political, economic context. This requires a willingness and ability to reflect on the individual’s or groups cultural context as a precursor to understanding ‘other’ cultures. It also requires the ability to recognize that knowledge is a social construction that exists in a symbiotic relationship with a range of communities all occupying different degrees of power and history within a given society. A culturally competent organization recognizes that a systemic approach is required to achieve organization equity. Many argue that the notion of Cultural competency is problematic because, “culture is dynamic, flexible, fuzzy along the edges, indefinable at its core” and extremely problematic to delimit relative to other cultures.48

Cultural Racism: Racism that is deeply embedded in the value system of a society. It represents the tacit network of beliefs and values that encourages and justifies discriminatory actions, behaviours, and practices.

Cultural Studies: An interdisciplinary approach used to critically examine dominant culture and the role that mainstream cultural institutions and the media play in the legitimization, production, and entrenchment of systems of inequality.

Democratic Racism: An ideology that permits and sustains the ability to justify the maintaining of two apparently conflicting values. One set of values consists of a commitment to a democratic society motivated by egalitarian values of fairness, justice,

48 Rekda, Quoted in Teather, L. Transforming Museum Studies: Education Museologists for Cultural Diversity. 2001
and equality. Conflicting with these liberal values are attitudes and behaviours including negative feelings about minoritized people which have the potential for differential treatment or discrimination. Pervasive because Eurocentric philosophies spoke to the values while at the same time oppressing racialized people and other during the colonization era.

**Designated Groups:** A term used under employment equity legislation to identify groups that historically, have been denied equal access to such areas as employment, accommodation, health care, and education. These groups include women, racialized people, persons with disabilities, Aboriginal people.

**Disability:** Any restriction or lack resulting from an impairment of ability to perform an activity in the manner or within the range considered normal.

**Discrimination:** An act of differential treatment toward a group, or an individual as a member of a group, that usually creates a disadvantage for that individual or group. Consciously dealing with persons on the basis of prejudiced attitudes and beliefs, rather than on the basis of their specific characteristics and individual merits.

**Dominant Culture:** The most powerful cultural grouping. In most parts of Canada, composed of white, English-speaking, middle-to-upper income, heterosexual, Christians. Dominant cultural groups are often a-historical in their understanding of the nation state, particularly where the indigenous populations have been exterminated or suppressed. Consequently their approach to culture is assimilationist.

**Double Standard in Hiring:** Many organizations advertise that they are an ‘equal opportunity employer’ however organizational demographics for most organizations demonstrate otherwise.

**Diversity:** Variety in terms of ethnicity or national origin, sex, abilities, age, physical characteristics, religion, values, culture, sexual orientation and class. This is a hot button term that people relate to the ‘political correctness’ movement of the 1990’s. The development of programs by government and institutions to counter discriminatory attitudes and practices is seen by neo-conservatives and other as an attempt to erode the ‘white stamp’ of North American society. Hence the assimilationist refrain – ‘Why do we have to change? Why can’t they be more like us?’ See organizational diversity.

**Employment Equity:** A policy that seeks to eliminate the discrimination that can take place in employment. It provides opportunity for equally qualified candidates who have been denied opportunities in the past for reasons other than their abilities. Employment equity promotes fair hiring practices that will help ensure that employees are hired for only one reason -- their qualifications to do their job.

**Equality of Opportunity:** This term is based on the false premise that treating all people the same when competing for opportunities or services will ensure fairness.
**Ethnic:** An adjective used to describe groups which share a common language, race, religion, or national group. Everyone belongs to an ethnic group. The term is often associated with racial ‘minority’ because of Eurocentric norms.

**Ethnocentrism:** Belief in the superiority of one’s own race and culture. “Other” cultures are judged by the norms and standards of one’s own culture. Because other cultures are viewed with disfavour as inferior, backward or irrational, the tendency is to assimilate and acculturate “others” to be more like “us”.49

**Ethnocultural:** The combination of the ethnic group and the cultural heritage shared by groups of people of certain national, religious, and/or linguistic background. There are a wide variety of ethnocultural groups amongst people of African, Asian, European and indigenous North, Central and South American backgrounds in Canada.

