

WEBVTT

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00:00:07.980 --> 00:00:19.350

Evan Taylor: So now, everything's everything's recording and so for the, for the record, because I know that's the sort of thing lead to talk about here we are today. June 4 this time, just after one o'clock in Vancouver.

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00:00:20.040 --> 00:00:28.050

Evan Taylor: Pacific Daylight Time. I think we're on right now. So I'm Evan Taylor. I'm here interviewing Barbara Finley and where are you today.

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00:00:29.850 --> 00:00:38.460

barbara findlay: I'm also in Vancouver. It's 2020 and it's a year. That seems like it's entirely out of time.

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00:00:39.060 --> 00:00:40.140

barbara findlay: So I am

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00:00:40.230 --> 00:00:45.210

barbara findlay: speaking to you from home, as I'm assuming you are speaking to me and

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00:00:46.320 --> 00:00:48.780

barbara findlay: The world is weird. That's all I can say.

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00:00:50.730 --> 00:00:55.710

Evan Taylor: Great, great overview introduction. I'm finding myself because we've been doing these interviews a little bit before

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00:00:56.070 --> 00:01:03.000

Evan Taylor: The time and then now there's some happening after. And it's very interesting, I find myself sometimes doing exactly what you just did stopping and saying,

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00:01:03.480 --> 00:01:12.630

Evan Taylor: So for those of you at home who might not be aware, we are in this time of the great pandemic of code 19 and I ended up sort of doing that, that context. So thank you for

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00:01:13.680 --> 00:01:14.160

Evan Taylor: The beginning

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00:01:14.490 --> 00:01:24.960

Evan Taylor: Yeah. Um, so usually how I start is I do have some sort of quick graphic pieces just, you know, the stuff that the snacks can type form and then we get into the more of a conversational stuff.

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00:01:25.950 --> 00:01:35.160

Evan Taylor: You know, I sent you the the list of questions we probably won't get to all of them. And if we go off on tangents or tracks that you don't usually actually very good thing we end up in some very interesting conversation. So

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00:01:35.340 --> 00:01:40.470

Evan Taylor: You know it's meant to be more of a conversation. It's not, you know, a black and white ABC sort of thing.

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00:01:41.580 --> 00:01:48.120

Evan Taylor: And so at first. First question, and I think I know this one but but you go by, by a sheet in hers.

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00:01:48.480 --> 00:01:48.960

barbara findlay: I do

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00:01:49.290 --> 00:01:55.920

Evan Taylor: Your pronouns. And how old are you, today 7171 and you just retired didn't know

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00:01:56.190 --> 00:01:56.640

barbara findlay: Yeah.

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00:01:57.450 --> 00:01:59.850

Evan Taylor: So you say I feels like a loose retirement.

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00:02:00.390 --> 00:02:03.450

barbara findlay: Yeah, it's a loosely speaking, shall we say.

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00:02:05.370 --> 00:02:06.600

Evan Taylor: And where were you born

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00:02:07.320 --> 00:02:08.730

barbara findlay: I was born in Medina.

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00:02:10.440 --> 00:02:11.640

Evan Taylor: And where do you live now.

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00:02:12.210 --> 00:02:12.870

Vancouver.

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00:02:13.920 --> 00:02:15.390

Evan Taylor: And how long have you been in Vancouver.

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00:02:16.140 --> 00:02:17.550

barbara findlay: Since 1970

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00:02:19.560 --> 00:02:20.220

Evan Taylor: And

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00:02:21.600 --> 00:02:28.260

Evan Taylor: I just talked to us, but you're retired and your work, especially as a lawyer, did you have other training or occupational work that you did.

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00:02:28.350 --> 00:02:39.840

barbara findlay: I did, I did a master's degree in sociology before I went to law school. And so, and that trained me as a sociologist, but when I went down to what was then called I

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00:02:41.220 --> 00:02:45.720

barbara findlay: Look on the job board, oddly enough, there were no listings for sociologists

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00:02:46.140 --> 00:02:52.740

barbara findlay: So I realized that my degree while interesting and certainly has shaped my the rest of my perspective.

