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An Historical Perspective: Reflections on the Western Employment Equity Award¹

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On November 12, 1986, the University of Western Ontario was awarded the Employment Equity Award by the Ontario Women's Directorate. It was the ensuing public celebration of Western's achievements that inspired the following essay, which came to be known as the Backhouse Report. Constance Backhouse was one of many women on campus who believed that the award was somewhat "premature." She undertook to examine the University's record in more detail, to compile a more thorough and accurate report on the employment status of faculty women at Western.

This essay, researched and drafted over many months during 1987 and 1988, considers Western's statistics within a national and historical context, filling out this profile with data from historical records and interviews that bring to life the experiences of women who taught at the University from as early as 1915. In the Report that follows, Backhouse documents a wide range of employment practices bearing on the appointment of faculty women, their compensation, tenure, promotion, and retirement. It seems clear that persistently low levels of representation of women reflect a long history of overt discrimination and of more covert patterns of exclusion and devaluation. Backhouse argues, on this basis, that any effective response to gender inequity on campus must address these root problems, and must, moreover, give up the pious hope that change will come "naturally." Institutional structures and policies require rigorous review; women's concerns must receive strong representation at the highest levels of the University administration; and above all, the University needs to set explicit goals for improving the representation of women, coupled with clearly defined sanctions for those who fail to meet these goals. Given the limited success of previous attempts to improve Western's record

on equity, the lesson Backhouse drew in the late 1980s was that more wide-ranging and aggressive strategies would be necessary if progress were to be realized.

When the Report was complete, but before it was made public, Backhouse made a point of meeting with many senior administrators within the University, presenting each of them, individually, with a summary of her findings. When the Report was released, in April 1988, it received wide circulation on campus and intense discussion both at presentations Backhouse had organized and at several large meetings convened by Western's Caucus on Women's Issues. It also received extensive and largely positive media attention.² Through all of this, Backhouse's hope was that, by critically assessing the relatively rosy picture painted by the Employment Equity Award, her report might prove to be a catalyst for a clearly focused discussion about strategies for making change.

— Eds.

The Backhouse Report

Faculty Women at Western. Yes, this will constitute yet another report on the abysmally low number of women teaching in full-time¹ faculty positions. One becomes weary of documenting the problem again and again, every time predictably raising the hackles of those who feel uneasy over the presence of *any* women in academia. The reports multiply, the backlash swells, and still there is no dent.

So why another report? Let me try to do something a bit different here. First, I do not want to outline the arguments as to *why* more women should be hired. I take the case as self-evident, and, in any event, more than amply discussed in the voluminous scholarly literature on affirmative action.² Instead, I want to document the University of Western Ontario's particular history in this field, and then focus on where we might go from here.³ I am also weary of the stylistically "correct," third-person "neutral" tone of many of these reports, and will thus try to tell this from a more personalized viewpoint.

I should also mention one major *caveat* at the outset. This inquiry does not examine discrimination on the basis of race, disability, or class. It is quite clear that Western is an overwhelmingly White institution as well as a male one. If anything, women and men of colour are less well-represented on campus than White women. Individuals with disabilities and individuals from working-class backgrounds also lack representation. These problems are every bit as serious as sex discrimination, and require immediate investigation and analysis. Not until 1988 did various federal programs begin to require the collection and reporting of data on race and disability. As of the time of writing, no such statistical profile has yet been compiled at Western.⁴

The gathering of statistical information is clearly the first priority. I urge universities to get on with the production of data so that individuals and organizations sensitive to these forms of discrimination can begin to address these critical matters. I would like to stress however, the incompleteness of my report.

I should begin by outlining some of my own experience. I was appointed as an Assistant Professor of Law at the University of Western Ontario in 1979. At that time, there was only one other full-time female faculty member teaching in the law school. In one of my first years there I was asked by a group of women law students to speak as part of a panel on careers for women in law. Naturally, I spoke on the prospect of employment in the academic setting. To prepare for this presentation, I collected statistics on the numbers of women in the faculties of law across the province. The picture, as you can imagine, was not a rosy one. Most universities had at best one or two women law professors each. I told the audience that evening that I felt the statistics were "atrocious," an adjective that I believed aptly characterized the situation. I recommended a strong affirmative action program to remedy the situation. The next day the student newspaper, the *Gazette*, reported my remarks in detail.⁵

The response I received from the University community was truly remarkable. Although the University reveres itself as an institution that prizes academic freedom of thought and expression, such sentiments were far from evident in this case. Some of my colleagues confronted me in my office, loudly demanding that I retract my statements. One male law student wrote to the *Gazette* disputing my comments, and alleging that I was guilty of reverse sex discrimination in connection with my actions inside the law school. One of the senior administrators at the law school took me aside to let me know that he had clipped the article and "placed it on my file." One of the senior administrators at the University personally spoke to me, and I was left with the impression that I should scale down my public activities and spend more of my time publishing scholarly articles. The furore I created with a few short remarks was a clear lesson in the danger of fighting for affirmative action inside the University. It caught me a bit off guard, and I spent the next several years watching with horrified fascination as similar reactions lambasted the other women who spoke out publicly about the need for more women faculty. It is with some trepidation, therefore, that I return to the subject at this time.⁶ The incident that forced me to take up the matter once more was the Ontario Government's Employment Equity Award which Western received in 1986.⁷

But let's not get ahead of ourselves. We need to have some contextual information from which to evaluate Western's record. First there is the national picture. Statistics Canada and its predecessor agencies have been keeping

records since 1921, although the reliability of the data has been questioned on occasion.⁸ In 1921 women could apparently be tallied at 15 per cent of all university faculty in Canada.⁹ The numbers peaked in 1944 at 19.9 per cent. (See Appendix A.)

By 1958, hiring committees had pushed the percentage of women faculty back to 11 per cent, revealing the ultimate truism in women's history that progress is not inevitable.¹⁰ With the public reemergence of organized feminism in the mid-1970s, the numbers became something of an embarrassment. Between 1974 and 1982 many universities created committees to inquire into "the problem," and some went so far as to appoint special "Women's Affairs" Officers. A 1984 report commissioned by the Association of Universities and Colleges of Canada concluded "with regret" that these appointments offered no more than "tokenism or window-dressing."¹¹ The bottom line changed little. By 1985 women represented only 17.0 per cent of the full-time teaching staff. Even Statistics Canada was moved to comment dryly about the university professoriate: "In a profession that has a history of a high proportion of males, this represents little gain over the ratio of 11 per cent that was recorded 26 years earlier..."¹²

The bottom line numbers on women professors at Canadian universities are bad enough, but when one looks beneath them, the picture worsens. Men hold most of the permanent senior positions, while women are confined to the temporary, low-status positions. In 1985, for example, only 6.1 per cent of the Full Professors in Canada were female, whereas 44.5 per cent of those ranked below Assistant Professor were female.¹³ Women are conspicuously absent from the Faculties of Engineering, Mathematics, and Physical Sciences. What few women there are remain clustered in the traditionally female teaching areas of Education, Nursing, and some fields in the humanities.¹⁴ This translates into dollars and, in 1985-86, the median salary for women in every academic rank was lower than that for men.¹⁵

But perhaps things look more promising at Western, you say. Certainly one might be tempted to think so, especially after our receipt of the Ontario government's Employment Equity Award in 1986. Western stepped into the limelight along with Consumers' Gas, London Life, and Ontario Hydro. These four organizations were singled out for their "commitment to equal opportunity in the workplace." The UWO President personally travelled to Toronto to accept the award from the Minister responsible for women's issues. Labelling Western a "shrewd employer," the Minister had this to say: "[Western is] aggressive in promoting and communicating their equal opportunity programs to their employees; they have taken a hard look at their organization; and they are committed to a long-term strategy of employment equity."¹⁶ The glossy program that the Ontario Women's Directorate distributed on the occasion singled out women faculty as one of Western's

strong points. "One of the university's most aggressive strategies has been to hasten the representation of women on the faculty," it noted enthusiastically.¹⁷

Underneath the public relations hype, the reality at Western is rather bleak. The latest data (1987-88) show that 14.78 per cent of the full-time faculty at Western are women,¹⁸ lower than earlier levels in the 1930s.¹⁹ Not since 1973 has Western bettered the provincial or national average for percentage of women on faculty.²⁰ If you concentrate just on tenure-stream positions (the ones that mark out a permanent academic career)²¹ the numbers drop. Women represent a mere 9 per cent here.²² Men make up 95.3 per cent of the Full Professors; women make up 50.7 per cent of the Lecturers.²³ The distribution of women amongst faculties is marked. In 1984 Western released data showing the departments and faculties without any women faculty members: Dentistry, Engineering, Graduate Studies, Journalism, Language Laboratories, Classical Studies, Russian Studies, Cancer Research, Clinical Biochemistry, History of Medicine and Science, Nuclear Medicine, Obstetrics/Gynaecology, Ophthalmology, Otolaryngology, Surgery, Radiation Oncology, Applied Mathematics, Astronomy, Geophysics, Mathematics, Statistical and Actuarial Science, Physics, and Zoology.²⁴ The overall outlines remained largely unchanged by 1987-88.²⁵ On top of this, women faculty earned 10 to 20 per cent less than their male counterparts of the same age based on 1987-88 data.²⁶

What is there in this record to warrant an award? Well might you ask. Since the Ontario Women's Directorate could not possibly have presented us with the award on the basis of our current statistics, I decided to search for evidence of excellence elsewhere. To make absolutely certain that I was not missing anything, I chose to begin with some historical research about women faculty at Western.