**Equality:** Treating everyone the same. Based on the notion of universal citizenship. Everyone has the same rights to full and equal participation. In a society that is historically discriminatory systemic barriers are woven into the fabric of institutional life and affect access to the political, social and economic spheres. Consequently, treating everyone the same may in fact perpetuate discrimination.50

**Equity:** A framework that allows us to pursue economic and social justice for minoritized groups in society. It considers current and historical contextual factors in the development of initiatives to eradicate inequities.51 Equity differs from equality in that treating everyone ‘the same’ may in fact impose barriers. Though a policy or practice may be equally applied to all, it may have a discriminatory effect. Equity initiatives and approaches start from an examination of policy, procedures and practices that have the appearance of being fair but unintentionally screen out minoritized and racialized peoples.

**Exclusion:** A process of disempowering, degrading, or disenfranchising a group by discriminatory practices and behaviour.

**Feminism:** A diverse body of theoretical work as well as a social and political movement that examines the subordination of women in society.

**First Nation:** Term reflecting the self-naming process of Aboriginal people in Canada today. The term “first” recognizes the fact that Aboriginal people were the original inhabitants of what is now considered Canada. The term “nation” stresses the idea that they are a political collective with all the attributes of nationhood (e.g. shared language, language, culture, history).

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50 If we erect a building and welcome everyone in, this reflects the spirit of equality. Equity demands that we put in the necessary accommodations so that equality is successful (Avis Glaze, 2004)

51 As Enid Lee (1989) states, “...the education system has acted affirmatively on behalf of white men, and more recently white women. Now, the challenge is to act affirmatively on behalf of men and women of all colours and let our education system benefit from their talents, intelligence, creativity and commitment to excellence.”
geographical territory, common culture, internal political organizations).

**Gatekeepers/Gatekeeping:** The hiring of minoritized individuals into equity positions to stifle the process of organizational change. A number of techniques are used, such as the hiring of individuals who are unqualified for the position, or have no connections to communities; the roles and functions of the office/position are ill defined and/or under resourced.

**Genocide:** Deliberate actions of a nation or group of people to exterminate another nation or group.

**Ghettoization:** The conscious or unconscious act of isolating members of an ethnic or racialized group from the larger community.

**Globalization:** The increasing multi-directional economic, social, cultural and political connections that are forming across the world and our awareness of them. These include expansions of the institutions of modernity as well as cultural developments/exchanges.

**Harassment:** A persistent and continuing communication (in any form) of negative attitudes, beliefs, or actions toward an individual or group, with the intention of disparaging that person of group. Forms of harassment include name-calling, jokes, and slurs, graffiti, insults, treats, discourteous treatment, and written and physical abuse.

**Hegemony:** Social, cultural, religious, or moral traditions, and ideas that reinforce the power of the dominant group at the expense of other groups.

**Horizontal Hostility:** Discrimination and prejudice among and between members of oppressed populations.

**Identity:** This term is used much like culture. Added to these notions (See definition of culture above) are those of hybridization and crossover to detail the mixing of cultures within specific contexts.

**Ideology:** A complex set of beliefs, perceptions, and assumptions that provide members of a group with an understanding and an explanation of their world. Ideology influences how people interpret social, cultural, political, and economic systems. It guides behaviour and provides a basis for making sense of the world. It offers a framework for organizing and maintaining relations of power and dominance in a society.

**Immigrant:** A person who has arrived and settled in Canada within her/his lifetime. The term is synonymous with racialized peoples. If you are ‘non-white’ the assumption is that you are an immigrant. Racist immigration laws prevented (with exceptions noted below) the immigration of racialized peoples until the 1970’s. However, African Canadians have been in Canada since the 1600’s; Chinese and South Asian Canadians since the 1800’s.
Inclusion: Equitable participation in a public or community institution of all members of the community, as clients, stakeholders, employees or volunteers (as appropriate).

Indian: In Canada, this term has a specific legal meaning and applies to a person registered, or entitled to be registered as an Indian according to the Indian Act. Preferred terms include Aboriginal Peoples, First Nations Peoples and Indigenous Peoples.

Integration: The process that allows groups and individuals to become full participants in the social, economic, cultural, and political life of a society while at the same time enabling them to retain their own cultural identity.

Institutional Change: A planned approach to developing and implementing inclusive policies, programs and practices that are adaptive to the needs of a diverse and evolving society. Successful institutional change results in the removal of structural and behavioural barriers that reduce access and inhibit the full participation of everyone in all aspects and at all levels of the institution.

Institutional Racism: The conscious or unconscious exercise of notions of racial superiority by social institutions through their policies and procedures as well as through their organizational culture and values. Institutional racism results in the unequal treatment of, or discrimination against, non-dominant individuals or groups.

