

## **Equality, diversity, and the politics of scale: The Canadian public policy experience<sup>1</sup>**

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Thanks to the excellent review of international efforts at gender mainstreaming produced by MacKay and Bilton, (2000), the Canadian experience of gender mainstreaming is, I think, quite well known to this audience. Therefore, my purpose in this paper is to address not where Canada has been in its mainstreaming efforts, but where it might go. I intend to present food for thought in two areas that tie in directly to the interests of this seminar – first, the interest in bringing issues of diversity to bear on the development of gender-sensitive policy and programmes, and second, the interest in processes of equality policy and programme development in the context of devolution, or as I shall refer to it, in the context of the politics of rescaling. To begin, a brief overview of Canada’s current approach to integrating diversity and gender equality is necessary.

### **1. Gender-based analysis and diversity in Canadian public policy – a brief overview**

Canadian commitments to the implementation of gender-based analysis in policy development, implementation and assessment have from the beginning included the awareness that gender categories are not homogeneous. Differences among women, and among men, in

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terms of, for example, class, racialization, language, disability and so on have been recognized, from the start, as significant aspects in the structure and experience of inequality in Canada. By the time the Federal government was preparing its commitments to be presented at the Fourth UN World Conference on Women in Beijing in 1995, there was significant recognition that to be fully effective gender-based analysis needed to be conducted with the importance of diversity acknowledged and integrated. For example, paragraph 23 in the federal plan (*Setting the Stage for the Next Century: The Federal Plan for Gender Equality, 1995-2000*) states

“A gender-based approach ensures that the development, analysis and implementation of legislation and policies are undertaken with an appreciation of gender differences. This includes an understanding of the nature of relationships between men and women, and the different social realities, life expectations and economic circumstances facing women and men. It also acknowledges that some women may be disadvantaged even further because of their race, colour, sexual orientation, socio-economic position, region, ability level or age. A gender-based analysis respects and appreciates diversity.”

While the *idea* of the significance of diversity for a full analysis of gender inequality was present, the *practice* of gender-based analysis was more often than not limited to an analysis of inequalities between men and women as distinct and undifferentiated groups. In many cases, this was in itself an improvement over assumptions of gender neutrality, and there continue to be areas within federal departments reluctant to acknowledge the significance of gender inequality to their areas of responsibility. However, a simple analysis of male versus female differences is a crude implementation of gender-based analysis, and there have been important efforts to move beyond this form analysis in order to take into account variations in experience and inequality within gender categories. Three forms of action in this respect are worthy of note.

In 1997, **Status of Women Canada** (an agency within the federal government) took an early and important lead in implementing the integration of gender and diversity analysis when they launched an initiative within their newly established Policy Research Fund. The initiative

was entitled “The Integration of Diversity into Policy Research, Development and Analysis”<sup>2</sup>

and the call for proposals is identified as follows:

“While it is recognized that women as a group share some common issues and policy concerns, women living in Canada are not a homogeneous group. Aboriginal women, women with disabilities, visible minority women and women of colour, linguistic minority women, immigrant women, lesbians, young women, poor women, older women, and other groups of women experience specific barriers to equality. Through this call for proposals, researchers were asked to consider these differences in experiences and situation when identifying policy gaps, new questions, trends and emerging issues as well as alternatives to existing policies or new policy options.”

Several papers were published from this initiative, and two in particular report comparative research by prominent feminist academics which analyses general questions concerning the integration of gender and diversity in policy analysis and development.<sup>3</sup> Rankin and Vickers (2001) do a comparative analysis of Canada and Australia, looking at how opportunities to direct policy vary within and across jurisdictions, and by majority and minority status among women. They use anti-violence agendas as a lens for assessing capacities in both countries to forge links between the state and the women’s movement via the institutions, and resources, of state feminism. The comparative research by Bakan and Kobayashi (2000) examines employment equity policy across Canada’s ten provinces, including a comparison with employment equity within the federal government. Their aim is to address the gap between employment equity policy and implementation with particular emphasis on the experiences of visible minority women. I shall return to the insights offered in both of these papers later in this paper.

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<sup>2</sup> Hereafter, this will be referred to as the *Integration of Diversity* initiative.

<sup>3</sup> These and other publications from the *Integration of Diversity* initiative are available via the Status of Women web site, and are listed under references.

