

SEMINAR DISCUSSION: McINTYRE

Chair: Myron Gochnauer*

Neil McGill: (Philosophy, UNB) That is a very pessimistic view you put forward and I am not sure how one should react to it because you seem to have covered almost every possible loophole, and it really seems that there is no possible way that the situation could change. You did mention, however, the CAUT as having put forward positive proposals and I wonder, if that is so, why do you think the CAUT can be traitors to their sex?

Sheila McIntyre: I don't think they are. Richard said earlier that liberalism has brought us some distance, especially in the direction of individual freedom. The problem is that it has been on the backs of excluded groups. But it has brought us some distance and I think that there may be some value in more legalization of processes and less informality until there are more women and visible minorities on the major decision-making bodies. At the moment anything can be said and often is without any opportunity of the candidates knowing what it was or having the chance to rebut it. It's often hearsay, it's often rumor and it's often simply I-don't-like-her-face. And as long as those kinds of discretionary standards apply, then abuse on a fairly major scale is possible. But I don't think that rules drafted by the existing powers are going to be pure either. Some better due process would help. Where hiring, as in one of the faculties at Queen's, literally is done without posting by somebody in the position to strike a consultative group, going around and asking if anybody knows of any good person in this field but not asking everybody and not stating they are looking, I think that we'll never see an improvement in these numbers, ever. So I'm for more formality of that sort and that is what CAUT and COU have to offer. Much more specific definitions of what do we mean by academic excellence, how do we weight it, what counts--rather than the generic term which anybody can interpret as he or she wishes. So that is what they have to offer. The rule of law hasn't exactly helped women a lot either when the rich are entitled to be treated like the poor. . . .

I'm with Richard, it may seem to be a mechanical approach, but further study and cosmeticizing of the criteria used won't get us any further than it has for the last fifteen years. I think we should have positive goals and timetables, deadlines, I don't think we should wait around until we have confidence that it will result in what we think it will. I think we should just do it and I think university should be held to minimum hiring goals within five years equal to the number of doctoral candidates in that field. Then, we'll worry about the numbers like engineering where there are only eight percent women with doctorates but there are only two percent women teaching. And there is at least a six percent gap to fill and then we will worry about increasing the numbers of women who proceed to graduate work. So rules changing is not enough and I think it is time for goals and timetables and universities will have to change their structures to meet them.

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Mary Eberts: I was interested in the comments that you had about the denigration of women's scholarships in the universities, but I would also like to get your comment on something else that I think is happening that seems to be another variant of the denigration or it's a counter trend that is equally serious. On the one hand male scholars deny that women's studies is a legitimate field of inquiry, but they have a fall back position that says that in case it is a legitimate field of inquiry, then we want to run it and it manifests itself in two ways. In the very small individual it goes like this: on any subject relating to the equality of women or women's situation in the world, women are, by reason of being women, biased observers, they could not possibly offer a dispassionate view. Therefore, in order to get the true dispassionate scholarly point of view we must ask a man, because he is the only one who is not vested. But on the larger scale you get situations where enlightened males see that there is something to be gained by taking over women's study courses. I was interested last year at the University of Toronto, after labouring in the vineyards of women's studies there, to find that women's studies in the law school had become very popular when Owen Fisks from Yale was the speaker. Male colleagues of mine who were regularly practicing the shunning routine when women's studies was practiced by women, found that it was suddenly very respectable to talk about these issues because Owen Fisk had given them the proper vocabulary and had hung the proper sort of face out in front of the topic. I wonder if you have any comments to offer on whether you have seen that and also how it relates to that other tendency that you have identified.