Interethnic conflict: Racial, ethnic and cultural conflicts between individuals, groups and minoritized communities.

"Mainstream": A designation for the group (or groups), which comprise the majority of people and/or control the majority of resources and decisions in a given institution, region or society.

 Majority: Any group that controls the largest share of the scarce resources of wealth, status and power.

Minority: A misleading term used to describe non-dominant ethnic identities in Canada. While these people are numerically few in many parts of Canada, they are not numerically a minority in the world.

Modernism: A Eurocentric philosophical tradition that promotes the ideal that Enlightenment reason would lead to certain and universal truths that would lay the foundation for humanity's path of progress. Holds that the social sciences proceeds through established laws of certainty- however this is a very ambiguous notion since it is far from clear that science in fact proceeds through laws of certainty. This tradition excluded and minimized other philosophical tradition outside of Europe. Post modern writers have criticized this tradition for heralding not universal progress but oppression in its search for an impossible set of metaphysical truths.
Modernity: Period marked by industrialism, capitalism, the nation state and increasingly sophisticated form of social surveillance.

Moral Panic: A social process by which the media latch onto a culturally identified group and label their behaviour as troublesome and likely to re-occur.

Multiculturalism: The government of Canada recognizes the diversity of Canadians as regards ethnicity, national or ethnic origin, colour and religion as a fundamental characteristic of Canadian society. It is committed to a policy of multiculturalism designed to preserve and enhance the multicultural heritage of Canadians while working to achieve the equality of all Canadians in the economic, social, cultural and political life of Canada (Canadian Multiculturalism Act, 1988).

Multiple Identities: The assumption of different and potentially contradictory identities at different times and places and which do not form a unified coherent self.

News: The putting together of reality, not a reflection of reality. The news is not an unmediated ‘window on the world’ but a selected and constructed representation constitutive of reality and influenced by dominant ideologies.

Organizational Culture: The values, customs and traditions that members of an organization share as a group.

Organizational Diversity/Equity: Where the organization reflects the contributions and interests of diverse cultural and social groups in its mission, operational practices and services. Such organizations are committed to the eradication of social oppression in all forms within the organization. Within such organizations, members of diverse cultural racial and social groups are represented at all levels, especially in those areas where decisions are made that shape the organization. Another feature of an organization that embraces diversity is the recognition that it has a broader social responsibility to support efforts designed to eliminate all forms of discrimination/social oppression.

Oppression: the systemic exploitation of one social group by another for its own benefit. The phenomenon involves institutional control, ideological domination and the promulgation of the dominant group’s culture on the oppressed.

Patriarchy: A social order in which there is recurrent and systematic domination of men over subordinated women across a wide range of social institutions and practices.

People of Colour: A term of solidarity popular in the 80’s and 90’s referring to African, Asian, South Asian, First Nations Canadians. The term was borne out of an explicitly political statement that signalled a solidarity among progressive minoritized peoples. It challenged the then popular use of the terms such as minority and non-white to refer to minoritized people. In North America minoritized people are the minority but globally they comprise 90% of the world’s population. Consequently, terms such as minority obscure this global reality and reinforce racist assumptions. Non-white uses the White
race as the standard against which all other races are described, or as a referent in relation
to whom all others are positioned. If one juxtaposes the term to Non-Black or Non-
women we could see that Whites and men may not appreciate the use of such
terminology.

Persons with disabilities: The term preferred by persons with physical and mental
disabilities over terms like "handicapped", "disabled" or "crippled".

Postmodernism: A philosophical movement that rejects 'grand narratives' (that is
universal explanations of human history, and activity) in favour of irony and forms of
local knowledge. It rejects the Enlightenment philosophy of universal reason and progress
and understands truth as a social construction. Knowledge is viewed as universal but
specific to particular times, spaces and discourses. It requires the consideration of
multiple viewpoints or truths by which to interpret a complex heterogeneous human
existence. Knowledge is not regarded as a pure or neutral way of understanding but
rather as being implicated in regimes of power.

Power: Cultural power refers to ability to construct representation of ideas or groups
through the organization of meaning (i.e., whether one describes a particular armed
person as a terrorist or freedom fighter). It is also the organization of concepts according
to cultural conventions within specific contexts that regulates meaning that is used to
normalize, conceal and distort oppressive and regulatory practices. Also, organizing and
justifying ideas that groups of people hold about themselves and the world - usually to
maintain the ideologies and worldviews of dominant groups.
Institutional Power: The resources to block access to minoritized groups through
discriminatory attitudes, policies, and procedures sometimes deliberately but also
unintentionally (see systemic discrimination).