Although books have recently been published detailing the history of women at McGill and at the University of Toronto,²⁷ none has yet emerged on Western women. There are several published histories of the University, which was first incorporated in 1878,²⁸ but only one accurately notes the first admission of female students to the campus in 1895.²⁹ None sees fit to give formal notice to the date of appointment of the first female faculty members.³⁰

I have not been able to locate any public records which document the appointment of the first racial minority, Aboriginal, or disabled faculty members at UWO. But I was able to turn to the academic calendar for the year 1915-16 and look for female names as evidence of the appointment of the first female academics at Western: Hilda Baynes was appointed as a Lecturer in French, and Georgia Maud Newbury as Instructor in Elocution and Public Speaking.³¹ An increase in funding to the universities during war-

time and the prospect of losing male faculty to active service seems to have been the cause of this initiative. The numbers of women slowly increased during the 1920s and 1930s, although as yet no one has undertaken a full statistical analysis of the numbers of women faculty at Western over time, and their ratio to male faculty.³²

Life as one of the early female academics was not easy, since gender was often the focus for student harassment. Jean Isabel Walker, appointed as Instructor in Public Speaking in 1920,³³ was singled out for special abuse. Ross Baxter-Willis provides details in his historical description of those years. Interestingly, although he wrote this account in 1980, he seems remarkably unaware of the implications of his story:

During the early period . . . all freshmen were required to take a course in public speaking. By far the greatest number of those caught by this dictum were exposed to a female who prided herself on being a first-rate elocutionist. Each member of the class had to give a speech or two during the year as well as a demonstration. The member of faculty concerned would sit in the front row facing the student who was on the hot seat and men in the class would make faces at the poor unfortunate, hold up signs with such innocent phrases as "your fly is undone. . . ." [. . .] The poor member of faculty who had to cope with these high jinks used to be at her wit's end at times, but she was always ready for further punishment.³⁴

There is evidence of institutional discrimination almost from the outset. Dr. Madge Thurlow Macklin, appointed as the first woman on the Faculty of Medicine in 1921, provides a good illustration.³⁵ She and her husband both came from Johns Hopkins University to take positions at Western. Charles Clifford Macklin, MD was named a Professor of Histology and Embryology, while Madge Thurlow Macklin, MD was appointed at the lower rank of Instructor in Histology and Embryology.³⁶ Madge Macklin apparently was the victim of a remarkable case of salary discrimination. Dr. Murray Barr, presently of the medical faculty, recalls:

In those days it was unthinkable for a husband and wife — well they didn't even like them both to be in the university employ let alone in the same faculty. And it was almost unheard of to be in the same department. So she was never on full salary. She was always paid a kind of honorarium every year, on an annual basis. And yet she worked full time and did a lot of teaching and a lot of research work and became pretty well known throughout North America for her research work.³⁷

Apparently, during the depression she was not paid at all.³⁸

Although Madge Macklin taught from 1921 until 1946, the highest rank she ever obtained was Assistant Professor. Her failure to advance apparently was not due to any shortage of talent or hard work. Barr recalls Madge Macklin as a "superb teacher," and "a brilliant woman" who was "never

fully appreciated": her research was widely recognized by the scientific and medical community in North America and abroad. While her passionate commitment to the eugenics movement in the 1930s led her to advance some dangerous social programs, her campaign to establish departments of medical genetics in medical schools was less controversial. In 1938 only one medical school in North America had a compulsory course in the subject, but by 1953, more than half had followed suit. As one historian has noted, the irony was that Madge Macklin, "the country's pre-eminent human geneticist," was never "allowed to offer a course in genetics during the twenty-four years she was at the University of Western Ontario."³⁹ Barr has charged that "in spite of Dr. Macklin's exemplary teaching and stature as a scientist her years at Western were plagued with difficulties. [...] It must be said that Dr. Madge Macklin did not receive from Western the recognition that her contributions deserved."⁴⁰

There is also irrefutable evidence that, for some years at least, members of the administration at Western applied an overt quota system for the hiring of women. Dr. Frances K. Montgomery, who was appointed to the Department of Romance Languages in 1930, received a remarkable admission about the policy. Dr. K.P.R. Neville, Dean of Arts, wrote to offer her a position on the Faculty in July 1930. In his letter, he rather shamelessly exposed the discrimination:

There is one question in connection with the whole situation that is perhaps disconcerting from your point of view, though my recommendation would be that you borrow no trouble about it. There is already one woman in the Department of Romance Languages and certain members of the administration do not think that it is advisable for us to have the proportion of women greater than one in five in any Department. It may be that idea will work to make your appointment a temporary one. Of course, "temporary" doesn't mean anything less than a year and probably will mean two at the least. If in that time you make yourself so solid in the Department that it will be plainly a distinct loss to attempt to reduce the forty percent feminine to twenty, I can see very plainly that the appointment will not continue to be temporary.⁴¹

As yet, I have not been able to confirm how long this quota system was in operation, or how many women were excluded from appointments. In Dr. Montgomery's case, despite the cloud hanging over her initial entry, her remarkable talents and energy combined to make her "solid" enough to permit an exception to the "twenty per cent rule." She stayed on at Western, and carved out a highly distinguished academic career until she was forcibly retired at the age of 60, against her wishes.⁴² But more about this later.

In the 1940s, female professors were often asked to begin their academic careers as of 1 September.⁴³ Men were frequently hired two months earlier,

as of 1 July, which gave them the advantage of the summer, at full pay, to prepare themselves for fall classes in their first year. The differential starting dates had significant detrimental implications for pension benefits in later years.⁴⁴

Life insurance benefits paid out lower amounts for women faculty than for men in the event of death. A former Professor of Psychology and Dean of Women recalls, "I think women were worth about \$3000 dead in the early days. It was appalling."⁴⁵ Single men also appear to have received negligible coverage, while married men benefitted from much more extensive life insurance. The discrimination was not wholly based on marital or family status, however. Neither married women nor women with family dependents were entitled to the higher insurance benefits. The same former Dean of Women notes that the University later adjusted this so that insurance benefits were tied to salaries. "But of course our salaries were still lower than men's, so the differential remained," she adds.⁴⁶

The experience of Hanna Spencer is acknowledged by virtually everyone concerned to have been a case of clear and direct sex discrimination. Spencer arrived in London in 1951, accompanying her husband who had been appointed to the federal government's agricultural research centre in the city. Hanna Spencer possessed a PhD degree in Germanic and Slavonic languages from the University of Prague, and had a background in teaching. She presented herself to Professor Herbert Karl Kalbfleisch, the Head of the German Department at Western. He made no offer to Spencer until one of his faculty members quit unexpectedly in the summer of 1959. In late August he offered Spencer a position as a sessional lecturer. As such, she would teach five courses but be paid for eight, rather than 12 months of the year, and there would be no fringe benefits. While Spencer would have preferred a more permanent, full-time position, she agreed. "At that point I was delighted just to be able to teach," she said.⁴⁷

Right from the start there were indications that Spencer would be treated differently. For several years, the Head of the Department refused to provide her with an office. "Kalbfleisch sort of hoped I would operate from my home," Spencer recalls.⁴⁸ Travel funds were also withheld. When the German teachers held their first organizing meeting at Carleton, Kalbfleisch suggested that Spencer should attend. When she inquired whether travel funds would be available, Kalbfleisch told her she was "ineligible." She asked Kalbfleisch for his permission to ask the Dean of the College for funding, and he agreed. In fact he phoned ahead to tell the Dean to turn Spencer down.⁴⁹ She went and paid her own way; Kalbfleisch attended at University expense.

Two years after Spencer had been hired, Kalbfleisch appointed a man as Associate Professor. Spencer, who had asked to have her rank upgraded

and be made full-time, registered her concern about being passed over. In retaliation, Kalbfleisch stripped Spencer of her most interesting courses.⁵⁰ She was left to teach only the basic, service grammar courses. She never taught another German literature course until Kalbfleisch retired.

Spencer confronted Kalbfleisch over his refusal to upgrade her position. "There were openings, they were looking for people, why wouldn't he consider me?" she queried. Kalbfleisch was frank. He had a "vision of a greatly expanded German Department that would be all-male," he told Spencer. "If I were not married, if I was a man, I would be eligible to apply."⁵¹ Spencer appealed the decision to the Principal of University College and to Western President G. Edward Hall. Hall dismissed her complaint forthwith. "He told me Kalbfleisch had well-known idiosyncrasies, and that was that."⁵² Spencer did not succeed in obtaining her full-time appointment until 1965, when Kalbfleisch retired and John Rowe became the Dean. The situation had significant ramifications for Spencer's salary as well. Hers would later become generally acknowledged as the worst example of salary sex discrimination in the University.

Other cases of salary discrimination at Western never came to public light because those concerned did not raise the issue. A former Dean of Women recounts one instance that affected her personally:

One year in the 1970s, I was advised by the university that my salary was going to be reduced in the coming year. When I checked into this, I was told that my earlier salary had been a mistake. As Dean of Women I had been listed with the rest of the Deans, and the administration had assumed all the Deans were male. They were running my salary based on the male track. I had to accept an adjustment downward. They told me this was explicitly because of my sex.⁵³

Anomalies in fringe benefits, beyond those noted regarding life insurance, also disadvantaged faculty women. Male faculty were entitled to include their wives and children within the scope of the health insurance plan automatically. The husbands and children of female faculty had to be defined as dependent under the federal income tax rules before they qualified for coverage.⁵⁴

Western had also inaugurated a mandatory retirement policy that openly differentiated on the basis of sex. Women were forced to retire at 60, while men could work to 65.⁵⁵ John Rowe, former Dean of the Faculty of Arts and Vice-Chair of the Senate, was frank enough to provide particulars. "The policy was developed by the Board of Governors and President G. Edward Hall. They believed that women became more difficult than men at the age of 60." When queried about the meaning of the word "difficult," Rowe expanded. "Difficult meant not doing what you were told. Under the Hall

regime, there was a firm understanding about how you ran this place. One way was to keep women from becoming 'difficult.'"⁵⁶

The differential retirement policy was a source of considerable hardship for many women faculty members. Professor Helen Battle, one of the most prominent of the women pushed out early, provides a good example. First hired as a Demonstrator in Zoology in 1923, she embarked upon a brilliant academic career which spanned more than 40 years. Despite Battle's remarkable talent as a scholar and teacher, her promotion was slow, and she did not obtain the rank of Full Professor until 1949. "There was no question about it," she observed. "Promotion was more difficult for women. You had to really show yourself. And that was especially true in the sciences."⁵⁷ Battle was forced out of the Department of Zoology in the mid-1960s at the age of 60, then rehired for three years as a part-time instructor and paid by the course at a rate significantly less than her former salary. "I retired but stayed on, you see, at half pay for full work of course."⁵⁸ While the reduced salary was insulting, Battle jumped at the chance to earn the extra money. "It helped out with salary. I'd been in at a very low salary in the early years, and my pension was low to start."⁵⁹ For two of those post-retirement years, she actually served as acting head of the department.⁶⁰

The early retirement policy was bitterly resented. A former Dean of Women was one who firmly believed the age of retirement should be the same for women and men. "I thought if they were going to retire women at 60, they should retire men at 60 too."⁶¹ A number of faculty women protested the rule to President Hall.⁶² But the protest was informal, individualistic, and ultimately ineffective. Hanna Spencer summed up the impact: "President Hall probably dropped the petitions in his waste basket."⁶³ The policy was retained and enforced until 1 January 1966.⁶⁴

The 1960s and 1970s witnessed a continuation of the discriminatory patterns. The University was growing dynamically, but the representation of women as faculty members was not. John Rowe admits now that it was "deep-seated prejudices" that were responsible for this attitude:

There were a hell of a lot of bright female academics out there and we just never went after them. Back in the 70s, when we were laying the foundations, we could have brought in some really outstanding, gifted women. If we hadn't missed out on those opportunities, we would have had 35 to 40 percent female representation in the faculty today.⁶⁵

The historical picture reveals many discriminatory practices. There are few instances of traceable collective or individualistic complaint. This is not to suggest that women were not fighting back, however. As someone who has been profoundly influenced by Dale Spender's historical writing,⁶⁶ I now customarily assume that as long as women have been present in the

institution, there has been some form of active resistance against male domination. That we know little or nothing about most of the women who may have fought for women's rights at Western is certainly no reason to conclude they did not exist.