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00:02:53.370 --> 00:03:20.220

barbara findlay: Is not going to be all that practical, not to mention all that effective. So I picked I picked a career that I figured would enable me to continue to continue my then feminist activism with some with some clothes. So I was looking for the cloak that being in the legal profession offered

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00:03:21.270 --> 00:03:23.100

Evan Taylor: Yeah, the professional letters, right, you

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00:03:23.100 --> 00:03:23.850

barbara findlay: Got to be

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00:03:24.090 --> 00:03:24.990

Evan Taylor: Credibility right

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00:03:25.290 --> 00:03:26.940

Evan Taylor: Yeah, that's sociology just

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00:03:27.270 --> 00:03:28.230

barbara findlay: Like credible that's

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00:03:32.250 --> 00:03:33.540

Evan Taylor: Really the first words that were used.

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00:03:33.630 --> 00:03:33.960

Yeah.

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00:03:36.030 --> 00:03:44.100

Evan Taylor: And what about your in terms of race, ethnicity, religious, cultural background. What, what, what are those important contracts for you.

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00:03:44.580 --> 00:03:53.880

barbara findlay: I was raised working class and Christian small see well big see at the time, but I'm in Regina and

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00:03:58.800 --> 00:03:59.460

barbara findlay: The

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00:04:01.290 --> 00:04:01.830

barbara findlay: Fans

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00:04:02.160 --> 00:04:23.190

barbara findlay: My ancestors are British I'm like okay I as a teenager, I was significant life event for me was being locked up in a in not host because I was a lesbian. When I was a teenager. So that was what they did with less they what they charge to gay men.

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00:04:23.760 --> 00:04:29.160

barbara findlay: But they tended to institutionalize as crazy the lesbians and, of whom I was one

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00:04:29.730 --> 00:04:36.240

barbara findlay: Right. So that was a piece and I met I'm I ran into

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00:04:38.190 --> 00:04:47.550

barbara findlay: Feminism and Dorothy Smith Marxist Sociology at the same moment in 1970

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00:04:48.210 --> 00:04:55.560

barbara findlay: And from there, my that shaped my intellectual life and my my activist life.

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00:04:55.890 --> 00:04:57.000

barbara findlay: Here in Vancouver.

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00:04:58.350 --> 00:05:10.050

Evan Taylor: And I recall you saying, I don't know if I've read this in a different publication or something had online, but I remember something about when you were institutionalized that that they were using shock therapy at that time was that

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00:05:10.290 --> 00:05:16.980

barbara findlay: They were i i was i did not get Chuck their pre my partner did, but I did not happily.

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00:05:18.060 --> 00:05:20.910

Evan Taylor: But that was, that was the sort of standardized treatments that were happening.

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00:05:21.000 --> 00:05:22.800

barbara findlay: It was certainly one of them, for sure. Hey,

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00:05:24.180 --> 00:05:30.600

Evan Taylor: What, in terms of a visible or invisible disability. So what sort of health, what's, what's your health, like

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00:05:31.560 --> 00:05:48.570

barbara findlay: Well, I usually begin introductions in this context by saying, I'm an old white sis gender lesbian lawyer with disabilities raised working class and Christian on the prairies and my my my

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00:05:48.990 --> 00:05:56.520

barbara findlay: You're talking to me as I lie flat on my back because I have sponsored gnosis. And that actually means literally did I

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00:05:57.540 --> 00:06:19.020

barbara findlay: That I I spent 23 and a half hours a day on my back at the moment. So that's, I hope that that's going to change. And that has certainly not been. I mean that's been for the last couple of months. Beyond that, I have autoimmune disease. And so, um, that's that's chronic

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00:06:21.420 --> 00:06:27.120

Evan Taylor: And that's what, that's one of those things that is one of those invisible disabilities that has been like a lifelong thing. The, the autism, you

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00:06:27.210 --> 00:06:29.250

barbara findlay: Know that's been for about the last five years.

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00:06:29.670 --> 00:06:35.610

Evan Taylor: Okay, okay, are part of part of the the accumulation of health issues that happened with the aging process.

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00:06:38.460 --> 00:06:39.210

barbara findlay: Who knows.

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00:06:39.390 --> 00:06:48.480

barbara findlay: Okay. And, and I have, I have always had health issues and one kind or another. Know all my life. Okay.

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00:06:48.960 --> 00:06:56.880

Evan Taylor: That's, that's something that's important to me to make sure that we have on record to understand it, folks, because for some people do they date they live with.

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00:06:57.360 --> 00:07:04.320

Evan Taylor: Some sort of chronic illness or disability or whatever that no one ever asks about but yeah launch how they do their activism, or why it's important.