Prejudice: Pre-judging a person or group negatively, usually without adequate evidence
or information. It is an attitude in contrast to a behaviour. These negative attitudes are
frequently not recognized as unsoundly based assumptions because of the frequency with
which they are repeated. They become common-sense notions that are widely accepted,
and are used to justify acts of discrimination.

Race: A social (rather than biological or scientific) category used to classify humankind
on the basis of general external physical characteristics such as colour of skin, hair
texture, stature, and facial features.

Racial Discrimination: Any distinction, exclusion, restriction, or preference based on
race that has the purpose of nullifying or impairing the recognition, enjoyment, or
exercise, on an equal footing, of human rights and fundamental freedoms in the political,
economic, social, cultural, or any other field of public life.

Racism: Belief in the inherent superiority of one race over all others and thereby the
right to dominance. Refers not only to social attitudes towards non-dominant ethnic and
racial groups, but also to social structures and actions which oppress, exclude, limit and
discriminate against such individuals and groups.

**Racist**: Characteristics of an individual, institution, or organization whose beliefs, actions, or programs imply or state that certain races have distinctive negative or inferior characteristics.

**Racist (racialized) Discourse**: The way in which society gives voice to racism, including explanations, narratives, codes of meaning, accounts, images and social practices that have the effect of establishing, sustaining, and reinforcing oppressive power relations.

**Racist (racialized) Ideology**: The whole range of concepts, ideas, images, and institutions that provide the framework of interpretation and meaning for racial thought in society. It creates and preserves a system of dominance based on race and is communicated and reproduced through agencies of socialization and cultural transmission such as the mass media, schools and universities, religious doctrines, symbols and images, art, music, and literature.

**Racialization**: The process by which race is attributed to particular social practices and discourses in such a way that they are given special significance and are embedded within a set of additional meanings (e.g., the racialization of crime). Also, a process by which etho-racial groups are categorized, stigmatized, inferiorized, and marginalized as the “others.”

**Reflective (reflexive) Practice**: Critical thinking and rethinking about issues that others often take for granted. Also, involves deconstructing feelings, events, situation, and experiences by peeling away the various levels of meaning attached to them through the passage of time.

**Representation**: The process of giving abstract ideological concepts concrete form (examples: representations of women, persons with disabilities, Blacks, gays/lesbians, transsexuals, and bisexual people. Representations include all kinds of imagery and discourse, and involve constructions of reality taken form specific points of view. Representation is a social process of making sense within all available signifying systems: speech, writing, print, video, film, tape, etc.

**Stereotype**: Beliefs held by individuals about the presumed physical and psychological characteristics of members of a social category. These beliefs can be either positive or negative. When applied so generally that individual differences are not recognized, or even defined, they are considered impediments to quality human relations.

**Systemic Discrimination**: Institutional discrimination resulting from seemingly neutral policies, practices and procedures that have an exclusionary impact on different groups of people with shared identities, such as race, age and/or gender. Also referred to as “institutional” racism or sexism.
**Text:** Any communication product or work of art. Includes not only books, plays and poetry, but also media representations, films and visual art forms. Textual analysis involves studying how particular written, oral or visual cultural artifacts generate meaning, taking into account their social and political contexts.

**White:** Term used to denote people belonging to the dominant group in Canada. White people can also face discrimination because of their ethnicity, religion, language, sexual orientation, geographic origin and economic class.

**Whiteness:** A social construction that has created a racial hierarchy that has shaped all social, cultural, educational, political, and economic institutions of society. Whiteness is linked to domination and is a form of race privilege invisible to white people who are not conscious of its power. Whiteness, as defined within a cultural studies perspective, is description, symbol, experience, and ideology.
8.0: APPENDIX 4 INDICATORS OF TRANSFORMATIVE CHANGE

1. More than one or two champions of equity/diversity in leadership positions.

2. There is a common understanding of diversity/equity that informs various institutional initiatives.

3. All stakeholders are involved in shaping the organization’s change process. Minoritized people are not brought in after the fact. Meaningful relationships are developed with the internal and external communities.

4. Sufficient resources are allocated to ensure success of diversity initiatives.

5. Equity/diversity initiatives are educational and transformative and create a safe place for all individuals to voice opinions in a respectful manner.