McIntyre: I have a couple of responses. One of them is that it strikes me that one could make the case that any man who states that position, that is that men don't have a vested interest in the topic like women do, is thereby disqualified and you just take that position quite firmly. And then you know, argue it out if necessary but it seems to me a pretty easy undercutting, that is a version of the idea that a statement won't be credited until a man rephrases what a woman said and then everybody listens. I don't know how I feel about men teaching in the subject area at all, but I think that the view that you can pick up the subject--like me saying I'm now going to be a corporate lawyer with no background--is insulting and wouldn't be tolerated in any other discipline, and people who are not literate in feminist scholarship have no business mounting courses in an area, or evaluating feminist scholarship.

I think it is the I-can-do-anything-you-can-do-better, instant fatherhood, the new father who is a media image right now--I can cook, I can barbecue, I can do the sophisticated barbecue skills which is difficult cooking but not the in house cooking. I think it is the same phenomenon and I think it is equally suspect and it is an illustration of what women's studies is challenging.

Devlin: I'd like to comment on that. I spoke this morning about native people and I felt very cautious about doing that and I'd like to bring your attention to an article by Richard Delgado, a Chicano who has written about white people writing about minority rights issues. He says that although these people may be well intentioned, they just don't have enough empathy, knowledge, experi-

ence, awareness to do it right. Whether it is man talking about feminism or white people talking about native people, you have to be very careful because there is a real danger of imperial scholarship, a new form of imperialism. Sometimes you think you are doing the right thing, but it ends up that it is just reproducing that which you were trying to get away from.

McIntyre: Yes, I was thinking about the obvious global flaw with the position I am taking and it is that white middle class women like me have nothing like the built-in oppression of native peoples, for example. But one of the objections to some of the proposals you were making is that there are so few native students in any given campus that even if we were to fund remedial programs and so on, there is just not a critical mass to support and have any reciprocity in influencing the different cultures. The interesting thing about women, however privileged we are, is that we have the numbers in law schools, we are 43% and at the same time one of the most common responses I have had from across the country from women who have read the memo, for example, is how brave that was. Now if you understand that to take bravery, then you do understand the degree of fear there is of male power holders and of reprisal so that even with 43% and even with white skin privilege and even with middle class education behind us women like me are in fact frightened and have to say this stuff over and over and not much happens. So that the how do you get there from here problem for women is bad enough. For people who are 1% of the law school population at best, maybe we could pilot out what may or may not work with those kinds of redistributive schemes by finally attending to people who are in fact with us and whom we talk to and who have somewhat more creditability because they are white and even so, we've done badly.

Marilee Reimer (Sociology, St. Thomas University): I guess what I am curious about is why these changes happened in the law school at Queen's. Having worked in Ontario, I was certainly aware of the reputation of Queen's in a number of departments in regards to women and basically it was very similar to your description of the law faculty. And I am just wondering, do you think that the changes that occurred in your faculty were mostly because you got the publicity at the time you got it, and you got the support you got or do you think that perhaps people in a law school might to some extent be more sensitized to due process than in other university faculties and the issues that your memo brought out were issues that perhaps you would take up in a legal context and there would be some kind of legal precedent. I think other sections of the university tend to be quite ignorant of any of these.

McIntyre: I think the form of publicity mattered absolutely and we were lucky in the journalist who covered the story. My faculty had the memo in its hands for two and one half months before anybody spoke other than in private office encounters. I circulated it July 28. When classes reconvened one faculty member asked at the first faculty board meeting what the Dean intended to do about it, not about me and not about my allegations but about the institutional implications of the memo, and the Dean said I am in your hands to the faculty board and there was dead silence. And at the next meeting nothing

happened and then the press caused the Principal to force the Dean to produce a report and after that the faculty met for the first time, so it was three months. I don't think anything would have happened but for the press. I don't think law schools are especially sensitized and I think due process would have killed it. I think there was pressure from a minority of men in the law school to call an investigation of me and there was pressure from outside the faculty to call a broader investigation of the law school, and I think if that had happened it would have totally contained discussion. It would have snicked off what became a very broadly based cross disciplinary, cross hierarchy grass roots movement. Women, I think, stopped the investigation train and we did it by drafting letters to the Principal saying don't do it or if you do, investigate my department too. So, the other half of your question is the women's community was already mobilized before the press and they were incredible in terms of keeping the issue broad, getting the focus off the law school and onto campus politics and taking risks all over the place. So it was both the broad base and the press. It was not anything inherent in law.