A few courageous examples of women's resistance at Western are reclaimable. In 1972 Professor Anne Bolgan of the Department of English threatened to sue Western as a result of discrimination with respect to salary, promotion, and entitlement to sabbatical leave. She later received full satisfaction after an external adjudicator reviewed her case in the context of a private arbitration hearing.⁶⁷

Professor Margaret Seguin of the Department of Anthropology also took up the issue of salary discrimination. With the help of the Western Faculty Association she called a public meeting to discuss salary inequities for women generally, in March 1974.⁶⁸ After an overflow crowd of 175 turned out, the President established a separate Advisory Committee on Women's Salaries (Academic) to investigate.⁶⁹

Western's Committee examined various options for salary assessment for female faculty. It chose not to use a multiple regression analysis which would check salaries for sex disparities after screening out such variables as highest degree, age, faculty, and rank. Queen's University had recently adopted this method and corrected a \$1,961 average salary differential between women and men.⁷⁰ The Western Committee chose a "matched peer" technique which plotted a female academic's salary history against a male peer. This allowed for a more individualistic assessment, which may have permitted more accurate adjustments in some cases. But it was also a fairly discretionary methodology, which could not profess to be a systematic, statistical appraisal. Furthermore it amounted to an attempt to assess women's salaries on a case-by-case basis, a misguided effort to apply individual remedies to a systemic problem. Even more importantly, as we shall see, it relied upon the victims of discrimination to initiate the process.

Questionnaires were distributed to 153 female academics above the rank of Instructor. Inexplicably, Instructors and part-time faculty were removed from the scope of the inquiry. The task was to determine whether salary differences were the result of discrimination or lack of merit. Each woman was required to produce evidence of her academic qualifications, teaching experience, research grants and publications, professional activity outside the University, teaching loads, biographical data, and administrative responsibilities. Each was also asked to name a male faculty member whose work was comparable.⁷¹ The male peers were then sent similar questionnaires. Next the Deans were asked to select a male faculty peer for each woman. It was the Committee's task to adjudicate on the appropriateness of the peer selection, and then to plot the salary histories of those involved, searching

for discrepancies. When anomalies were identified, the Committee sent its decision for approval to the Deans involved. The rationale: "Because it had reviewed the salaries of female faculty members only, the Committee was very concerned that it did not upset a department that might have a very fine balance in terms of salary ranking."⁷² The Committee did note that there was a potential for risk with this procedure: "If discrimination is occurring and is occurring at the level of the dean or the chairman, the review of these salaries with the deans might, in fact, allow such discrimination to continue."⁷³ Brushing this off as unsubstantiated, the Committee decided to take the risk.⁷⁴ Needless to say, the female faculty members were not given similar opportunity to intervene at this point.

The most startling aspect of the entire study was the large number of women faculty members who did not participate. Of the 153 who received questionnaires, a full 49 *did not reply*. Even more remarkably, the University took no further action on these, assuming the 49 women to be "satisfied." The Committee actually declared itself to be both "quite surprised and pleased that such a high number of the female faculty members felt no need to participate."⁷⁵ This passive approach by the Committee did nothing for women who may have opted out because of intimidation from male colleagues and academic superiors, or even low self-esteem. Certainly no one ever undertook to examine *why* the 49 had not responded.

Finally, the Report itself noted that the salary positions of instructors and part-time faculty had been deliberately left out of the terms of reference. The Committee firmly recommended to President Williams that a separate study be set up to examine this situation. "I expect there will be quite a widespread interest in this further study, after the release of the Report today," offered the Committee Chair.⁷⁶ If further studies were in fact conducted, no public reports were ever issued.

In spite of its shortcomings, some women did benefit from the Committee's 1975 review of salaries. Of the 104 women who proceeded through the inquiry, 21 received salary adjustments totalling \$35,887. The actual amounts ranged from \$500 to over \$2,000.⁷⁷ Although many of these cases involved salary discrimination spanning many years, the awards were made retroactive only to 1 May 1974. The long-term implications for pension benefits went unexplored.⁷⁸

In September 1975, the University released a wide-ranging *Status of Women Report*.⁷⁹ In an attempt to deal with sex discrimination facing faculty, students, and staff, the document encompassed 111 pages and 96 recommendations. The *Status of Woman Report* was not sanguine about the number of women faculty:

In 1974-5 there were 154 women among the 1,250 full-time faculty members at UWO. This represents 12.3 per cent of the total number. The percentage seems amazingly low when one considers that 43.9 per cent of the undergraduate student body and 23.4 per cent of the graduate body is female. Further, our information shows that while the percentage of women students has increased steadily for the past few years, the percentage of women faculty members has increased less than one per cent since 1971-72. . . . [T]he largest concentration of women faculty members is in the junior ranks. The only level at which women represent a significant percentage of the whole is at Lecturer/Instructor.⁸⁰

Nor was the *Status of Women Report* laudatory about Western salaries:

[M]en on the faculty earn an average salary substantially higher than women at the same rank. This is true in all ranks except Instructor. . . . [T]he average faculty salary for men is \$21,027, the average salary for women faculty is \$16,371. We note the difference in salaries between men and women is most marked in the upper ranks. . . . We have no data to measure individual performance. However we think these general questions must be addressed: is the average performance of women academics sufficiently weak at the Assistant Professor level to justify the average of a year longer in the rank and \$1,204 less in salary? A similar question must also be asked on behalf of women Associate Professors who also spend on average a year longer in the rank and earn \$2,231 less than men at the same level.⁸¹

Professor Louise Forsyth, a member of the Committee, still registers some surprise when she reflects upon the institutional response to the *Report*. "I had expected the administration to be embarrassed by our findings," she related. "Instead, the *Report* seemed to have a sedative effect. The administration showed no interest in making any significant or meaningful change. The university never intended to wade in and really solve the inequities, and the *Report* did little to alter those predispositions."⁸²

Unabashed, the University decided in December 1975 to request approval from the Ontario Human Rights Commission to designate itself an "Equal Opportunity Employer."⁸³ In what I consider to be a serious misuse of the severely limited human rights staff resources, the Commission scrutinized the University's personnel policies to ensure compliance with the Human Rights Code, and the go-ahead was given. Western personnel administrators promptly added the new label to application forms and employment advertisements.

In 1977, Western's President was asked to comment on the implementation of the *Status of Women Report*. He argued that "progress ha[d] been commendable" at Western.⁸⁴

Thirty-one of the 132 new faculty appointments at this university were women, a percentage of 23.5, which compares favorably to the 11.8 per

cent of the full-time faculty in 1976-77 who were women. Although none of the 31 women hired were at the rank of Associate Professor or Professor, this may reflect merely the shortage of qualified women candidates at that level.⁸⁵

The President neglected to add that the percentage of female doctoral students had been rising steadily from 19 per cent in 1972 to 26.1 per cent in 1977. This trend would continue, with women moving up to 33.5 per cent of the doctoral candidates in 1984.⁸⁶ Despite the President's enthusiasm over Western's progress, overall women remained only 12.4 per cent of the full-time faculty.⁸⁷

Furthermore, salary differentials continued at Western unabated. Women were paid less than men in each rank except the lowest one — Instructor.⁸⁸ Indeed the salary gap worsened. A national report on higher education in Canada, the *Symons Report*,⁸⁹ examined 42 universities for salary discrepancies based on 1981-82 data. The median male salary at Western was \$38,759, while for females it was \$27,722 (71.5 per cent). This gave Western the dubious distinction of being among the worst universities in the country for wage gaps. Only the University of Waterloo had a poorer record.⁹⁰ An internal report requested by the Western Faculty Association Status of Women Committee in 1982 confirmed the problem.⁹¹ Women continued to earn less than men at every academic rank.⁹²

The feminists on campus at Western remained concerned about the University's commitment to change. Professor Louise Forsyth, who had been elected to the Board of Governors, continued to raise the issue at regular intervals. In May 1981 she presented a brief to the Ontario Advisory Council on Equal Opportunity for Women.⁹³ She highlighted the abysmally low number of women faculty, salary inequities, pension inequities, and the slow rate of promotion for women. She called for the Board of Governors to adopt an affirmative action program "to provide evidence of the commitment of this university to real change."⁹⁴ Western's President was quick to oppose her suggestion, and he rejected any notion of imposed quotas on hiring. With some paternalism, he attempted to argue that imposed quotas could provide "a potential source of danger to the cause of women."⁹⁵

Finally, Nancy Poole and Earl H. Orser, two other members of the Board of Governors, joined the chorus of questioners and the President was asked to bring forward a complete report. He had some difficulty explaining the statistics he had to deliver to the Board of Governors in June 1983. His report showed women hovering around the level of 10 per cent of probationary and tenured faculty.⁹⁶ Palpably surprised, the Board "encouraged the Senate to consider whether changes . . . would be appropriate."⁹⁷ In November 1983 the Senate appointed yet another committee to explore this matter. The

"Ad Hoc Senate Committee to Review Appointments, Promotion and Tenure Policies" was to be chaired by Denis Smith, Dean of Social Science.

The "Smith Committee" produced the *Smith Report* in August 1984.⁹⁸ As an indication of its generally cautious approach, the *Report* failed to deal with salary anomalies. Noting that it "was not specifically charged with reviewing comparative salaries by sex," the Committee stated that it had "received no evidence, either written or oral, to suggest that this was a current issue in the University."⁹⁹ Past history alone should have fostered alarm over such passivity. Instead, the Committee accepted 1983 data compiled by the administration purporting to show that salary anomalies no longer existed.¹⁰⁰

How Western progressed from notoriously bad salary data in 1981-82 to a clean bill of health in 1983 without any organized institutional intervention in between remains a mystery. To his credit, Dean Smith later expressed concern over the decision not to investigate further. "The salary data were surprising. I'm sure there is a problem, but no one came forward, and we simply felt we couldn't report where we had no evidence. But perhaps we should have pursued this more at the time. . . ."¹⁰¹ In what I view as a rather surprising statement, the *Report* concluded:

The Committee looked carefully for any overt evidence of bias or discrimination against women in the University's policies and procedures relating to appointments, promotion and tenure, and could find none. . . . However, the Committee was told repeatedly of the existence of strong perceptions, both among women faculty members and among women outside the University, that the University's policies and procedures do work to the disadvantage of women, or leave them thinking so. Partly we attribute these perceptions to the lingering tendencies among some male faculty members to speak in language more natural to earlier times; partly to the likelihood that the small number of women faculty encourages a sense of isolation, and means that appointment, promotion and tenure committees and the ranks of senior administration frequently lack the presence of women; and partly to the existence in some University policies of what can be described as "systemic," rather than conscious and deliberate discrimination. . . .¹⁰²

I should be more forthcoming about my sense of surprise here. Men and women would appear to have an equal capacity to contribute as faculty in Canadian universities. Some would argue that since the ratio of men and women is not roughly 50:50, something must be amiss. In fact, the concept of "discrimination," is often used to describe the various factors which operate to create such a skewed population imbalance in the University. Here, instead, "discrimination" was relegated to some "perception" in the minds of women. To couch the issue in terms of "perception" and to suggest that discrimination does not exist is simply not helpful.