6. Bottlenecks to achieving equity/diversity are identified and addressed.

7. There are more than one or two racialized/minoritized people hired in the department. These individuals are not marginalized or set up for failure.

8. Racialized/minoritized people are not primarily located at the margins of power.

9. Employees at all levels of the college reflect the demographic composition of the community.

10. The college deals with issues around discrimination rather than ignores them or sweeps them under the rug.

11. Managers who subvert diversity initiatives are not rewarded.

12. There is a systemic analysis of discrimination complaints/issues— they are not dealt with primarily as individual cases/issues.

13. Diversity/equity outcomes for all sectors in the college are developed and tied to performance appraisals.

14. There is a process in place to monitor and analyze the College’s progress towards achieving equity.

15. The organizational change process mirrors the principles that it espouses.

16. Inclusion of Diverse perspectives in curriculum/service delivery encouraged and supported.

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52 Adapted from C. Singh, The Politics of Organizational Change, 2000

Chet Singh, Centre for Organizational Learning and Teaching
9.0: APPENDIX 5 Curriculum Transformation Pilot Project Teams

Names omitted
draft Strategic Plan and the Dispute Resolution Policy (Academic Application) both provide a framework for the implementation of "education equity" in our academic programs. Centennial has established a seconded position to develop guidelines and competencies, and help departments realize these goals. Here's why.

The issue of education equity became prominent in Toronto during the late 1970s and early 1980s within the public school sector. During this period Canada's exclusive immigration laws were eased to allow non-European immigration since favored European immigrants chose to stay put and enjoy the benefits of an American-assisted post-war economic boom. Canada's low birth rate could not fulfill labour market needs of the still expanding North American industrial economy.

Parents from a range of immigrant communities were concerned about the high failure rates of their children and argued that the schools were not meeting their academic, cultural and social needs. They believed that the curriculum was Euro-centric and multicultural approaches were inadequate, as Canada's preeminent anti-racist educator Enid Lee noted.

"...a lot of multicultural education hasn't looked at discrimination. It has the view, "People are different and isn't that nice," as opposed to looking at how some differences are linked up as deficits and disadvantages. In anti-racist education, we attempt to look at - and change - those things in schools and society that prevent some differences from being valued. Often times, whatever is white is treated as normal. So when teachers choose literature that they say will deal with a universal theme or story, like childhood, all the people in the stories are of European origin; it's basically white culture and civilization. That culture is different from others, but it doesn't get named as different. It gets named as normal. Anti-racist education helps move that European Perspective over to the side to make room for other cultural perspectives that must be included."

These concerns about the educational system also coincided with critiques from other segments of the population. Women's groups, for instance, argued that the curriculum was ando-centric since it excluded and devalued women in the curriculum. They claimed this was in part responsible for the inequity of educational outcomes for males and females. The demands for a more balanced curriculum resulted in programs such as anti-racist/multicultural education, women's studies, Holocaust curriculum, labour education and media studies, to name a few. Governments of the day and most Toronto-area school boards supported these programs. The 1980s and 1990s saw significant inroads in the area of human rights, with programs such as employment equity, harassment and discrimination framework for colleges and universities.

These issues caught up with the post-secondary sector in the 1990s as students, some educators and cultural critics claimed that the image of North Americans projected in textbooks and popular culture was that we're white, middle-class, heterosexual, able-bodied and Christian.

Unlike the 1980s, there was a significant backlash to these criticisms in what have since been referred to as the "culture wars." Many educators in the post-secondary sector saw these developments as the imposition of "political correctness" and as an infringement on their academic freedom. An inexperienced NDF government waded in with programs and legislation such as employment equity, harassment and discrimination framework for colleges and universities. Not surprisingly, they were met with stiff opposition.

Some educators have suggested that the relatively rapid advance of human rights-related programs and legislation during this period, combined with a wavering economy and resilient discriminatory attitudes within some segments of the population, prompted the rise of a new-conservative world view which sought to bring back moral and economic order to North American society. Adherents of this perspective argued that most "moral," societal and economic problems in North America resulted from social democratic "state" interventions in education, welfare and other sectors aimed at increasing opportunities for marginalized groups.