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00:07:05.010 --> 00:07:09.180

barbara findlay: Well, it certainly informs how I'm doing it, my activism at the moment, that's for sure.

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00:07:09.690 --> 00:07:16.710

barbara findlay: Right, happily, I mean, if you have to be flat on your back. This is not a bad time for that to be the case. You know what I'm saying.

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00:07:17.790 --> 00:07:18.120

Evan Taylor: Is I

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00:07:18.150 --> 00:07:21.210

Evan Taylor: Think the playing field is somewhat even been that way for everybody right now.

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00:07:21.600 --> 00:07:25.740

Evan Taylor: Somewhat. Um, what about relationship or a family status.

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00:07:26.550 --> 00:07:31.950

barbara findlay: I am my partner. She lived with Leah and I have been together for 29 years

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00:07:33.060 --> 00:07:39.150

barbara findlay: I came out as a lesbian. When I was in university and

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00:07:47.640 --> 00:07:51.180

barbara findlay: So it was a very early days of

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00:07:52.260 --> 00:08:01.650

barbara findlay: And we've we've found feminism together and really activism together so that that relationship last 10 years or so, and I

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00:08:02.670 --> 00:08:08.550

barbara findlay: So those I've had some other couple of other relationships, but those are the significant ones.

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00:08:09.870 --> 00:08:12.030

Evan Taylor: And what about any kids or grandkids.

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00:08:12.510 --> 00:08:13.260

barbara findlay: Okay, it's

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00:08:13.380 --> 00:08:14.370

barbara findlay: I'm saying see

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00:08:14.850 --> 00:08:19.110

Evan Taylor: Any, any other chosen family folks that are important to to know about.

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00:08:21.510 --> 00:08:23.460

barbara findlay: For the pretty pretty day I think not.

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00:08:24.030 --> 00:08:28.290

Evan Taylor: Okay. Um, and I'm assuming that your sex assigned at birth with female

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00:08:28.800 --> 00:08:37.470

Evan Taylor: Yes. And so what about your, your current your gender identity. How do you relate to, to, to that. Is it just simply just gender wars or something more complicated there.

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00:08:44.070 --> 00:08:49.020

barbara findlay: It's well I'll answer that question in a, in a, maybe a little bit different way and that is

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00:08:50.280 --> 00:09:08.940

barbara findlay: One of the things that I've concluded after decades of working on sexual orientation or gender identity issues is that we collectively no physical about either sex or gender identity or sexual orientation and that

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00:09:11.010 --> 00:09:13.500

barbara findlay: Those are categories of

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00:09:17.310 --> 00:09:23.610

barbara findlay: Organizing ideas and in some ways organizing experiences or being ways to identify

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00:09:26.280 --> 00:09:27.090

barbara findlay: I

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00:09:29.160 --> 00:09:31.920

barbara findlay: What I would say, now I guess is that I

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00:09:33.060 --> 00:09:37.980

barbara findlay: Am quite not anywhere near as attached to

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00:09:40.410 --> 00:09:42.150

barbara findlay: Those descriptors.

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00:09:44.700 --> 00:09:55.980

barbara findlay: Then once was important. So, for example, being, being a lesbian was really important to me in my early org and being a woman in my early

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00:10:14.940 --> 00:10:16.770

barbara findlay: In my early organizing years

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00:10:18.060 --> 00:10:30.360

barbara findlay: feminism was of course premised on being a woman and being lesbian in the context of the women's movement was not a popular identity because

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00:10:30.960 --> 00:10:46.470

barbara findlay: The straight women says if they know you're a lesbian. They'll think we're all lesbians and they'll think we hate men. So we were not out. I want to see. We my partner and I were in fact not out in our feminist organization or

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00:10:50.550 --> 00:10:52.740

barbara findlay: And those were the days when

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00:10:55.830 --> 00:10:58.890

barbara findlay: One of the first of all you found out whether some

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00:10:59.970 --> 00:11:04.620

barbara findlay: Who did inquiries. Like, have you ever read Jane rule.

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00:11:04.860 --> 00:11:26.400

barbara findlay: Or that kind of that kind of thing. And the very first thing you did was you traded coming out stories and the list of who else in your life knew or did not know that you were out and it was we we held those secrets closely and honorably with each other.