Around the same time as Status of Women was organizing the above initiative, significant actions were happening in the area of justice which involved collaboration between federal, provincial and territorial levels of government. Federal, provincial and territorial Ministers Responsible for Justice endorsed the routine incorporation of diversity and equality considerations in all proposals presented to them. As a means to realize this objective, the **Federal-Provincial-Territorial Working Group on Diversity, Equality and Justice** was established. The working group produced, in 1997, an analysis tool referred to by its acronym IDEAS – the Integrated Diversity and Equality Analysis Screen. The screen is proposed as a tool to assess the possible effects of a proposed course of action on various groups identified as having been vulnerable to disadvantage within the justice system. The working group liaised with the Canadian Centre for Justice Statistics of Statistics Canada to produce background information and profiles of all identified groups. As the screen is applied, analysts can access these profiles as a way of informing themselves about the issues and characteristics of the groups potentially vulnerable to disadvantage. The groups identified are: women; youth and children; seniors; Aboriginal peoples; racial and ethno-cultural minorities; refugees; recent immigrants; persons with disabilities; persons with literacy problems; social assistance recipients and the poor; religious groups; gay, lesbians and bisexual persons; and transgendered persons. The screening instrument asks analysts to consider potential impacts on all of these groups, as well as potential impacts on “individuals who belong to more than one of these groups”.<sup>4</sup>

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<sup>4</sup> See [www.justice.gc.ca/en/dept/pub/ideas/index.html](http://www.justice.gc.ca/en/dept/pub/ideas/index.html) for a full copy of IDEAS.

The third action on integrating gender and diversity to note involves the department of **Citizenship and Immigration**. This department is in a unique position within the federal government in that as of 2002 it has a statutory obligation to include in its annual report to parliament a gender-based analysis of a specific political initiative - the Immigration and Refugee Protection Act. The statutory requirement to report to parliament on gender impacts is unprecedented and the department is, in this sense, very much in the lead in terms of developing and legitimating the efficacy of gender-based analysis. In this role, Citizenship and Immigration give weight to the need to examine inequalities within as well as between gender categories. In their first gender-based analysis of the Immigration and Refugee Protection Act, the CIC state that GBA is “an analytical framework that assesses the differential impacts of policy, programme and legislation for men and women and for different groups of men and women”.<sup>5</sup> The gender-based analysis chart notes, for example, in the case of Foreign Government Refugee Resettlement Agreements that government to government referrals may include situations where vulnerable groups are less likely to be identified or reached. The analysis recommends close monitoring of these agreements, aided by the collection of data on refugees affected by these agreements including information about their gender, age, language, ethnicity and other diversity variables.

These are all excellent achievements which show a determination to use gender-based analysis as a means to establish diversity-sensitive policy analysis and action. In reviewing progress on gender mainstreaming at the close of the five-year Federal Plan for Gender Equality, the Status of Women (2001) noted significant progress in areas of commitment and implementation. They highlight, as an example of progress within federal government sectors,

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<sup>5</sup> The gender-based analysis chart developed by Citizenship and Immigration is available at [www.cic.gc.ca/english/irpa/gender%2Damend.html](http://www.cic.gc.ca/english/irpa/gender%2Damend.html).

the work on gender and diversity integration, and the development of IDEAS, within the Department of Justice. They also draw specific attention to Citizenship and Immigration as spearheading the piloting of gender-based analysis policy case studies. In setting out current and future challenges, Status of Women highlight two areas that I am going to follow up here. One is the need for further progress in the development of analytic resources, including the need to “develop indicators that reflect the social diversity of the population and recognize that factors such as Aboriginal status, disability, race, age, family status, and rural or urban location, can interact with gender in different ways.” (2001:29) In part two, I intend to address questions of how intersections of gender and diversity are being, and could be, analyzed as a way of furthering the effectiveness of gender-based analysis. Another area of challenge pointed to in the 2001 review is the need to respond and keep pace with an ever-changing political environment. As the report notes, “in recent years, the federal-provincial/territorial relationship has been changing, with several key policy areas that have an impact on women’s lives devolving to the provinces and municipalities” (2001:28). In the Canadian academic literature on policy analysis, this process is identified as rescaling. I shall discuss in part 3, the significance of rescaling for the public policy process in Canada, including some assessments of its impact on policies addressing inequalities between and within the experiences of women and men.

## **2. Gender and diversity - putting intersectional analysis into practice**

The interest in gender and diversity in the context of gender-based analysis resonates well with directions in academic research toward intersectionality in researching and theorizing inequality. The use of gender as analytical category in Canadian research follows a

now familiar and well-established pattern toward greater disaggregation and a concern to recognize heterogeneity within gender categories. In addition, the place of the classic analytical triad – class, gender, race – has become less sure as analysts are no longer willing to presume *a priori* the salience, the relative ordering, or the sufficiency of these categories in capturing patterns of inequality in Canada (Siltanen, 2004). There is a convergence toward intersectional analysis as a framework capable of capturing the complexity of inequality as experienced and as systemically constructed. Intersectional analysis refers to an analytical approach which recognises multiple dimensions in the structuring and experience of oppression, and sees these dimensions as forming complex intersections of systemic conditions which can be contextually specific (that is, their particular intersections may vary by time, place and circumstance).