Regarding the data and its meaning, I pressed Dean Smith further about our difference of opinion subsequent to the release of the *Smith Report*. By then the Dean was willing to agree that "prejudice" against women did exist at Western. Indeed, he said that he was "quite shocked when he discovered what the general atmosphere was in the administration and in some departments."¹⁰³ After the publication of the *Report*, Smith told me he had an opportunity to meet with department chairs to discuss it. "A number made frank, sexist statements," he said. One Chair of a science department, he added, felt no embarrassment in announcing at a meeting with over 20 other Department Chairs "that our recommendations on maternity leave would encourage women faculty to have babies every two years!"¹⁰⁴

I asked Smith why he had categorized the problem as one of "perception" rather than "discrimination" in his *Report*. "We had no hard evidence we could use," he responded.¹⁰⁵ It may have been that no women came forward with names and dates and details, but that is often the unfortunate result of any process which puts the onus on the victims of discrimination to complain. Given the University's historical record of bias, the Committee should have been instructed to undertake a far more vigilant and activist approach to its task. It should have been given the mandate and the resources to commence an institutional search for any evidence of discrimination towards women faculty — from other faculty, students, and the administration. Without having conducted such a painstakingly thorough investigation, it should never have categorically dismissed the existence of "hard" discrimination.¹⁰⁶ The decision to do so, Smith conceded, "was tactical. . . . We judged we could achieve more by not laying blame, by encouraging people. I still believe it is better to use incentives than penalties."¹⁰⁷

The Committee did speak out strongly on the issue of male: female faculty ratios: "We consider a ratio of 9 to 1 among full-time faculty to be one of imbalance because it is so far from the balance of the general population, the undergraduate student population, and the graduate student population in a growing number of disciplines (though not all)."¹⁰⁸

Shying away from a specific definition of "balance," as most reports of this nature tend to do, the Committee cautioned: "This does not mean, in our view, that the UWO should now aim at a ratio of 50:50, or that there is any magic in it. It does mean that we should aim at a balance which is more reasonable than the present one. . . ."¹⁰⁹ Herein lies another of the major flaws in the *Report*. People seeking change must be very clear about their goals. Refusing to tackle the question of what represents "balance" is fatal. It ensures that subsequent recommendations and their implementation take place in a vacuum. Why is it so difficult for universities to admit that ideally men and women should share faculty positions equally?

The existing imbalances documented by the Committee should have caused considerable embarrassment to Western. It noted that women held a smaller proportion of full professorships than any other rank (4.3 per cent in 1984), and that this proportion had not changed significantly in recent years. Women represented 24.8 per cent of the Assistant Professors and 48.3 per cent of the Lecturers, but these positions were almost wholly limited-term appointments.¹¹⁰ Women's access to tenure was markedly low. Between 1980 and 1984, men obtained tenure disproportionately to women, leaving the ratio of women tenured faculty at just 8.3 per cent of the total.¹¹¹

The difficulty of rectifying the gender imbalance of faculty in a time of drastically reduced faculty recruitment was of concern. "The policy of stable base complements adopted by Senate in 1981 and applied since 1982, in combination with the existing age profile of tenure-stream faculty, has meant that very few new tenure-stream appointments (for either men or women) have been available in the past four years."¹¹² What this means is that the University decided not to increase the size of its tenured faculty as of 1982. The large number of male faculty hired in the 1950s and 1960s, when women were not being recruited in fair numbers, show no intention of quitting before regular retirement age. Indeed, some of those men are now challenging in court the University policies requiring mandatory retirement at the age of 65. They would like to stay on even longer! Even if they fail in their litigation, there is still no room left to hire women.

Nor did this problem seem to be of short duration. The Committee actually contemplated a policy which would hire 100 per cent women, but just for the purpose of illustration: "... even if a policy were to be applied henceforth which required and achieved the replacement of *every* retiring male with a female, it would take 15.7 years to attain equal numbers of women and men in the tenure stream."¹¹³ The Committee quickly added that such a plan was, of course, an unrealistic proposal.¹¹⁴ With this sentiment I am in complete agreement. The problem is not that it is too radical, however, but that it is clearly too little, too late. The Committee, on the contrary, had its own notions of realistic reform. Its recommendations were twofold. First, women candidates were to be hired in preference to men, where the two were "of equal qualification" for the academic years 1985-88.¹¹⁵ This suggestion was eagerly embraced by the administration perhaps because anyone can see how impossible it would be to enforce.¹¹⁶ The opportunities for evasion are delightfully endless. Western's President would later register surprise that the new policy generated so little hostility from male faculty. "We haven't had a word of dissent," he reported.¹¹⁷ One would think this alone might have raised some suspicion.

The second set of recommendations entailed a modest affirmative action proposal, although it was not labelled as such. Quotas were expressly

rejected, but it was proposed to hire 25 new faculty women over three years time. These were all to be tenure-stream appointments, over and above the static levels set by the administration in 1982. Initial funding was to come from central administration funds, rather than the existing operating budgets of the faculty itself.¹¹⁸

This proposal seems to have been one of the key reasons why Western was graced with its Employment Equity Award in 1986, astounding as this might seem. For the program, even if fully implemented, would have done little to alter the overall imbalances at Western. An additional 25 women would be virtually invisible in a full-time faculty of 1,367.¹¹⁹ The program was deliberately set up as voluntary. Deans had to apply to participate and some of the University's male-dominated Faculties were neither inclined nor convinced. The Dean of the Faculty of Engineering was one of the first to register his views. Despite an unblemished record of 100 per cent male faculty, he boldly told *The London Free Press* that "the lack of women faculty doesn't concern me."¹²⁰ Another flaw in the proposal concerned financing — a critical matter in times of budget-shrinkage. No one suggested that these new positions be fully financed on a permanent basis. The departments would be forced to pick up a portion of the costs in the first three years, and the full costs subsequently. This lessened the attractiveness of the offer considerably.

This proposal to create 25 new positions for women faculty was hardly a recipe for radical transformation. Yet the administration still balked. Instead, the Vice-President offered his own proposal, one which was speedily endorsed by Senate. The approved scheme was to operate between 1 January 1985 and 31 December 1989. Faculties were allowed to hire additional women beyond their base complements. The Vice-President had *always* had the authority to permit the temporary lifting of faculty ceilings, but he proposed to use this power in cases where "outstanding women" could be hired.

If the weaknesses of the Smith proposal are obvious, the deficiencies of the fall-back scheme are even more so. First, faculties had to prove that the woman was "outstanding" to the satisfaction of the Provost, and, in some cases, also to the Chair of the Promotions Division or the Tenure Division of the Senate Committee on Promotions and Tenure.¹²¹ Second, these new appointments did not come permanently. Faculties had to show that they could offset the new hire against a retirement before 1 July 1995.¹²² In effect they were mortgaging away their future. Third, responsibility for financing was even more firmly allocated to the receiving faculty. Faculties wishing to participate were instructed to "redirect budgetary resources from other uses."¹²³ Only in exceptional cases, where funds were simply unavailable, did the plan authorize "bridge financing of up to three years."¹²⁴ The Vice-

President did not apologize for the backtracking this represented. Instead he told the Senate: "The number of appointments likely to be made under this arrangement cannot be predicted with certainty. However, the total is likely to be significantly more than the 25 proposed by the [Smith] Committee."¹²⁵

The plan was programmed for failure. Dean Smith had obviously been afraid of just such an outcome, for he had recommended in his *Report* that the University be required to report annually to the Senate on its progress.¹²⁶ In the first year, the Vice-President reported that six new female appointments had been made under the initiative.¹²⁷ By 1986, in the second year, the University boasted to the Ontario government's Women's Directorate that the total number had now reached 12.¹²⁸ The government was not informed that there had been no progress in the overall numbers. Indeed, the 1986-87 figures showed women hovering at 14.1 per cent of the overall faculty, whereas they had represented 14.7 per cent in 1984-85, the year before the program started.¹²⁹

After the first year, the administration made no further reports to the Senate or the Board of Governors regarding additional women hired under the initiative.¹³⁰ At the November 1987 Board of Governors meeting, Earl H. Orser inquired specifically as to the status of the new program. The new Vice-President (Academic) reported that six or seven appointments had been made in each year of the program, but that funding was "not as ample as it should be to effect change."¹³¹

Professor Sarah Shorten, President of Western's Caucus on Women's Issues, pursued the issue further in the Senate. In response to her questions, the Vice-President reported that book-keeping had not been done in any systematic way, and that a fully accurate count of the women hired under the initiative could not be produced.¹³² Western's failure to monitor the success of the program it used to such artful advantage in the Employment Equity competition concerns me greatly. The decision not to track the impact of the preferential hiring scheme means no one will be able to say for certain whether it succeeded or failed.

Even more upsetting was the information on funding. You will recall that these new positions were, at least theoretically, to have some prospect of central funding. Indeed the Vice-President had made a great fuss in the Senate about his potential generosity here. "The demand for bridge funding is [not] predictable, but I would expect that once the program is in full swing an amount of \$250,000 to \$300,000 per annum would be involved."¹³³ In response to Shorten's question about monies expended so far, the new Vice-President reported that a total of 13 women had benefitted to date. He released no figures, and he admitted that there were other needs being given "first priority" for these funds.¹³⁴

The Vice-President did, however, estimate that 21 additional women, over and above those who would have been hired without the program, had been appointed.¹³⁵ But the bottom line numbers remained stubbornly unchanged. Women represented 14.74 per cent of the faculty before the program started. The percentage now is 14.78 per cent.¹³⁶ The most recent data show Western is continuing to recruit men for approximately two-thirds of its new appointments.¹³⁷

Although the numbers were unimpressive, the new Vice-President appeared to recognize the seriousness of the problem in a way his predecessors had never done. "Frankly the picture is not very encouraging," he stated. "Change has been very modest," he told the Senate, and "much more improvement is still needed."¹³⁸ This admission represents a breath of fresh air. One can only hope that this forthrightness indicates an administrative commitment to changes that make a significant difference.

The time has obviously come for a more ambitious, adventuresome approach to the employment of women faculty. None of the mechanisms historically adopted has made much of a dent in the abysmally low ratio of female faculty. The need here is to turn this negative record completely around as quickly as is humanly possible. At issue are results. The bottom line numbers are the only realistic indices of change. I want to challenge the University of Western Ontario to the goal of achieving 50:50 balance between male and female faculty by the year 2000.

I hold no secret formula for procedures and mechanisms to create swift and significant improvement. Indeed, the process by which change occurs is in the hands of the administration, the Deans, and Department Chairs of the University of Western Ontario. They are the people who are best placed to develop agendas for reform, in consultation with feminist, racially sensitive affirmative action specialists.