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00:11:27.600 --> 00:11:30.030

barbara findlay: It was. It was a time of

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00:11:36.750 --> 00:11:39.270

barbara findlay: Well danger shame.

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00:11:40.500 --> 00:11:57.660

barbara findlay: Shame but notching so shame enjoy in the same braided package and that was a weird package to unpack and the generation just ahead of me or half a generation headed me where the generation were scared stiff.

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00:11:59.190 --> 00:11:59.820

barbara findlay: Of

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00:12:01.470 --> 00:12:02.010

barbara findlay: Of

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00:12:03.060 --> 00:12:19.980

barbara findlay: Somebody identifying as a lesbian like right out loud there because they were really, really, really in the closet and had absolutely no intention to ever have coming out of the closet and so they live their lives in complete secrecy and we were not popular

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00:12:21.000 --> 00:12:28.350

barbara findlay: To suggest that it was important to be visible as fans. So there were lots of

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00:12:29.910 --> 00:12:35.460

barbara findlay: Like finding and asserting and

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00:12:39.570 --> 00:12:55.230

barbara findlay: Active being an activist around that identity was incredibly complex and contested, and of course involved a whole bunch of interior or internal figuring out how to how you related to that.

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00:12:57.210 --> 00:12:58.020

barbara findlay: And

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00:13:00.270 --> 00:13:06.270

barbara findlay: It was a big deal being called let you know being identified as lesbian was a big deal. I identified this lesson for

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00:13:07.860 --> 00:13:11.010

barbara findlay: A long time and I'm

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00:13:12.900 --> 00:13:13.410

barbara findlay: A temple.

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00:13:15.420 --> 00:13:15.900

barbara findlay: Together.

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00:13:16.350 --> 00:13:17.130

Evan Taylor: How old were you when you

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00:13:17.670 --> 00:13:21.090

Evan Taylor: Have identified as a lesbian or understood that about yourself, is that the

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00:13:21.360 --> 00:13:23.520

barbara findlay: Reason I was in university. So I was about

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00:13:25.140 --> 00:13:30.270

Evan Taylor: Oh, so. So when you were on be institutionalized as a teenager, you, you weren't identifying as a lesbian.

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00:13:30.270 --> 00:13:32.010

barbara findlay: Whenever I was in, I was in

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00:13:32.100 --> 00:13:33.720

barbara findlay: University. When I was locked up.

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00:13:34.050 --> 00:13:36.360

Evan Taylor: Oh, OK. OK, gotcha. Yeah.

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00:13:37.740 --> 00:13:38.460

barbara findlay: So,

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00:13:39.780 --> 00:13:44.130

barbara findlay: So that was another piece of, you know, this is the cost of being lesbian

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00:13:44.640 --> 00:13:45.090

barbara findlay: Kind of

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00:13:45.540 --> 00:13:46.110

But

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00:13:48.300 --> 00:13:55.650

barbara findlay: So it was it was intense. And when I think about it. Now, if that identity was one that was

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00:13:57.990 --> 00:14:00.450

barbara findlay: Not obvious what the identity was

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00:14:01.620 --> 00:14:02.760

barbara findlay: Because

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00:14:04.560 --> 00:14:09.720

barbara findlay: The shape of that identity from the generation before me was not one that I was willing to

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00:14:14.190 --> 00:14:30.000

barbara findlay: Account. I wasn't, I wasn't. Then I was an out lesbian activist in Vancouver, while I was a lawyer, but I knew with certainty that I could be. I could do both. And those would never overlap.

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00:14:30.720 --> 00:14:46.440

barbara findlay: Because lawyers didn't even imagine lesbians and lesbians hated lawyers. So it was a non overlapping piece and I could do both. However, at some point I realized that that was actually splitting me in half.

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00:14:46.920 --> 00:14:51.600

barbara findlay: Right. And at that point I decided I was then going to be a lesbian lawyer.

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00:14:52.230 --> 00:15:05.640

barbara findlay: Me a previously unthinkable literally unthinkable concept. And so I then said about announcing it sort of in the hallways of the courthouse.

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00:15:07.320 --> 00:15:11.190

barbara findlay: In the way I attracted clients in the I just made it

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00:15:12.600 --> 00:15:15.990

barbara findlay: Made it a new literally a new identity.

