

Tribunal asked to suspend University of Windsor dean search over racism claim

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WINDSOR, Ont. - A University of Windsor law professor on Friday asked the Human Rights Tribunal of Ontario to suspend the search for a new law dean on campus, arguing that she was denied the position through racism, sexism and a false allegation of plagiarism.

Emily Carasco, a longtime law professor at the university, was one of two candidates shortlisted for the top law-school job - before the university decided in the spring not to appoint either as dean, and to start the search anew.

She still wants the human rights tribunal to grant her previous, possibly precedent-setting request: to force the University of Windsor to appoint her the dean of law for a five-year renewable term.

In her first complaint to the tribunal, on July 14, she also asked for \$60,000 in compensation from the school, and \$15,000 from fellow law Prof. Richard Moon - who brought up the allegations of plagiarism - "for injury to dignity."

Furthermore, she wants the university to implement a more stringent employment-equity program.

"I was fully qualified for the position of Dean of the Faculty of Law, and was the only one of the two shortlisted candidates to be so," Carasco writes in her submission to the tribunal, noting that Moon's plagiarism allegations gave the school a convenient pretext to pass her over.

"Put quite simply, the Faculty of Law and the University of Windsor, in spite of lip service paid to equity and social justice, did not want a visible minority woman as Dean of the Faculty of Law, no matter how well qualified. Moreover, my decades of advocacy on behalf of equity at the University, an integral part of my identity as a visible minority woman, had left them in no doubt that in my Deanship I would do more than pay lip service to equity, and this prospect was unwelcome."

Margaret Leighton, council to the chair of the Human Rights Tribunal of Ontario, won't predict whether an order to appoint someone for five years will occur. But she said, "it is arguable that the tribunal would have the power to make such an order."

Moon referred questions to his Toronto lawyer Freya Kristjanson, who said her client will soon file a counter-claim.

"Prof. Moon denies the allegations of racial and sexual discrimination," Kristjanson said. "He raised

the issues (of plagiarism) with the search committee based on his concerns regarding academic integrity, and for no other purpose."

Moon, a constitutional law scholar in Windsor, is known for a 2008 report to the Canadian Human Rights Commission recommending it end its hate-speech mandate.

Carasco, a 63-year-old former federal NDP candidate in Windsor, was born in Mumbai, India. She moved with her parents to Uganda, fleeing as a refugee in 1972. She became a Canadian citizen in 1983 and earned law degrees from Harvard University.

The other candidate shortlisted for the dean's position, Toronto lawyer Scott Fairley, considers the university's search process fair but a waste of time and expense for the school.

"It was a time-consuming process for the university and a time-consuming process for me, which involved six days in Windsor," said Fairley, who taught law at the University of Windsor for four years in the early 80s.

The University of Windsor has hired Toronto human rights lawyer **Raj Anand** to handle the case.

"The University of Windsor has a really long-standing commitment to upholding human rights and employment-equity principles," said university spokeswoman Holly Ward, who would not discuss specifics of the human-rights complaint. "And that's why the allegation is taken very, very seriously."

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