Wendy Robbins, (English, UNB): An issue on our campus recently has been the selection and the appointment just this month of our first employment equity officer. I am just wondering if you put any faith in that kind of position for solving some of the problems that you have been articulating.

McIntyre: Well, ours quit. The Principal would not give her an office with a waiting room where people could come and have any privacy. He would not ensure that she was on all committees dealing with employment equity and there was a third condition which was denied, so we don't have one. Even though the Government was paying. An advisory function is a weak function if there is no explicit mandate. Advisory function with goals and timetables would be good. And it depends on whom you are advising.

Kuttner: Sheila, I have a lot of trouble with what you had to say. I'm sensitive to it I think, I can understand it but coming back to what Neil MacGill said, it's the bleak picture that I find so difficult. I was at Queen's the same year that you were for your first year. I wrote a letter in response to your memo when it was published in the CAUT Bulletin because I had had a very different experience but then of course I'm a man and you are a woman--but you are at Queen's still and we all know that you decided to become part of the Queen's community and you are here and part of the University community. In fact you started your remarks by talking about the University as a seat from which feminist theory and the feminist voice can be heard in the community. I don't understand why there isn't a ray of hope, I suppose, because of the reality that you are within the university, that your voice is actually heard. It is no longer totally in the wilderness. Sometimes I get the feeling that it is actually in a way better to be in the wilderness because of the Christian idea of suffering so that other people know how much you are suffering. I guess it comes back to why is there no hope? Why is it always negative? Why in fact do you feel that, as you said, it was pure publicity, why can there not be a receptiveness? I think there is a receptiveness, or is it just that you don't want to talk about it at this particular moment.

McIntyre: Well, that is part of it. My topic was looking at what law in the universities are doing from a feminist perspective. If I had talked about what feminists are doing from a feminist perspective, it would have been a more hopeful picture. A couple of things--I chose to stay in teaching and I like teaching and they hired me. It has also been said to my face, behind my back, in letters, across the country, she couldn't have been as dumb as they said--she got herself hired. It has also been said that they did it for public relations, that in fact is the current version on the law school washroom walls. Now that she has got tenure, which I don't, now she can do anything she wants, because they are scared of her. All that stuff, so that, maybe they did hire me and women can take it how they take it. You know, we'll take five more of those jobs if you want to give us to buy us off. Feminism hasn't stopped at Queen's, and it is a negative picture in terms of my sense of what the institutions are prepared to do, either in Richard's terms or in positive substantive change terms. I think, at Queen's, we have done amazing things in the last three years and the institution has ratified it. We carried the votes, we've got a new language policy, we've got a course content policy, we hired three feminists, we short-listed a woman Dean, we got a new course in feminist studies so we have two more courses which have in some views been colonized feminist. We have talk on the topic of gender bias in every single corridor, classroom and course. So we have changed an enormous amount in three years and it wasn't just five people who did it. But it is also true that the burden of it was on those five people and the cost they paid is nothing comparable to the little cost to the institution. And so we got three, they have 33. I don't think that we got so much but we got a lot more than we had. So I don't know, I am pessimistic about universities actually doing anything rather than sending supportive statements out and circulars around and getting provincial money for free to hire an employment equity officer and then doing nothing. Or in fact making conditions so awful she quits. I don't see a lot of white skin people giving up anything for racism and I don't see a lot of men giving up anything concrete they enjoy for women.