I cannot leave the issue, however, without offering a few suggestions of my own. These may give University administrators some basis for reflecting upon entirely novel ways in which to accomplish a marked increase in the number of faculty women. My suggestions are basically two-pronged, focusing on a) new appointments which will arise in the regular way as a result of voluntary resignations and retirements from existing faculty, and b) mechanisms to increase the pool of new appointments available.

New Appointment Procedures

1. *The No-Backsliding Rule:* Departments and faculties must not be permitted to lose ground with respect to male-female faculty ratios. Where women faculty resign or retire, they must be replaced with women.

2. *50 per cent Hiring Balance*: All departments and faculties must be expected to hire at least 50 per cent women in new appointments. Those who fail to do so must account for their imbalanced decisions. They should be required to submit detailed reports to a central review panel, containing extensive information on recruitment efforts to attract women, female applicants not selected, and full explanations of why male candidates were considered superior. The review panel must have authority to over-ride initial decisions.
3. *Selected Trusteeships*: Departments and faculties which are notoriously underpopulated with women must be targets of more significant redress. Academic units which have been visibly irresponsible in past recruitment and selection no longer merit autonomous power. They should be placed into temporary trusteeship with respect to hiring. Central officials must assume this responsibility although department and faculty representatives will be permitted to act as advisers to the new hiring committees. There are many faculties and departments which would be obvious candidates for this procedure. Certainly those which have no female academics would qualify for consideration.
4. *Vice-President (Women)*: Western should establish a new senior administrative position at the vice-presidential level to take responsibility for advocacy of women's issues and to encourage affirmative action initiatives. Great care should be taken to ensure that individuals appointed to such a position have previously demonstrated expertise and a public commitment to affirmative action.

Increasing the Pool of New Appointments

Relatively few new appointments are being processed now, a direct reflection of Western's static faculty resources and its current age profile. Without active intervention, even the proposals outlined above will do little to resolve sex imbalances for decades. An increasing proportion of University resources will be diverted towards the salaries of entrenched male academics, while correspondingly few opportunities will open up to newly qualified women. The following proposals would assist in rectifying this inertia. All are designed to make available new and additional openings, above those which would naturally come up. All such positions should be filled by women, since the explicit goal of these affirmative action proposals is to increase the number of women faculty.

1. *Endowed Chairs for Women*: The most obvious method of increasing the number of women is to find more funding specifically earmarked for that purpose. Short-term allocations are not particularly helpful, since they permit only limited-term contractual appointments and offer no real aca-

ademic future for recipients. Fund-raising should be mounted to create at least 10 permanent chairs for women faculty. The capital cost of such a commitment is high — approximately \$10 million dollars — but certainly no higher than the cost of building new structures and establishing large research projects for which universities have conducted successful fund-raising campaigns in the past.

The prospect of endowed chairs for women is perhaps the most positive proposal that can be put forward. Imagine a woman's Chair in Engineering,¹³⁹ named after the distinguished professional engineer from Canadian history, Elsie Gregory MacGill. A Chair in Journalism named for the internationally renowned, first Black woman to found and edit a newspaper in Canada, Mary Ann Shadd. A woman's Chair in the Department of Obstetrics and Gynaecology named for Canada's first White woman doctor and prominent suffragist, Emily Stowe!

2. *Tenure Review*: While tenure is often cited as a critically important feature of academic life, it has not aided males and females equally since women have not been given equal access to its benefits. Men are vastly over-represented among tenured faculty, and the retention of tenure entrenches their status against new female applicants.¹⁴⁰

Much more research is needed to conclude, from a feminist perspective, whether tenure is, or could be, an academic asset to women faculty.¹⁴¹ My own inclination is to think it is not. I suspect that at the moment, too few women are given an opportunity to compete for tenure in the first place. In addition, the five to seven year anxiety-ridden process of attempting to place oneself within the context of malestream disciplines in order to seek tenure successfully is enough to knock feminism out of even the most committed woman. Instead of serving as a bulwark for academic freedom, the getting of tenure forces much new thinking underground where it may, or may not, emerge after tenure is obtained. This is no way to begin to transform hostile male-dominated disciplines. My own preference would be to think that the abolition of tenure would be best, coupled with the introduction of a simple industrial relations "just cause" rule. That is, that no one can be fired without just cause. Where disputes arise, an external arbitrator, accepted by both the administration and the faculty member concerned, becomes the final decision-maker. But perhaps such a significant step should be preceded by further analysis and research.

In the meantime, a more moderate process of tenure review should be implemented which would require an assessment of tenured faculty members every five years. Research, teaching, and administrative and community work should all be evaluated, and individuals whose record falls below an acceptable standard should be dismissed. It is possible that

discriminatory bias could creep into this process, and that women faculty members might lose their tenure more often than male faculty members for reasons which have nothing to do with their work output. The incentive to create this situation should be diminished however, if positions opened up as a result of this process are filled *only* by women.

3. *Early Retirement*: The University should adopt a new retirement policy which is a mirror reflection of its earlier 60:65 rule. This time male academics will be mandatorily retired at the age of 60, while women are permitted to remain until 65. This will open up a number of additional spots, all of which should be filled by women.

One caveat must be attached to these suggestions. Women hired as a result of these strategies must not be sent in to teach in these faculties and departments alone. They will be entering an almost completely male environment, peopled with individuals who are totally unaccustomed to dealing with women as equals and colleagues. Resentments will no doubt abound. Women who represent the initial appointees in an affirmative action program need all the assistance they can get to surmount the inevitable hurdles and establish themselves securely.¹⁴² They must be hired in twos and threes.¹⁴³

These proposals all have an element of affirmative action in them. Apologists for present-day sex imbalances always begin by arguing that all forms of discrimination are bad. But they insist that one must not try to rectify past wrongs with differential treatment in the present. Their cries for sex-neutral employment practices are both too late and too early. They fail to realize that if women are to make substantial gains in the academic field, men must lose ground correspondingly.

They also conveniently forget that human rights legislation supports affirmative action policies.¹⁴⁴ The Canadian Charter of Rights and Freedoms expressly recognizes the validity of affirmative action programs as well.¹⁴⁵ The Supreme Court of Canada, in *Action Travail des Femmes v. Canadian National Railway Company*, was forthright in its analysis of affirmative action:

An employment equity program . . . is designed to break a continuing cycle of systemic discrimination. The goal is not to compensate past victims or even to provide new opportunities for specific individuals who have been unfairly refused jobs or promotion in the past, although some such individuals may be beneficiaries of an employment equity scheme. Rather, an employment equity program is an attempt to ensure that future applicants and workers from the affected group will not face the same insidious barriers that blocked their forebears. [. . .] Systemic remedies must be built upon the experience of the past so as to prevent discrimination in the future.¹⁴⁶

Our statutes, our constitution, and our Supreme Court explicitly support affirmative action. Will Western finally do so as well?

Appendix A
Percentage of Full-time Faculty
Who Are Female¹

	Nationally	Provincially	UWO
1921	15	—	—
1926	17	—	—
1931	19	12.7	—
1937	13	14.7	—
1941	14.6	17.6	—
1942	18.7	12.3	—
1943	18.2	—	—
1944	19.9	—	—
1946	18.9	—	—
1949	17.3	—	—
1950	17.3	—	—
1951	—	10	—
1953	18	—	—
1958	11	—	—
1964-65	13	—	—
1965-66	12.7	—	—
1969-70	13	—	—
1970-71	12.7	—	—
1971-72	—	12	13
1972-73	13	12	12.3
1973-74	—	13	11
1974-75	13.9	14	12.3
1975-76	14	14	11.8
1976-77	—	14	12.4
1977-78	14	14	13
1978-79	14.8	14	13
1979-80	—	14	12
1980-81	15.5	15	13.2
1981-82	—	15	13
1982-83	16.1	15	13.7
1983-84	16.4	16	13.7
1984-85	16.7	16	14.7
1985-86	17.0	17	13.6
1986-87	—	15.7	14.1
1987-88	—	—	14.7

Notes

Editors' Notes

- 1 This chapter originally appeared in the *Canadian Journal of Women and the Law*, 4 (1990): 36-65. It is reprinted here with permission of the author and of the editors of CJWL.
- 2 The *Backhouse Report* was the subject of a number of articles and letters to the editor that appeared in *The Globe and Mail*, *The London Free Press*, the *Toronto Star*, *Western News*, and various faculty association and society newsletters from late April through June 1988. See, for example, "Backhouse Report: Female Faculty Hiring Record Criticized," *Western News*, 26 May 1988, p. 4; "Caucus to Assist University in Employment Equity Steps," *Western News*, 9 June 1988, p. 6; "Study of Hiring Practices Urged," *Western News*, 23 June 1988, p. 3; letters to the editor in *Western News*, 12 May 1988, 26 May 1988, 9 June 1988, and 23 June 1988; "Hire More Women Teachers; UWO Told," *The London Free Press*, 2 May 1988; letters to the editor, *The London Free Press*, 6 May 1988 and 16 May 1988; "UWO Has Delayed Hiring Women Too Long," *The Globe and Mail*, 16 May 1988; "University Quotas for Women Faculty," *The Globe and Mail* 11 June 1988, p. D7; and "Western's Record on Job Equity Criticized," *CAUT (Canadian Association of University Teachers) Bulletin*, June 1988, p. 10.

Notes

- 1 This *Report*, like most of the material available on faculty women in Canada, will focus on full-time appointments exclusively. The omission of part-time women from the study is a serious failing which should be acknowledged at the outset. The small amount of data available tend to suggest that women are represented in higher numbers among part-time faculty than among full-time. The rates of pay, working conditions, and job security are all routinely acknowledged as significantly worse than for full-time employment. However the absence of accessible data on this problem makes the issue extremely difficult to study. See, for example, Helen J. Breslauer, "Women in the Professoriate: The Case of Multiple Disadvantage," in *The Professoriate — Occupation in Crisis* (Toronto: Ontario Institute for Studies in Education, 1985), p. 82, 86. My hope is to leave this question for fuller exploration at a later time.
- 2 I have chosen deliberately to use the phrase "affirmative action" rather than the newer terminology "employment equity." Frankly I see nothing particularly reprehensible about the earlier phrase, which was coined to describe positive measures adopted to improve the status of a disadvantaged group. The concept of affirmative action has an honourable and lengthy tradition in Canada (see *Roberts v. Ontario Ministry of Health*, [1988] 10 C.H.R.R., D/6353 [Ontario Board of Inquiry]). What could be less offensive than words such as "affirmative" or "action?" I have no quarrel with the professed goals of those who seek to change the terminology. They believe that new phrasing will reduce the amount of opposition to these concepts. These goals are laudable but in my opinion the strategy is unlikely to succeed. The opposition is to the idea and to the programs, not to the phrase. Insofar as "employment equity" programs actually force change, their labels too will come under siege. For my part, I would have preferred to stick with the old terminology, and I will continue to do so. See also Debra J. Lewis, *Just Give Us the Money: A Discussion of Wage Discrimination and Pay Equity* (Vancouver: Vancouver Women's Research Centre, 1988), p. 11, 28-32, and Marjorie Cohen, "Employment Equity Is Not Affirmative Action," *Canadian Woman Studies*, 6, 4 (1985): 23.
- 3 The present *Report* focuses almost entirely upon easily documented issues such as faculty numbers, salaries, stated university policies regarding retirement, etc. Apart from some anecdotal materials, it does not cover the broader, more subtle issue of sexual harassment. A more comprehensive description of the working environment of faculty women at Western is found in a companion piece, "The Chilly Climate for Faculty Women at Western: Postscript to the Backhouse Report" [the *Chilly Climate Report*], co-authored by Con-

stance Backhouse, Roma Harris, Gillian Michell, and Alison Wylie (November 1989) and reprinted here as chapter 4.