While there is strong development of intersectional analysis theoretically, there is a corresponding drag on the development of a methodology of intersectional analysis. This observation has been made recently with reference to intersectional analysis in feminist studies in the United States (McCall, 2005) and I think it applies equally to academic studies in Canada, and to the implementation of gender-based analysis within levels of Canadian government. As McCall argues in her recent paper in Signs (2005:1771) “despite the emergence of intersectionality as a major paradigm of research in women’s studies and elsewhere, there has been little discussion of *how* to study intersectionality, that is of its methodology.” Similarly, one of the challenges facing the interest in integrating gender and diversity in policy analysis and implementation in Canada is, I suggest, the development of a methodology of intersectional analysis.

For many involved in exploring intersectional analysis, an additive approach is not a suitable methodological strategy. An additive approach is where one would add, to a gender analysis, considerations of race, disability, age, minority status and so on. The problem with an additive approach is that it cannot cope with the complex connections and interactions between various dimensions of oppression. It is the complexity of intersectional analysis that McCall rightly identifies as behind both its appeal and its methodological challenge. She discusses three ways researchers have responded to the complexity involved in intersectional analysis – and here I want to speak in more detail about two of them which relate closely to the integration of diversity into gender-based analysis: intracategorical analysis (which I think includes much of what is currently done in gender-based analysis research on gender and diversity in Canada) and intercatgorical analysis (which I shall argue could be used more often for gender-based analysis to be fully effective as a methodological tool).

#### Intracategorical analysis

While adopting a critical stance toward categories of analysis, the main focus of the intracategorical methodology is to reveal the experiential realities of individuals and groups positioned at specific intersections of oppression. For example, one of the research reports in the Status of Women *Integration of Diversity* initiative (Côté. et. al., 2001) looked at the experiences of French-speaking, family-sponsored immigrant women, living in Ontario – an intersection of disadvantages along dimensions of gender, language, immigration class and visible minority status. Another (Kenny et.al. 2002) examined experiences of culture, education and work among aboriginal women – not considered as an undifferentiated group, but distinguished by diversity in their aboriginal ancestry (Inuit, First Nations, Métis) , and regional circumstances.



As McCall notes, this type of exploration of intracategorical complexity is typically qualitative, and draws on the rich developments within feminist research practice designed to reveal and express the depth and complexity of lived-experience. Arguing for the legitimacy and use of qualitative research such as this is, I would suggest, one of the great achievements of efforts to mainstream gender-based analysis in policy development and assessment in Canada. Increasingly qualitative evidence is accepted in policy circles as having something important to offer in the deliberation of policy directions and programme alternatives and I think we can link this acceptance very directly to the intense efforts that have been made by gender-based analysis advocates to bring qualitative analysis to bear on policy discussions. For example, the value of qualitative research, and its link to gender-based analysis, is strongly presented in the report by the Parliamentary Standing Committee on the Status of Women (2005) on how to move gender-based analysis forward in federal government processes.

Of course, part of the argument for qualitative analysis was precisely that it allowed for a "contextualization of experience" (Rose, 2001) and a closer look at the multiple dimensions of inequality within women's lives. As McCall notes, however, this type of intracategorical analysis provides a rich but limited view of intersectionality. She makes the point that in this form of analysis (2005:1781) "complexity derives from the analysis of a social location at the intersection of single dimensions of multiple categories, rather than at the intersection of the full range of dimensions of a full range of categories". For the latter analysis, she recommends an intercategorical approach.

#### Intercategorical analysis

In order to appreciate the systemic and structured nature of intersecting multiple dimensions of inequality, it is important to examine complexity as a feature of relationships

between as well as within all categories of the dimensions of interest. If gender is operating in a particular context as a structuring mechanism of inequality, we need a comparison between men and women to establish this. If we are then interested in the intersection of gender and visible minority status – we need to contrast and compare the experience of men and women within each category of visible minority status, as well as contrast and compare the experience of all visible minority groups within each gender category. Such an intercategorical analysis would be able to tell us which dimensions are having a structuring effect and whether any existing effects are modified or contextualized by their intersection with other dimensions. This type of approach can only be conducted in practice with quantitative forms of analysis which can handle intercategorical complexity.<sup>6</sup>