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The women's studies movement is the biggest change and I am very excited by it, it is one of the most rich parts of my involvement in university. A lot of the women in the women's studies program at Queen's are on non-continuing appointments so the personnel in the program turns over every two or three years. In other words, the universities are willing to hire feminists, but two years at a time. We have a woman vice-president now, you know there is a trickle up effect, but the merit system has not ever been reviewed, the university refuses to endorse affirmative action because it looks like reverse discrimination . . . I think every time a woman gets hired permanently there is a permanent institutional change. And when you double the number of women from one to two it absolutely transforms both women's lives and a lot of women students' lives. So each one continuing I think is real progress. But also, not much has been given up.

David Bell: It is still not quite clear to me even after I heard your talk yesterday how you characterize the attitudes of the males on the Queen's faculty. All the progress of which you speak, which is considerable, does it simply come because the men have fallen silent or are some men on side, have there been any genuine conversions? Or are they just bludgeoned, is it truly all just publicity?

McIntyre: No women have bludgeoned any men, let it go on the record. All the men in our Faculty are different, just like all the women are and some of the men are intractably opposed to what has happened and a few of them are willing to say so publicly, not many but some. Some of the men are planning in the long run towards, for example, the next deanship and future hiring policies and they are hoping to make sure that the decision about how many feminists is enough feminists stops here. There are some men who have learned a lot, I'd say at least five men who have read, who have asked and listened, who invite women in because they know they can't do the job themselves, to give a lecture on a particular topic. There are a lot of people who are just plain troubled and shaken, things that they counted on can't be counted on any more, things they thought were obvious and true have been shaken, and so most people are in a state of unease, including me, as the ground keeps shifting as, for example, the women faculty and the handful of women students always collaborated in my first year. We never did anything without consulting each other, we always had a script and we were organized and now all kinds of stuff happens spontaneously. Nobody controls it so that I'm often the last to know when a big major feminist action has happened. And I find it disturbing, not to know what happens, not least because I then get asked to interpret it and I didn't know what happened. I think, though, and it is a harsh judgment, that not very many people are candid about what they really think. . . . Well, that wasn't my plot but I think five or so men have been genuinely educated in the last five years into something they never thought about before and are seriously thinking about now and I think that that is a good thing. I don't know that I or feminists converted them, I think they interested themselves in something they hadn't chosen to interest themselves in before. And it is true, it wouldn't have happened but for our presence, but I don't think we did it, they chose it.

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I have the feeling that my faculty board independent of the Senate or the Principal of the University or the Board of Trustees could decide that its hiring policies in its collegial wisdom are 50-50. In fact I think it could decide to hire no more men until women are 50%. It could do that tomorrow. Not something that we aim for in 2005. It could do it. There is a choice involved and it is at the choice moment that the change takes time, but I think we could do it tomorrow. We could agree that that is what has to be done and then do it and nobody would stop us because they don't influence what we do now. There is departmental autonomy in that respect. And if the University defines merit and qualification to include the need for women, then I actually am not so clear that would be rejected without major civil war within the University. It could be done tomorrow.

Joan Dawson, (Law student, UNB): I would like to give my position as a student and I think that it is a shame that this type of dialogue is not actually open to students, or maybe it is but the students are just not interested. There are two students here from this law school and there are four from Moncton which says more for Moncton than this University. And what you are saying is that yes, Prof. McIntyre's voice is being heard--it is not being heard, it is being heard by these people here, not where it should be heard, with the students. Granted, that says something about the students. Law school is a hotbed of social rest, that is for sure. I also feel that reflects on faculty in that you are not doing anything. Yes, we are hearing this point of view, that is the only time in three years that it will be heard. I am half way through, and I was absolutely astounded by what I am hearing and what Prof. Arthurs said last night. And that is great, but shouldn't we have a little bit more than just this and shouldn't it be open to more than just faculty and administrative, in positions where you have more access. And, I would also like to respond to [unidentified speaker] in that there are men's courses, called law, science, history, all these sort of things, we don't have women's courses. In law school there is absolutely nothing, no exposure whatsoever and I would invite you and anybody else to sit in on some of my courses and you will see what I understand and I think it is totally unsatisfactory.