- 4 On 17 March 1988, the University of Western Ontario became a signatory to the Federal Contractors Program of the federal government's Employment Equity Branch of the Department of Employment and Immigration. This required the University to begin to compile more detailed statistical data on the nature of its workforce, as part of the implementation of an employment equity program. [Addendum: Subsequent to the publication of this report, the first employment equity census was initiated at Western in the spring of 1990, and showed "visible minority" faculty to account for 5.3% of all faculty, and "disabled" faculty to account for 3.4% of all faculty. Persons of "aboriginal ancestry" represented 0.3% of all regular full-time employees, a number too small to allow for any breakdown of their presence within the faculty alone. Little improvement was indicated by February 1993, when "aboriginal peoples" accounted for <0.1% of all faculty, "visible minorities" for 5.8%, and persons with disabilities 2.8%. These reports are discussed in more detail in chapter 12. (See "Second Report of the President's Standing Committee for Employment Equity" [London: UWO], June 1992, p. 3 and 32, and "UWO Federal Contractors Program Compliance Review Report, Certificate 60543" [London: UWO], 24 November 1993, Table 2.)]
- 5 "Sex Discrimination within Field of Law," *UWO Gazette*, 8 November 1980. It is interesting to note that Western's Faculty of Law has improved upon its statistics considerably: in 1987-88, women represented 23% of the Faculty: Vice-President (Academic) Collins, *Report to the Senate*, 11 February 1988, Senate Minutes, Appendix 1 (on file with Secretary of the Board of Governors and Senate, UWO). While this does not compare with the percentage of women law students (43.2% in 1987-88), it is well above the University average.
- 6 The Dean of the UWO Faculty of Law at the writing of this paper, Wesley Rayner, has made it somewhat easier for me to begin speaking publicly on this issue once more. Just prior to the release of this paper, he assured me that he believed academic freedom of speech encompassed research such as this, and that regardless of his own viewpoints on the correctness of my arguments, he would personally stand behind my right to make them.
- 7 This award was announced in the *Employment Equity Award Winners Official Program*, Ontario Women's Directorate (1986).
- 8 Breslauer, "Women in the Professoriate," p. 82-104. Of equal cause for concern is the fact that the reporting problems that have plagued Statistics Canada have also delayed publication of any national data after 1985. Craig McKie, editor, *Canadian Social Trends* of Statistics Canada, has indicated that until these problems are resolved, we will see no new national figures. He was unable to predict when a resolution might be found (Craig McKie, oral presentation at "The Compensation of Female Academic Staff," workshop co-sponsored by the Ontario Confederation of University Faculty Associations and the University of Toronto Faculty Association, Toronto, 23 September 1988).
- 9 Dominion Bureau of Statistics, *Salaries and Qualifications of Teachers in Universities and Colleges, 1957-58*, p. 23.
- 10 See Thomas H.B. Symons and James E. Page, *Some Questions of Balance: Human Resources, Higher Education and Canadian Studies* (Ottawa: Association of Universities and Colleges of Canada, 1984), p. 191.
- 11 *Ibid.*, p. 209.
- 12 Statistics Canada, *Teachers in Universities, 1985-86*, p. 13-14. Interestingly, the poor sex ratio lasted despite the fact that the total number of full-time university teachers increased more than sixfold over the 26-year period.
- 13 *Ibid.*, p. 21.
- 14 Symons and Page, *Some Questions of Balance*, p. 194.
- 15 Statistics Canada, *Teachers*, p. 18, 66, 68. More detailed analysis of salary disparity data in 1974-75 concluded that the discrepancies could not be attributed altogether to differences

in age, degree qualifications, and/or the number or years spent at each rank (Gail McIntyre and Janice Doherty, *Women in Ontario Universities: A Report to the Ministry of Colleges and Universities* [Toronto: Ontario Ministry of Colleges and Universities, 1975]).

- 16 Ontario Women's Directorate, *Employment Equity Award* (1986), inside cover.
- 17 *Ibid.*, p. 7.
- 18 Data calculated from *Western Facts*, 1988, p. 62-63. Available from the Office of Institutional Planning and Budgeting, UWO. [Addendum: Since this Report was originally written, the percentage of women faculty has risen at a glacial pace, according to data released annually in *Western Facts*: 1989-15.709%; 1990-17.367%; 1991-17.286%; 1992-17.480%; 1993-17.647%; 1994-17.883%. See *Western Facts*, 1989; *Western Facts*, 1990; *Western Facts*, 1991; *Western Facts*, 1992; *Western Facts*, 1993; and *Western Facts*, 1994.]
- 19 An examination of the annual listings of "Officers of Instruction" from the *University of Western Ontario Announcements*, Faculty of Arts and the Faculty of Medicine, shows the following:

1929-30	30 women of 193 faculty	15.5%
1930-31	36 women of 198 faculty	18.2%
1931-32	29 women of 188 faculty	15.4%
1932-33	39 women of 206 faculty	18.9%
1933-34	35 women of 204 faculty	17.2%
1934-35	42 women of 204 faculty	20.6%

Available at D.B. Weldon Library and Medical Sciences Library, UWO.

- 20 See Appendix A for details.
- 21 A tenured position offers job security until retirement; a tenured professor can only be fired for egregious misconduct or in situations of severe institutional financial crisis. A probationary position is one in which the faculty member is given the opportunity to achieve tenure. Once hired on a probationary appointment if the employee continues to demonstrate excellence in her/his field for five to seven years, the chances are that s/he will achieve tenure. Thus both tenured and probationary appointments (tenure-stream) offer real or potential job security and career development. The third type of position is limited term or contractual, which means that the employee has been hired for a specific period of time (generally one to three years) and will be terminated at the end of that period. These jobs do not permit permanent employment.
- 22 Lynn S. Wilson, "Status of Women Faculty Data for 1983" (April 1984). Available from the office of the Associate Vice-President, Academic Affairs, UWO. There were 1,143 full-time faculty positions, of which 104 were women and 1,039 were men. Expressed as a percentage this works out to 9%. The 1982 data also show women as 9% of tenure-stream faculty. See Lynn S. Wilson, "Report to UWO Faculty Association Status of Women Committee, Contract Types... Men and Women Faculty UWO," 15 November 1982. Available from the office of the Associate Vice-President, Academic Affairs, UWO. There are no more recent data available at this time.
- 23 *Western Facts*, 1988, p. 62-63. The data available data in *Western Facts*, 1990 show men representing 95.9% of the Full Professors and women representing 64.6% of the Lecturers.
- 24 This information was based on 1983 data. *Report of the Ad Hoc Senate Committee to Review Appointments, Promotion and Tenure Policies and Procedures* (August 1984), Tables 4-8. Available from the Office of the Secretary of the Board of Governors and Senate, UWO.
- 25 Despite repeated requests it was not until November 1988 that the University again released such full data. The list of departments and faculties without women included Classical Studies, Chemical Engineering, Civil Engineering, Electrical Engineering, Materials Engineering, Astronomy, Geology, Geophysics, Statistics/Actuarial Science, Physics, Clinical Biochemistry, History of Medicine and Science, Otolaryngology, and Radiation Oncology. The list of departments and faculties with one woman included Mechanical En-

gineering, Applied Mathematics, Mathematics, Biochemistry, Medical Biophysics, Pharmacology, Clinical Neuroscience, Diagnostic Radiation and Nuclear Medicine, Obstetrics/Gynaecology, Ophthalmology, Surgery, and Journalism.

- 26 The following data were compiled by the Western Faculty Association and presented in the UWOFSA Salary Brief, 1987-88:

Female Salaries as a Percentage of Male Salaries Age Band	
<30 yrs.	98.1
30-34	89.9
35-39	81.8
40-44	83.5
45-49	78.4
50-54	91.4
55-59	85.6
60+	80.7

Available from the Faculty Association, UWO. Statistics Canada data for 1986-87 show UWO faculty women earn on average \$42,665 while men earn on average \$53,925. Statistics Canada, *Salaries and Salary Scales of Full-Time Teaching Staff at Canadian Universities* (1986-87), p. 23.

- 27 Margaret Gillett, *We Walked Very Warily: A History of Women at McGill* (Montreal: Eden Press Women's Publications, 1981), and Anne Rochon Ford, *A Path Not Strewn with Roses: One Hundred Years of Women at the University of Toronto, 1884-1984* (Toronto: University of Toronto Press, 1985). See also Margaret Gillett and Kay Sibbald, eds., *A Fair Shake: Autobiographical Essays by McGill Women* (Montreal: Eden Press, 1984); Joy Parr, ed., *Still Running... Personal Stories by Queen's Women Celebrating the Fiftieth Anniversary of the Marty Scholarship* (Kingston: Queen's University Alumnae Association, 1987); and, later, the publication of Lee Stewart, *It's Up to You: Women at UBC in the Early Years* (Vancouver: University of British Columbia Press, 1990).
- 28 William Ferguson Tamblyn, *These Sixty Years* (London: UWO, 1938); James J. Talman and Ruth Davis Talman, "Western" 1878-1953 (London: UWO, 1953); and John R.W. Gwynne-Timothy, *Western's First Century* (London: UWO, 1978). Other accounts include Ross Baxter-Willis, *Western 1939-70: Odds and Ends* (London: UWO, 1980); Hendrik Overduin, *People and Ideas: Nursing at Western, 1920-1970* (London: Faculty of Nursing, UWO, 1972); Murray L. Barr, *A Century of Medicine at Western* (London: UWO, 1977); and Ruth Helen Davis, "The Beginnings and Development of the University of Western Ontario, 1878-1924" (MA thesis, 1925).
- 29 Gwynne-Timothy, *Western's First Century*, p. 139, notes that when the University reopened in 1895, after a 10-year hiatus due to lack of funds, there were "several ladies" registered in the Faculty of Arts. Tamblyn (*These Sixty Years*, p. 16) suggests that the first two women students to graduate in Arts were Jessie Murdock (Mrs. Gilmore) and Susan Blackburn, both in 1900. He is wrong. The first female graduated in 1898; her name was Mary L. Cowan (Gwynne-Timothy, *Western's First Century*, p. 152).
- 30 Gwynne-Timothy, *Western's First Century*, p. 221, is the only author to acknowledge the existence of one of the first women faculty members, Hilda Baynes, but he does not relate that she and Georgia Maud Newbury were the first women appointed.
- 31 The Western University of London, Ontario, Arts Department, *Calendar* (1915-16), p. 9. Available at D.B. Weldon Library, UWO.
- 32 Susan Jackel has reported on a recent initiative at the University of Alberta to develop a "full statistical profile of all students and permanent staff by sex" from 1908 to 1985 (Susan Jackel, "Affirmative Action Programs in Canadian Universities and Colleges," *Canadian Woman Studies*, 6, 4 [1985]: 68, 70). This kind of baseline data is sorely needed at Western.