They argued for cutbacks in education, healthcare and other social programs, and tax cuts for corporations to fight the deficit. They suggested that since the public service was wasteful, programs should be privatized. Also, restrictive government legislation in the areas of environmental protection, labour and human rights impacted negatively on the economy and reduced our global competitiveness. These views resonated with many North Americans as they elected governments that enacted social, economic and education policies based on these perspectives.

The dust from the culture wars of the '90s has long settled and, ironically, neoconservatism and diversity have both gone mainstream. The Conference Board of Canada promotes the idea that we need a skilled labour force knowledgeable about diversity in the workplace; chartered banks have become leaders in employment equity programs; and most workplaces have human rights policies in place. So one would think that we've come a long way; in some ways we have and in others we're at a stand still as there remains a deep divide between minoritized groups and dominant groups when it comes to economic, political and social rewards. Overt discrimination has subsided (or gone underground, as we see in the Upperwash case where two officers exchanged blatant racist remarks about Native and Black Canadians).

There are many reasons why Canadian institutions promote diversity. As educators we all want to develop our students academic, social and cultural potential to the fullest. We recognize that they are not a homogeneous group and a range of teaching strategies must be employed in order to reach all students. Businesses recognize that individuals who can enter a diverse workplace can create conflicts that reduce productivity and in some cases discriminatory attitudes and practices by employees may expose them to liability issues. More importantly, some Canadian institutions recognize that they have a social responsibility to create the conditions where equity and diversity can flourish.

The impact of the educational system in achieving these goals cannot be underestimated. It defines what's important and what is not, who and what is normal and natural, versus what is abnormal and deviant. In short, the curriculum has the potential to empower or disempower students.

Many Canadian institutions and organizations now promote diversity. However, diversity means different things to different people. As institutions grapple with implementing fair and equitable practices, a number of different models have emerged. Next time, we will examine these and define the approach to this issue based on college policy and strategic directions.

Making the Mosaic Work

Friday, January 30, noon-5:30 pm
Faculty of Law, University of Toronto
Making the Mosaic Work will critically examine federal and provincial policies and practices on the accreditation of foreign-trained professionals, as well as the difficulties that immigrants face in securing recognition for foreign work experience in the Canadian labour market. Join in this wide-ranging discussion on one of the most pressing issues of public policy and social justice.

Registration (only $20) is limited.
www.law.utoronto.ca/conferences/mosaic.html
Still a long road to travel: Commemorating March 8 and 21

by Chet Singh, Centre for Instructional Development

This month, citizens around the globe commemorate two special days marking the elimination of discrimination against women (Women’s Day, March 8) and racialized minorities (International Day for the Elimination of Racial Discrimination, March 21). However, as we proceed into the 21st century, many are asking, why have we made such little progress? Why have organizational strategies to eliminate discrimination not achieved the desired results?

The Canadian government’s contribution to human rights is rooted in the official multiculturalism of the 1970s and the groundbreaking work on employment equity for women by Judge Rosie Abella. These policy frameworks led to a number of initiatives that established Canada’s reputation as a leader in this field.

However, many observers question whether this reputation is based more on myth than reality. Studies by Statistics Canada, social planning councils and universities indicate that while a few individuals from these groups have advanced economically and politically, equality of opportunity remains an elusive dream for the vast majority. Many women and racialized minorities continue to earn less, occupy primarily middle and lower positions in the job market, and comprise the majority of the poor and working poor. Experiences of discrimination are compounded when you add the nuances of sexual orientation, disability, religion, etc., to this social matrix.

Recent revelations in the media of discrimination have implicated both levels of government and public organizations such as police forces. These systemic issues, along with the rise in anti-Semitic hate crimes, raise troubling questions about our strategies thus far. Canada’s reputation has been tarnished after several international human rights bodies including the United Nations singled out our government for discriminatory treatment towards the First Nations. Successive Canadian governments have been cited for using the courts to stall land claims settlements and violate treaty rights. The Native Women’s Association of Canada reported that over the last 20 years 500 Aboriginal women have gone missing. According to the United Nations’ Human Development Index, while the majority of society in Canada enjoys one of the highest qualities of life in the world, the social conditions facing Aboriginal people would place this population in 83rd place among the nations of the world.

Freedom of information requests have uncovered videotapes of OPP officers making racist comments about ‘baiting’ Aboriginal peoples with beer and African Americans with watermelon during the Upperwash standoff, where unarmed protesters Dudley George was shot and killed by police. Within weeks of this revelation an elite squad of OPP officers are suspended for defacing a native flag and poster in a home. Recently, the deputy chief of police in Edmonton was suspended as an inquiry looked into allegations that Edmonton police routinely left Aboriginal men on the edge of town where some have died of exposure. Not surprisingly, a recent Ontario Human Rights Commission report confirmed racial profiling does occur in policing.