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00:15:16.440 --> 00:15:19.380

barbara findlay: Hmm, and I cannot. I actually can't

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00:15:29.850 --> 00:15:32.550

barbara findlay: Oh, what a what a

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00:15:34.050 --> 00:15:38.430

barbara findlay: What a what a project that was what a what that meant.

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00:15:39.450 --> 00:15:42.780

barbara findlay: Anyway, that's not what we're talking about today. But that's about

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00:15:44.250 --> 00:15:49.800

barbara findlay: The question you asked was what do I, how do I feel about sexually

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00:15:51.540 --> 00:16:04.170

barbara findlay: Along comes, you know, 10 or 15 or 20 years past, and all of a sudden the word lesbian and the word feminist and all of those words that I grew up with in love dearly have suddenly have become soiled

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00:16:04.740 --> 00:16:12.870

barbara findlay: In the mouths of tourists and they and that's not that began with a Nixon case in my life.

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00:16:14.310 --> 00:16:14.970

barbara findlay: And

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00:16:16.860 --> 00:16:17.760

barbara findlay: I

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00:16:18.960 --> 00:16:23.520

barbara findlay: don't very often I more often call myself clear now than I call myself in those few

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00:16:23.910 --> 00:16:25.710

barbara findlay: Me and

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00:16:29.430 --> 00:16:32.910

barbara findlay: So there's all those all those political currents

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00:16:32.940 --> 00:16:51.990

barbara findlay: Yes, but and intellectual currents the intellectual currents about, you know, when I started doing work about trans issues there was exactly one book in the Canadian library system about trans folk, and it was. Yeah.

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00:16:52.440 --> 00:16:53.250

Evan Taylor: Do you know what you remember. Oh.

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00:16:53.550 --> 00:16:54.540

barbara findlay: Yeah, was by

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00:16:57.000 --> 00:16:58.890

barbara findlay: Their first name is Nemo stay

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00:16:59.280 --> 00:17:00.510

barbara findlay: Fenian yeah

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00:17:02.310 --> 00:17:03.480

barbara findlay: And that was it.

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00:17:05.100 --> 00:17:11.370

barbara findlay: So once again, so that that was really interesting for me because

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00:17:12.750 --> 00:17:14.100

barbara findlay: There I was, again,

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00:17:16.170 --> 00:17:18.870

barbara findlay: With a contested secret identity.

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00:17:20.040 --> 00:17:28.500

barbara findlay: And described on analyzed with no place in no no conceptual space, no nothing.

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00:17:29.610 --> 00:17:35.400

barbara findlay: I had the good fortune. When I was sociology being trained as a sociologist, I read

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00:17:36.630 --> 00:17:47.400

barbara findlay: During the summit is and so methodology just enter and institutional ethnography one in the books we read was a collection of essays by her Harold Garfinkel

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00:17:49.200 --> 00:18:02.580

barbara findlay: Who is nothing with it all it is. And one of his essays was about the assignment of sex at birth, and he wrote it as an illustration of

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00:18:04.050 --> 00:18:11.010

barbara findlay: The, the social practices of creating cognizant will

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00:18:13.320 --> 00:18:29.670

barbara findlay: I'm probably fucking up his analysis but causal categories of thought and and that at the very most basic level, that is to say the, the question of whether a child is male or female.

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00:18:32.100 --> 00:18:44.100

barbara findlay: Absolutely. Every accepted piece of information then available was a socially constructed category. So I had that

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00:18:45.060 --> 00:19:00.420

barbara findlay: Understand that was I remember the lightbulb moment of reading that essay and that was long before I ever met any transfer like that. What is that was 1970 I was 20 years before I met any transfer, but

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00:19:00.690 --> 00:19:05.280

barbara findlay: Wow, but it did so it came as no surprise to me that

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00:19:07.230 --> 00:19:11.100

barbara findlay: That we were dealing with something that was not an immutable.

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00:19:12.270 --> 00:19:14.460

barbara findlay: Kind of know physical whatever whatever

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00:19:14.730 --> 00:19:19.290

barbara findlay: Mm hmm. Over the period of working with transform

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00:19:20.790 --> 00:19:22.350

barbara findlay: And, you know,

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00:19:23.400 --> 00:19:38.010

barbara findlay: Remembering that my experience has been kind of weird, in the sense that it's people who come to me looking for legal advice, mostly. So I've certainly come to be. I'm really honored to the

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00:19:39.300 --> 00:19:55.350

barbara findlay: Have gazillions of trans friends now. And so I am part of that community, but it's a weird connection that of course trans people don't have. So I so my knowledge is therefore

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00:19:56.940 --> 00:20:01.080

barbara findlay: Limited in in in those kinds of ways.