There is talk in discussions of feminist methodology in Canada of revisiting quantitative methodologies to find ways of claiming them for feminist purposes (for example, see Rose, 2001), and in this light McCall's argument is very interesting. She presents a strong case for the value of certain forms of quantitative research in advancing the analysis of intersectionality. The report of her own quantitative intercategorical analysis of the relative weight of gender, class and race on wage inequalities in four American cities piques one's interest in the possibilities of this approach – as it supports the need for place-specific and contextualized policy development that much recent feminist research in Canada is calling for. She finds, for example, that in post-industrial Dallas, gender inequality is higher among the college-educated than among those with less than college education. Whereas in industrial Detroit, gender inequality among the college educated is lower than among the non-college

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<sup>6</sup> McCall mentions as possibilities here multilevel, hierarchical ecological or contextual modelling, but she is quick to point out that this is what is current available for this type of analysis, not necessarily what might be most desirable (2005:1788).

educated. She argues that this type of specification of the context of gender inequality suggests the need for specific policy initiatives depending on the inequality configuration within each city – a minimum wage strategy in one case, for example, whereas comparable worth or affirmative action strategies would work better elsewhere.<sup>7</sup>

The need for policy to be more specific and contextualized is a comment that featured prominently in the Status of Women papers produced for the *Integration of Diversity* initiative. Papers by Rankin and Vickers (2001), Bakan and Kobayashi (2000), and Kenny (2002) are particularly strong on this point. This potential contribution from intersectional analysis connects with another major force in the study of the policy process in Canada – that is, the politics of re-scaling.

### **3. Rescaling and the policy process**

I want to try to connect with the “context of devolution” part of this seminar series, and I think one aspect of current academic work on policy-making in Canada that might be of interest is developments in thinking about the dynamics of scale. Issues of scale have always been important in Canadian public policy – by scale I’m drawing on the usage in human geography that many feminist researchers have adopted, to refer to the “level of resolution” at which we analyse or act (Masson, 2005; Mahon et. al. 2005). It is clear in the Canadian context that policy research and analysis must be multi-scalar – it must consider many scales, and address the complexity of the interrelationships between them. Canada has always had very complex relationships of partial autonomy, dependence and interdependence between federal

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<sup>7</sup> For further elaboration of this point, see McCall (2005:1789ff).

and provincial/territorial governments in the many arenas of public policy.<sup>8</sup> With developments attributed to globalization and the neo-liberal turn in Canadian federalism, there is also increasing attention to actions at the supra-national scale, as well as actions that are sub-provincial – at the regional and especially at the city level. The role of cities in policy dialogue and processes is emerging as a key source of innovation and change in the Canadian policy landscape. Mahon et. al. assert (2005:15) that a “political economy of scale brings a new perspective to public policy analysis, in showing how the formulation and development of public policy is intimately tied to the way that social actors construe, contest, and negotiate larger societal arrangements at particular scales”.

As Mahon et. al. (2005) suggest, we should not see these scalar arrangements as independently constituted or nested within one another – in a tidy Russian doll fashion. While analysis of policy must be multi-scalar, it also needs to recognise scale as not only a political context, but also a political construction. An analysis of policy making from the perspective of a political economy of scale recognises that the politics of scale involves the construction and contestation of boundaries of policy jurisdiction and capacity. The rescaling of politics and policy is, in part, what devolution is all about, and it would be interesting to compare and contrast insights gained in the construction and contestation of policy capacity in the context of devolution with those emerging within the rescaling processes currently underway in Canada. The ways in which policy priorities and programmes get positioned within processes of rescaling is of utmost concern to equality-seeking groups and advocates.

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<sup>8</sup> The complications and compromises often brought about by this complex of intergovernmental relationships and responsibilities for particular policy areas has lead some commentators to identify policy-making in Canada as a process of “relentless incrementalism” (Battle, 2001).

Questions of scale – its social construction, its intersection with relations of power and its political contestation – are emerging as important points of analysis in feminist policy research in Canada. And, the dynamic orientation to scalar arrangements, and rescaling processes, that is expressed in the political economy of scale perspective is offering rich insights in the development and limitations of policies addressing equality . To close this discussion, I want to mention two examples of how the politics of scale/rescaling is featuring in the analysis of gender and diversity policy initiatives.