- 33 The Western University of London, London, Ontario, College of Arts, *Announcement* (1921-22), p. 14. Available at D.B. Weldon Library, UWO.
- 34 Baxter-Willis, *Western*, p. 56.
- 35 Gwynne-Timothy, *Western's First Century*, p. 200, provides the appointment date.
- 36 Western University Medical School Announcements (1922-23). Available at Medical Sciences Library, UWO.
- 37 *President's Committee on Oral History*, transcripts for Dr. Murray L. Barr, 7 November 1986, p. 12. On file with Professor Jack Hyatt, Department of History, UWO.
- 38 Barr, *A Century of Medicine*, p. 360.
- 39 *Ibid.*, p. 359-61. Angus McLaren, *Our Own Master Race: Eugenics in Canada 1885-1945* (Toronto: McClelland & Stewart, 1990), p. 128-45, provides a detailed biography of Macklin, concluding that the University "treated her shabbily throughout her long and distinguished career." See also Daniel J. Kevles, who described Macklin as "one of the pioneers of medical genetics" in "Annals of Genetics: A Secular Faith," *The New Yorker*, 29 October 1984, Part 4 of a four-part series, p. 51, 56.
- 40 Barr, *A Century of Medicine*, p. 360-61.
- 41 Letter from K.P.R. Neville, Dean, University College of Arts, to Miss Frances Montgomery, 8 July 1930. On file with the author.
- 42 The forced early retirement still rankles today. Dr. Montgomery comments: "I could make some tart remarks about the fact that it is over twenty years since I was retired as unfit for university work while men — notably Dr. Neville — went on and on forever, like the babbling brook" (letter from Dr. Frances Montgomery to the author, 17 December 1988; on file with the author).
- 43 Interview with Mary Wright, Professor Emeritus, Department of Psychology, UWO, 14 September 1987. Wright noted that both she and Leola Neal started work as of September while a number of their male colleagues hired in those years began as of 1 July.
- 44 Admission to the pension plan was not allowed until an individual had completed two years of service. The date selected for the test of admissibility was 1 July. Thus, while men could join the pension plan after two years of employment, women had to wait three years. Men who had gone into military service were allowed to join the pension plan immediately (Wright interview).
- 45 Interview with Leola Neal, 21 October 1987. On file with the author.
- 46 *Ibid.*
- 47 Interview with Hanna Spencer, 4 November 1987. On file with the author. See also *President's Committee on Oral History*, transcript of interview with Hanna Spencer, 18 July 1986. On file with Professor Jack Hyatt, Department of History, UWO.
- 48 Don Kerr, Principal of Middlesex College, apparently took pity on Spencer and provided her with an office in another building with the political scientists (transcript of interview with Hanna Spencer, 18 July 1986, p. 13).
- 49 *Ibid.*
- 50 *Ibid.*
- 51 *Ibid.*
- 52 *Ibid.*
- 53 Interview with Leola Neal, 21 October 1987.
- 54 Letters complaining of this discriminatory policy were sent to the Status of Women Committee by a number of university women between 1972 and 1975, and remain in the Status of Women files of the Office of the President. Of course this policy had heterosexist implications as well.
- 55 Interview with Mary Wright, 14 September 1987, and interview with Professor Louise Forsyth, Department of French, UWO, 1 September 1987. On file with the author.
- 56 Interview with John Rowe, 16 November 1987. On file with the author.
- 57 Interview with Helen Battle, 16 February 1988. On file with the author.

- 58 Ibid.
- 59 Ibid.
- 60 *President's Committee on Oral History*, transcript of interview with Helen I. Battle, 15 June 1982. On file with Professor Jack Hyatt, Department of History, UWO.
- 61 Interview with Leola Neal, 21 October 1987.
- 62 Ibid.
- 63 Interview with Hanna Spencer, 4 November 1987.
- 64 Interview with William F. Trimble, Assistant Vice-President Personnel, and Keith Gee, Personnel Manager, Pensions and Benefits, 7 December 1987. On file with the author. Apparently the administration never did bend to the sex discrimination arguments. It never formally conceded that the past practice had been unjust. The policy was changed on the inaugural date of the Canada Pension Plan (CPP). The rationale was administrative efficiency. With the creation of the CPP, Western pension benefits were stacked on top of the CPP payments, and the computers would not program differential starting dates for men and women. Interview with Professor Betty Bandeen, Department of English, 21 December 1987. On file with the author.
- 65 Interview with John Rowe, 16 November 1987. On file with the author.
- 66 Dale Spender, *Women of Ideas and What Men Have Done to Them* (London: Routledge & Kegan Paul, 1982).
- 67 Interview with Professor Anne Bolgan, Department of English, 21 September 1987. On file with the author.
- 68 Interview with Professor Margaret Seguin, Department of Anthropology, 12 January 1988. On file with the author.
- 69 My account of the activities of this committee is drawn from W.S Turner et al., "Report of the President's Advisory Committee on Women's Salaries (Academic)," published in *UWO Western News Supplement*, 30 October 1975.
- 70 Turner et al., "Report on Women's Salaries," p. 2.
- 71 In some cases, such as the Faculty of Nursing and the Department of Secretarial and Administrative Studies, the Committee maintained that there were no male peers. Refusing to accept the comparisons suggested by the Dean of Nursing, the Committee worked out an alternate methodology here. See Turner et al., "Report on Women's Salaries," p. 1-2, for a description of the altered process.
- 72 Turner et al., "Report on Women's Salaries," p. 2.
- 73 Ibid.
- 74 "The Committee felt that the above objective was worth this risk, and in fact found no evidence that this problem exists in any specific faculty" (ibid.).
- 75 Ibid., p. 3.
- 76 *Western News*, 30 October 1975.
- 77 Turner et al., "Report on Women's Salaries," p. 4. The President appeared relieved by the low number of awards, fewer than "many anticipated" (p. 1). The Committee intimated that a number of Deans had headed them off by using special funds to alleviate inequities prior to the investigation (p. 3).
- 78 Pension adjustments were made retroactive to 1 May 1974 only. An exception was made in the case of one female who had already retired; it was recommended that an additional amount be purchased above the existing fixed pension. Memo from Alex S. Dobbins, "Salaries," 11 September 1975. Available at Department of Financial Planning and Budgeting, UWO.
- 79 Betty Campbell, *Status of Women Report*, 1975. Available from the office of the President, UWO.
- 80 Ibid., p. 10.
- 81 Ibid., p. 11.

- 82 Interview with Professor Louise Forsyth, Department of French, 1 September 1987. On file with the author.
- 83 Information on this application was provided by William F. Trimble, Assistant Vice-President, Personnel, UWO; as part of a public lecture he gave at Western on 24 March 1987 for Western's Caucus on Women's Issues. The request was originally to use the designation with respect to administrative staff, but several years later the University sought and was granted permission to use the designation with respect to academic faculty as well.
- 84 *Western News Supplement*, "Status of Women Update," 1 December 1977, p. 1.
- 85 George Connell, *Report on the Implementing of Recommendations of the Report of the President's Ad Hoc Committee on the Status of Women, 1975*, 23 November 1977, p. 7. Available from the Office of the President, UWO.
- 86 Statistics Canada, *Full-Time Teaching Staff Analysis System, Ontario Universities, Female Doctoral Enrollment against New Faculty Appointments, 1971-72 to 1983-84*. Ontario data from 1986-87 show women as 36.9% of the doctoral candidates, and 26.6% of the recipients of doctoral degrees (*Status of Women in Provincially Assisted Ontario Universities and Related Institutions 1976-77 to 1986-87* [Toronto: Ministry of Colleges and Universities, University Relations Branch, 1988]).
- 87 *Western News Supplement*, 1 December 1977, p. 2-3.
- 88 Ibid.
- 89 Symons and Page, *Some Questions of Balance*.
- 90 Ibid., p. 197, Table 46.
- 91 Lynn S. Wilson, "Report to the UWO Faculty Association Status of Women Committee Report on Salaries of the Regular Full-Time Academic and Administrative Staff at UWO in 1982, by Sex" (30 November 1982). Available at the office of the Associate Vice-President Academic Affairs, UWO.
- 92 Ibid.
- 93 *Western News*, 7 May 1981, p. 3.
- 94 Ibid.
- 95 Ibid.
- 96 George Connell, "Report on New Appointments 1980-82," to UWO Board of Governors, June 1983. Updates of this information have since been presented to the Board annually, at the Board's request. Reports were delivered in June 1984, June 1985, June 1986, and November 1987. Available at the office of the President, UWO.
- 97 Denis Smith et al., *Report of the Ad Hoc Senate Committee to Review Appointments, Promotion, and Tenure Policies and Procedures* (August 1984), p. 2. Available at the Office of the Secretary of the Board of Governors and Senate, UWO.
- 98 Ibid.
- 99 Ibid., p. 5.
- 100 Ibid., Table 11.
- 101 Interview with Denis Smith, 20 August 1987. On file with the author.
- 102 Smith et al., *Report*, p. 7.
- 103 Interview with Denis Smith, 20 August 1987.
- 104 Ibid.
- 105 Ibid.
- 106 Couching reports in the language of "perception" contains real dangers. Most crucially, it allows opponents of affirmative action to ridicule remedial programs that are mounted on the basis of spurious complaints. See, for example, my colleague Professor Ian Hunter's categorical denunciation of Smith's subsequent proposals: "Most important, the rhetoric of 'affirmative action' drains language of its meaning. This was aptly illustrated during a recent Senate debate at The University of Western Ontario over a proposal to create an affirmative action program to hire female academics. The debate followed a report of a committee chaired by Social Science Dean Denis Smith. The Smith Committee reported that,

despite a scrupulous examination of university hiring practices, they found not a scintilla of evidence of conscious or intentional discrimination against women. Nevertheless, the proportion of female faculty members was small compared to the proportion of female students, which led to widespread perceptions of discrimination. What was the University's response? Did Western conceive it as its duty to dispel misperception by fact? No, the University chose the path of least resistance, and instituted an affirmative action program to hire more women. For more than a decade, Western has included in every employment advertisement the words 'An equal opportunity employer.' Equal opportunity means that there are no artificial barriers put in the way of a qualified man or a qualified woman. To specifically impose artificial barriers for men, or to create artificial advantages for women, in the name of equality is to debase both logic and language. As one Senator inquired: 'Will Western now be identified as a *more* than equal opportunity employer?' (Ian Hunter, "When Human Rights Become Wrongs," *University of Western Ontario Law Review*, 23 [1985]: 197, 202).