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00:20:02.850 --> 00:20:03.240

barbara findlay: But

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00:20:05.130 --> 00:20:10.380

barbara findlay: The people who first began to come and seek help from me were

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00:20:11.640 --> 00:20:16.770

barbara findlay: Largely male to female identified as male to female transsexual

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00:20:18.330 --> 00:20:29.370

barbara findlay: And the very first call I got was a call from somebody who had an appointment for surgery in Montreal and was supposed to have their

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00:20:30.090 --> 00:20:50.880

barbara findlay: Travel paid by the Ministry and the the arrangement had not materialized. Okay. And it was urgent, you know, they were supposed to leave in two days or whatever it was, and I would have got that call, because at the time, I would have been

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00:20:51.960 --> 00:20:54.480

barbara findlay: Literally, the only lawyer that was

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00:20:55.770 --> 00:20:58.320

barbara findlay: Really visibly queer

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00:20:58.770 --> 00:21:00.510

barbara findlay: Hmm, I'm

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00:21:00.900 --> 00:21:02.370

Evan Taylor: Wandering around was this

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00:21:02.580 --> 00:21:06.870

barbara findlay: That 9093 maybe

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00:21:07.560 --> 00:21:08.580

Evan Taylor: Everything is like three

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00:21:08.640 --> 00:21:10.230

Evan Taylor: terabytes. Okay.

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00:21:10.500 --> 00:21:24.570

barbara findlay: And, and, you know, I was equal to solve the problem entirely because the ministry is actually. I mean, it was only the check was in the mail. So I phoned up and lo and behold, it happened and

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00:21:26.190 --> 00:21:36.810

barbara findlay: No all really, I think, literally, no thanks to me, perhaps I had something to do with it, but not much. Okay. And, but that was my first connection.

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00:21:37.290 --> 00:21:54.480

barbara findlay: And so it came to be that other other full male to female transsexual people would come to see me about various problems that they were having and as a consequence of that I got connected to some of the folks at the

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00:21:55.980 --> 00:22:01.470

barbara findlay: Then gender clinic and I was involved in the

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00:22:02.520 --> 00:22:10.170

barbara findlay: Harry Benjamin conference that was in Vancouver in you might know the year, I'm guessing 96

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00:22:10.620 --> 00:22:11.040

barbara findlay: There.

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00:22:11.100 --> 00:22:15.060

Evan Taylor: Find out because a few a few folks have mentioned, I mentioned it to where they are so

188

00:22:15.120 --> 00:22:28.530

barbara findlay: Yeah, so, and I remember that conference, partly because it was really exciting because it was the first time that I had been in a room I honest to God was making it up.

189

00:22:31.440 --> 00:22:31.800

barbara findlay: Like

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00:22:33.330 --> 00:22:40.620

barbara findlay: So it was my first opportunity to be around other people who were thinking and working in those areas.

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00:22:40.890 --> 00:22:43.650

barbara findlay: And they were almost entirely medical people. Yeah.

192

00:22:44.940 --> 00:22:46.020

barbara findlay: And I

193

00:22:47.340 --> 00:22:50.670

barbara findlay: I maybe I was leading workshop. I can't remember. I think I must have been

194

00:22:51.690 --> 00:22:57.300

barbara findlay: Doing a human rights for trans people workshop or something at which I invited people to

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00:22:58.800 --> 00:23:14.970

barbara findlay: pass a resolution that trans people should be protected by human rights legislation by such as and I made the suggestion expecting that the reaction would be whole like that. I would have no I never occurred to me that there would be any resistance.

196

00:23:15.060 --> 00:23:19.260

barbara findlay: Um, but it, it didn't go. It wouldn't go

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00:23:20.370 --> 00:23:32.460

barbara findlay: It didn't go anywhere. And that was because of the conservatism of the dead medical practitioners and their suspicions of something that, you know, some kind of

198

00:23:33.360 --> 00:23:46.920

barbara findlay: Name shows up and says vote here and they're supposed to put their professional reputations on the line, you know, right. So I skipped ahead a little bit in before that.

