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Challenging the Campus Power Structure in Pro Per: A Paradigm for Moving Beyond Diversity 101

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“This session examines the fallibility of “vested power” in one institution of higher learning; and the impetus of self-empowerment of one individual, who happened to have been a woman of color in a predominantly white institution.”

"Power concedes nothing without a demand. It never did, and it never will."

- Frederic Douglass

The title of this year's conference, Beyond Diversity 101: Accountability, Implementation, Responsibility and Action, is particularly compelling. Compelling, because the title implies a sense of urgency, a "vested" interest in change, a prosocial vision for the future, and the continuation of the process of self-empowerment, through positive, goal oriented, unified action. The title is also compelling because it gives one the sense of having been challenged; that the proverbial gauntlet "is thrown down." Then so be it. Because, the "challenge for change" is timely as it comes on the dawning of the new millennium. We, who stand to gain the most in the future, must rally, and invoke the mantra of unity. "We accept nothing less, than the full measure of our legal rights; the rule of law demands it."

The purpose of this paper is to dispute the often held perception, by some, that the "legal rights" of people of color in predominantly white institutions, "hover" precariously on the fringes of the campus power structures. For people of color, to give credence to "that" perception, is to unconsciously participate in self-degradation and disempowerment. The legal rights of people of color in predominantly white institutions are de jure, by right, a reality that we must internalize. A fundamental vested right is so significant, that it can only be extinguished by judicial power. Instill into the minds of children that they too have rights, that rights are shining symbols of liberty. Let us not forget the salient, enduring words of Ida B. Wells: "Eternal vigilance is the price of liberty." Now, we must embolden the "vigil" with the power of knowledge and law.

The cornerstone of a campus power structure, on any American campus, is the expertise and zeal of its legal counsel. Institutions are founded and maintained by its unique application of lawful and unlawful constructs of civil law. "Vested" power of authority, power of discretion and legal prowess, collectively, not separately perpetuate the campus power structure. Power is good, by definition, it is the ability to do, the capacity to act, the capacity to perform. The "capability" of all campus structures is legislated, regulated and subject to provisions and laws of the federal and state constitutions. The purpose of the campus power structure is to faithfully discharge its duties, and serve as a source of knowledge, creativity and inspiration for a diverse academic community.

Power is not absolute, but abuse of power invites "absolute injuries," injuries to

those rights which a person possesses. Abuse of power is bad, but malicious abuse is unconscionable; and the offending parties must be held accountable; and we must extol "responsibility" to a higher level. Cicero, the Roman orator and philosopher, lamented, "He who violates his oath, profanes the divinity of faith itself."

This paper will examine the fallibility of "vested power" in one institution of higher learning; and the impetus of self-empowerment of one individual, who happened to have been a woman of color in a predominantly white institution.

And finally, this paper will provide a chronological summary of the following: 1. The extraordinary events that led to a five year legal challenge, by a former tenure-track faculty member against a Southern California community college district, for her legal right to a hearing, on the allegations set forth in her grievance against the district; 2. The profound disappointment in the acquiescence and duplicity of the faculty union in its duty of fair representation; 3. The exhausting ordeal of unraveling the legal "cords" of civil law, procedure and practice; 4. The risk, and adversities of pro per litigation; 5. The "unanimous" opinion handed down by the Court of Appeal of the State of California, affirming the "rights" of the plaintiff/appellant, thus "upholding" the rights of California public employees; 6. Constructing a paradigm of self-empowerment through the power of knowledge and law.

"Surrounding these publications is the hope that Americans, informed of their rights, will be encouraged to exercise them. Through their exercise, rights are given life. If they are rarely used, they may be forgotten and violations may become routine."

PRESENTER:

Regina Harvey McLaughlin graduated from California State University, Dominguez Hills, with a Master of Arts degree in Education. She received her Bachelor of Arts degree from the University of Redlands in Southern California. McLaughlin has served in the field of early childhood education and childhood development for over three decades. She was nationally profiled in "Instructor Magazine" in 1979 and in "Competence, National News for the CDA Community" in the summer of 1983. More recently, she received a Certificate of Special Recognition from Congresswoman Maxine Waters on August 22, 1998, in honor of the 150th anniversary of the Women's Rights Movement at the "Living the Legacy" celebration. McLaughlin is an associate professor in child development at Los Angeles Mission College, and is an instructor in early childhood education in Education Extension, UCLA. She was born in Seattle, Washington. She has been a resident of Los Angeles since 1962.