The first example is the case of the regionalization of the province of Québec, and how the Québec women's movement participated in this rescaling. Masson (2005) looks at the actions taken by the women's movement in Québec in response to the provincial government's plan to create within the province a new regional level of policy-making and policy management responsible for key areas such as health, social services, development, income security and training. Up to the 1990s, the women's movement concentrated most of its efforts on influencing the policy directions taken by the Québec state. Over the 1990s, however, the provincial state undertook a process of regionalization which devolved responsibility for policy making and implementation on key policy files to a regional level (which up to this point had a purely administrative role) – a rescaling project that created a new scale (region) that was argued to offer greater adaptability and responsiveness to the needs of global competition (Masson, 2005:9-11). Masson argues that women's groups - which of course had not been consulted or even thought about in this project of regionalization – actively inserted themselves into this process and claimed the newly emerging regional scale as a arena for feminist politics. They demanded inclusion in decision-making processes and attention to four main priority issues: employment, entrepreneurship, political representation and quality of life.

Identification of these priority issues pointed to the need to address the circumstances women vis a vis men, and also the circumstances of different categories of women. Masson concludes it was not resistance or protest that the Québec women's movement was involved in, but action directed by the recognition that rescaling was a social and political process in-the-making. She says (2005: 17-18) the new

“regional scale...had to be recognized as usable for feminist politics, constructed as actionable for such purposes, and materially and discursively “brought into existence” as a new scale of action by women's movement actors.”

The second example brings me back to an issue raised in a number of the papers produced for the Status of Women Canada in their *Integration of Diversity* initiative. A number of these papers argue against a ‘one size fits all’ attitude in policy making. Not only do they make this argument in terms of recognising diversity among women, but they also make this argument in terms of the need for mechanisms realizing policy goals to be as contextualized and situationally-specific as possible. Bakan and Kobayashi's analysis of employment equity policy in Canada's ten provinces is perhaps the most forceful on this point, but it represents a form or argument that is coming to the fore in Canadian policy debate. Their first recommendation for re-energizing the push for employment equity (2000:57) is that employment equity policy needs to be tailored to the specifics of the “legislative and public service cultures” in each province. Their second recommendation is that employment equity policies should be tailored to the specific characteristics and needs of local communities. While all designated groups need to be included in any employment equity initiative, it may be necessary, given the specifics of the configuration of employment inequality in any particular place, to identify specific groups for special

priority attention.<sup>9</sup> The point made here by Bakan and Kobayashi is similar to the one made by McCall (2005) – no single form of policy implementation is going to be suitable for all contexts, and the applicability of the logic of Bakan and Kobayashi’s argument is equally relevant at the city scale of policy activity as well as for policies other than employment equity.

#### **4. Concluding thoughts**

I would argue that this interest in the contextualization and specification of policy mechanisms (an interest to re-scale policy intervention, if you like) is an inevitable, and important, result of the greater specification of gender inequality brought about by attention to diversity. Whether or not general feminist argument will go in this direction remains to be seen, but there are strong indications that many would like to see a better match between an understanding of the specifics of equality and diversity issues and the programme initiatives developed to combat inequalities as and where they are experienced. Of course, the danger is that with the specifics of policy implementation linked to the configuration of inequality at lower scales, the result will be unevenness in outcomes or, perhaps worse, unevenness in efforts to address or even acknowledge problems. But, as we know from the arguments about equality policy generally – ‘equal treatment’ doesn’t produce even outcomes either.<sup>10</sup> It is quite possible that policy objectives and timelines concerning equality and diversity

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<sup>9</sup> The four designated groups in employment equity legislation are women, persons with disabilities, visible minorities and aboriginal peoples.

<sup>10</sup> Rankin and Vickers (2001) set this argument out very well.

could be agreed upon at one political scale, and realized in practice at another in ways that are unique to the specific circumstances of the scale of implementation.

In Canada, I think the viability of this suggestion to contextualize and specialize policy implementation is made possible by the fact that all scales of policy jurisdiction are bound by the equality provisions of the Charter of Rights and Freedoms. The equality provisions of the Charter state:

“**15.** (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

(2) Subsection (1) does 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 race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.”

Further, it is crucial to note that interpretations by the Supreme Court of Canada establish that section 15(1) provides not only formal equality between women and men, but also substantive equality. The Charter is not a statement of social rights,<sup>11</sup> but the interpretation of equality as a substantive, and not merely legal, condition is a significant resource in arguing the priorities, directions and justifiable outcomes of policy. But, such a general provision has no real substantive bite unless equality-seeking actions are in concert with specific configurations of equality. To really get at inequality as both experienced and systemically structured, multi-scalar, intersectional analysis is essential. Together, intra and intercategory analyses of intersecting dimensions of inequality can provide evidence to support decisions about policy choices and priorities. Intersectional analyses can also provide the detailed specifications of

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<sup>11</sup> See Siltanen (2002) for a discussion of the development of social citizenship and social rights in Canada.



complex inequality configurations required to determine the equality policy implementation strategies likely to be most effective at particular scales of action.

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