Unfortunately, many people continue to view discrimination as individual acts, not as attitudes and practices embedded in systems that have the appearance of neutrality. They believe that as long as you treat everyone the same everything is okay. If everyone were the same and we were all equal this premise may work, but this is not the case in our society.

Consider the case of one university’s admission policy to its Faculty of Education. There was a widespread perception that the admissions policy was discriminatory since very few racialized minorities were being admitted. For many years the dean insisted that the admissions process was objective and fair. A committee established to examine the process by a subsequent dean found that the standards and criteria, while having the appearance of objectivity, were in fact very subjective. To gain admission, students had to overcome three hurdles: marks, an interview, and an established record of voluntary experience. Marks one can understand. The interviews, however, were highly problematic. Principals recruited from the dominant groups in society conducted the interviews. Criteria for assessing the suitability of candidates were based on insurmountable characteristics that relied on highly subjective analysis. For instance, how does one measure "...level of energy, sense of humour, dress, contact, etc.?"

It is well established in human resources research that interviews are the most unreliable measure of a candidate’s ability to do a job because evaluators rate higher individuals they identify with. With regards to voluntary experience, what if you came from a single parent family where you had to work to help support the family? Or you had to take care of siblings while your mother worked two jobs? When it comes to economic inequity, which groups are at the bottom? What if you were obligated to serve at the mosque or temple and didn’t count this as voluntarism? Voluntarism can be a culture-bound concept. Treating everyone the same can reproduce inequity.

Some organizations are genuinely committed to the promotion of human rights, some think they are and others give lip service to this objective. Examining the assumptions that drive ‘diversity management’ approaches is the best way to assess their effectiveness. The three models reviewed below are not rigid categories and one may find any of these models operating within an institution, with one being dominant.

**Status quo organizations**

This approach is informed by neo-conservative philosophical/political assumptions that promote fiscal and social conservatism. Within such organizations human rights programs exist because they are required by legislation and managers spend more time getting around human rights policies than implementing them. A few token individuals from under-represented groups are hired and they tend to mirror the values of the status quo. Any individual who challenges organizational values is marginalized. In this model, discrimination is considered an individual act; the fact that it can be embedded in systems is unpalatable.

(cont’d page 7)
Discrimination (cont’d)

Valuing diversity organizations
These organizations embrace the tenets of neo-liberalism, which subscribes to the economic policies of neo-conservatism but rejects its social conservatism in favour of universalism. Differences are acknowledged but the emphasis is placed on our common experiences. Discrimination is usually seen as coming from a few prejudiced individuals in isolated incidents. Because there is not systemic analysis of social issues, the approach to diversity tends to be superficial. The institution’s primary motivation to promote diversity is to capitalize on society’s changing demographics. Because diversity is a business necessity rather than as a social responsibility, human rights issues are forced underground while there is a veneer of human rights promotion. An examination of the attitudes and practices of dominant groups who have the power to maintain and perpetuate discrimination in organizations is avoided because it creates bad feelings.

Transformative organizations
These organizations recognize that all political/philosophical approaches must be considered in the context of a human rights framework. The analysis of feminist, anti-racist and other critical discourses informs the organization’s diversity programs. Specific human rights objectives and implementation plans have been developed with all stakeholders, including unions and local communities. Committed senior management ensures that managers are accountable for implementing human rights objectives through performance appraisals. Training emphasizes self-knowledge (discovering one’s own prejudices and strengths) in addition to exploring the experiences of other groups.

Clearly, all three approaches aim to create a high-performance, smoothly running organization where members are neither penalized nor advantaged for the ‘type’ of person they are perceived to be. However, since organizations are made up of individuals and groups that subscribe to all three approaches, the absence of clear leadership can create paradigm clashes which negatively impact on the effectiveness of diversity programs.

Educational institutions are a microcosm of the larger society and consequently not immune to discriminatory ideas and practices. Since colleges produce knowledge and legitimating ideas, we have a social responsibility to ensure we prepare students to work and live with difference and diversity. To effectively address inequities, we must first acknowledge that it exists, understand its manifestations in our organizational practices and in our own attitudes and practices. Only then can we develop effective strategies to eliminate discrimination.