107 Interview with Denis Smith, 20 August 1987.

108 Smith et al., *Report*, p. 6.

109 Ibid.

110 Ibid., p. 3.

111 "An increasing proportion of the total (88 per cent in 1984 as compared to 81 per cent in 1980) has become tenured, while in the same period the percentage of tenured women among total tenured faculty in both tenured and probationary positions has remained constant at 8.3 per cent. Similarly the balance of women to total faculty in both tenured and probationary positions has remained at 10.1 per cent" (ibid.).

112 Ibid.

113 Ibid.

114 Ibid.

115 Ibid., p. 14-15.

116 Vice President (Academic) J. Clark Leith recommended this initiative to the Senate in November 1984. Memo to Members of SCUP, "Equal Opportunity Committee Report," 26 November 1984. Available at the Office of the Secretary of the Board of Governors and Senate UWO. By 1985 all appointments committees had been notified: *Status Report of the Vice-President (Academic) and Provost Concerning the Recommendations of the Ad Hoc Senate Committee to Review Appointments, Promotion and Tenure Policies and Procedures*, September 1985. Available at the Office of the Secretary of the Board of Governors and Senate, UWO. The potential for avoidance was recognized even by the Vice-President (Academic) J. Clark Leith, who wrote the following to all Deans on 18 February 1985: "While we all recognize the potential difficulties inherent in judging what constitutes 'equal qualifications,' I believe that the intent of the Senate is to consider the term 'qualifications' in the fullest sense of the word and not simply in terms of formal qualifications. At the same time, I believe the intent of Senate is clear that when there is no significant difference between men and women candidates, the woman should be chosen" (J. Clark Leith, "Memo to all Deans re Report on Equal opportunity: Recommendation 21(X)," 18 February 1985. Available at the Office of the Secretary of the Board of Governors and Senate, UWO).

117 Ontario Women's Directorate, *Employment Equity Award*.

118 Smith et al., *Report*, p. 9-10, 13-14. The *Report* suggested that 5 of these positions be at senior levels and 20 at the level of Assistant Professor. The Appendix suggested that funding come from the Academic Development Fund or other central funds at the following rates. For senior positions, 100% first year, 66% second year, 33% third year. For the others, 66% first year, 33% second year (ibid., Appendix 9).

119 *Western Mini-Facts* (1984), p. 1.1. Available at the office of Institutional Planning and Budgeting, UWO.

120 *The London Free Press*, 22 October 1984.

- 121 "Provost's Proposal," 19 November 1984, p. 3-4. Available at the Office of the Secretary of the Board of Governors and Senate, UWO.
- 122 Ibid.
- 123 Ibid.
- 124 Ibid.
- 125 Ibid.
- 126 Smith et al., *Report*, p. 11.
- 127 *Report of Vice-President (Academic) and Provost Concerning the Recommendations of the Ad Hoc Senate Committee to Review Appointments, Promotion and Tenure Policies and Procedures (Smith Report)*, September 1985. Available at the Office of the Board of Governors and the Senate, UWO.
- 128 Ontario Women's Directorate, *Employment Equity Award*.
- 129 The following calculations have been computed from UWO Mini-Facts 1985, *Western Facts*, 1986, and *Western Facts*, 1987:

Percentage of Women Faculty

1984-85	14.7
1985-86	13.6
1986-87	14.1

Different data appear in the University Relations Branch, Ministry of Colleges and Universities, *Status of Women in Ontario Universities* (Toronto, July 1987), Table 4A, which show UWO women at 15.7% for 1985-86 and 15.7% for 1986-87.

- 130 See Thomas J. Collins, Provost (Vice-President Academic), *Provost's Statistical Summary Report on Regular Full-Time Faculty Appointments and Recruitment Activities Effective 2 July 1985 to 1 July 1986* (21 October 1986). See also Thomas J. Collins, Provost (Vice-President Academic), *Report to the Board of Governors on the Distribution of Male and Female Academic Appointments 1984-86* (26 November 1987). Both reports available at the Office of the Secretary of the Board of Governors and Senate, UWO.
- 131 Collins, *Report to the Board of Governors*.
- 132 Tom Collins, Vice-President Academic, Presentation to Senate, 11 February 1988, Appendix 1. Available at the Office of the Secretary of the Board of Governors and Senate, UWO.
- 133 "Provost's Proposal," p. 3.
- 134 Collins, Presentation to Senate. Collins provided the following data: 1984 — two women; 1985 — three women; 1986 — three women; and 1987 — five women. The program did not actually commence until 1 January 1985, and so the funding for the two women in 1984 technically cannot be attributed to the Leith initiative. Somewhat confusingly, Collins continued by noting that only four of these individuals had been hired under the Leith program. All funding came from the Academic Development Fund (B). Collins made the following comment concerning budgetary priorities: "... the budget is so tight in faculties and departments that we are going to have to give first priority for the use of ADF-B funds to support new Deans and department Chairs." Notes from oral presentation on file with the author.
- 135 Collins, Presentation to Senate.
- 136 Data from *Western Facts*, 1988, p. 62-63.
- 137 Collins, *Provost's Statistical Summary Report*. Sixty-five percent of all full-time appointments went to males and 35% went to females. Data from the Ontario Ministry of Colleges and Universities 1986-87 show even lower statistics. Western's appointment of new full-time female faculty is pegged at 29.2%, a figure lower than that shown for Brock, Carleton, Guelph, Laurentian, OISE, Ottawa, Ryerson, Toronto, Trent, Wilfrid Laurier, and York. OISE leads the group with 100% female hires, while Trent and Laurentian follow up at 50% (*Status of Women in Provincially Assisted Ontario Universities and Related Institutions 1976-77 to 1986-87* [Toronto: Ministry of Colleges and Universities, University Relations Branch,

- 1988], Table 4e). The latest UWO statistics show the hiring ratio has increased slightly to 38% females and 62% males (*Provost's Statistical Summary*, p. 2).
- 138 Collins, Presentation to Senate, Appendix 1. See also "Improvement Needed in Hiring of Female Academics: Collins," *Western News*, 18 February 1988.
 - 139 For an example of initiatives following in the wake of the Montreal massacre of 6 December 1989, see Orland French, "National Group to Study Women and Engineering," *The Globe and Mail*, 23 February 1990, p. A10.
 - 140 For further discussion of the effects of tenure, see Leo Groarke, "Beyond Affirmative Action," *Atlantis*, 9, 1 (1983): 13.
 - 141 See Christine Boyle, "Criminal Law and Procedure: Who Needs Tenure?" *Osgoode Hall Law Journal*, 23 (1985): 427.
 - 142 For a remarkable account of the failure of most affirmative action programs to give recipients the support they require to withstand the workplace onslaught, see Marcia McMillan, "How Affirmative Action Programs Fail Women in Non-traditional Jobs," *Canadian Woman Studies*, 6, 4 (1985): 46.
 - 143 Credit for this idea belongs to at least two people — Florence Kennedy, who gave a speech in Toronto in the mid-1970s in which she advised feminists to travel like nuns, in twos, and Sheila McIntyre, who ended her brilliant "Memo on Gender Bias Within the Law School," Queen's University (published as "Gender Bias Within the Law School: 'The Memo' and Its Impact," *Canadian Journal of Women and the Law*, 2, 2 [1987-88]: 362, and reprinted here as chapter 7) with the note that "feminists" (not just women) should be hired at Queen's law school in twos and threes.
 - 144 Section 13(1) of the *Ontario Human Rights Code*, S.O. 1981, c.53, states: "A right under Part 1 is not infringed by the implementation of a special program designed to relieve hardship or economic disadvantage or to assist disadvantaged persons or groups to achieve or attempt to achieve equal opportunity or that is likely to contribute to the elimination of the infringement of rights under Part 1."
 - 145 *Constitution Act*, 1982, Schedule B, Part 1, *Canadian Charter of Rights and Freedoms*, s. 15(2). Section 15(2) of the *Charter* provides that the provisions on equality rights do "not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of... sex..."
 - 146 *Action Travail des Femmes v. Canadian National Railway Company*, [1987] 1 S.C.R. 1114, per Dickson, C.J. The decision was based on federal legislation and the power of a human rights tribunal to order affirmative action remedies, and thus is not directly applicable to our situation. However, the reasoning of the Court shows a great deal of sensitivity to affirmative action and is an optimistic indicator of the attitudes of the bench on this point.

Note to Appendix

- 1 It is difficult to provide reliable comparative data, since all who work in this field will report that the numbers are not considered fully accurate. Furthermore, different reports arrive at different results. This chart, while not fully reliable, gives at least some bench-mark figures from which to examine the historical pattern. The numbers have been drawn from the following: Dominion Bureau of Statistics, *Summary of Teaching Staffs at Quinquennial Intervals*, p. 98, Table 15; Jill Vickers et al., *But Can You Type?* (Toronto: Clarke Irwin, 1977), p. 114; Statistics Canada, *Teachers in Universities, 1984-85*, p. 19; Statistics Canada, *Teachers in Universities, 1985-86*; Gail McIntyre and Janice Doherty, *Women and Ontario Universities: A Report to the Ministry of Colleges and Universities* (Toronto: Ontario Ministry of Colleges and Universities, 1975), p. 80, Table B-6; University Relations Branch, Ministry of Colleges and Universities of Ontario, *Status of Women in Ontario Universities* (Toronto: Ontario Ministry of Colleges and Universities, 1984); Ministry of Colleges and Universities, *Status of Women in Provincially Assisted Ontario Universities and Related Institutions, 1975-76 to 1985-86* (Toronto: Ontario

Ministry of Colleges and Universities, 1987); Ministry of Colleges and Universities, *Status of Women in Ontario Universities* (Toronto: Ontario Ministry of Colleges and Universities, 1986); L.C. Payton, "The Status of Women in the Ontario Universities: A Report to the Council of Ontario Universities," June 1975, available from the Council of Ontario Universities, 130 St. George St., Toronto, Ontario; *Western Mini-Facts* (UWO, multiple years); "Report of the Vice-President (Academic) and Provost Concerning the Recommendations of the Ad Hoc Committee to Review Appointments, Promotion and Tenure Policies and Procedures," September 1985, available at the Office of the Board of Governors and the Senate, UWO; Symons and Page, *Some Questions of Balance*, p. 191; Statistics Canada, *Number of Faculty by Age Group*, 1987, Tables 1.1f.1 (1986-87) and 1.1m.1 (1986-87).