199

00:23:52.170 --> 00:23:53.070

barbara findlay: The

200

00:23:56.850 --> 00:24:00.180

barbara findlay: Sandy set, you know, Sandy. Sandy do law firm was

201

00:24:00.300 --> 00:24:03.240

barbara findlay: Yes, yeah. So Sandy.

202

00:24:05.010 --> 00:24:06.870

barbara findlay: came to me and said,

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00:24:08.970 --> 00:24:11.610

barbara findlay: That she wanted to

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00:24:16.740 --> 00:24:19.620

barbara findlay: I think originally what she wanted me to do was

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00:24:21.240 --> 00:24:25.170

barbara findlay: A book, which was the laws that affects trends.

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00:24:26.760 --> 00:24:37.230

barbara findlay: Canadian laws and how the law effects. I said, well, that actually that was a bit more than I more ambitious than. But how about

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00:24:38.610 --> 00:24:48.570

barbara findlay: Human rights for trans people. So we made an application to the law foundation and allows foundation gave us funding to do to do such a

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00:24:49.920 --> 00:24:50.310

barbara findlay: Book

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00:24:51.600 --> 00:25:10.770

barbara findlay: Publication and it was really interesting because sandy organized. This is this for me from my point of view this is early trans organizing in Vancouver sandy went down to San Francisco with devery and came back with the word transgender

210

00:25:12.870 --> 00:25:16.170

barbara findlay: It was the first to mine up to my knowledge.

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00:25:18.300 --> 00:25:26.130

barbara findlay: That was the first kind of importation of that words as opposed to the word transsexual

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00:25:26.610 --> 00:25:34.140

barbara findlay: Right and Sandy organized an advisory group and she organized

213

00:25:35.190 --> 00:25:37.290

barbara findlay: Cross dressers drag queens.

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00:25:39.120 --> 00:25:41.640

barbara findlay: male to female transsexuals

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00:25:42.750 --> 00:25:43.140

barbara findlay: I

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00:25:44.610 --> 00:25:46.200

barbara findlay: Listed he talks and

217

00:25:47.070 --> 00:25:54.810

Evan Taylor: I asked me to be interviewed and she sent me some material, but I that she wasn't she wasn't into the interview.

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00:25:55.860 --> 00:25:58.620

barbara findlay: Oh, too bad. Well, maybe I'll talk to her.

219

00:25:59.520 --> 00:26:02.820

barbara findlay: Yeah, yeah. Because did she say why.

220

00:26:03.540 --> 00:26:07.950

Evan Taylor: Yeah yeah we am I'll talk, I'll talk a little bit but not on

221

00:26:07.980 --> 00:26:10.920

barbara findlay: Not on record. Yeah, yeah. Okay, fine. Okay.

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00:26:12.450 --> 00:26:14.190

Evan Taylor: Well, what if we can make arrangements offline.

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00:26:14.850 --> 00:26:17.820

barbara findlay: Yeah. And because I think

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00:26:20.100 --> 00:26:21.270

barbara findlay: That well for

225

00:26:22.710 --> 00:26:38.130

barbara findlay: Her vision was huge revision was that those parts of the let's just call them non stereotypical gendered folks should come together with a view to

226

00:26:39.360 --> 00:26:43.980

barbara findlay: Saying what it was that they wanted to see in the human race code.

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00:26:44.790 --> 00:26:53.130

barbara findlay: Okay, and I had, I said to Sandy, that it was my opinion that it was then my opinion that

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00:27:02.580 --> 00:27:10.980

barbara findlay: The ground of sex and or the ground of disability, most of which were then in the Human Rights Code.

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00:27:11.730 --> 00:27:17.970

barbara findlay: Really cover the experience of certainly transsexual people

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00:27:18.420 --> 00:27:18.870

Mm hmm.

231

00:27:20.070 --> 00:27:21.930

barbara findlay: And and

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00:27:25.590 --> 00:27:26.310

barbara findlay: The

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00:27:27.390 --> 00:27:32.280

barbara findlay: There was it the time in this in this particular day that I see.

234

00:27:34.080 --> 00:27:51.960

barbara findlay: A controversy about whether or not claim should be advanced under the God of disability. And the advantage of doing that, of course, was that you could get that insurance coverage for surgery. So, on the other hand, people didn't want to see didn't want to construct

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00:27:52.260 --> 00:27:52.800

The

236

00:27:54.090 --> 00:27:56.610

barbara findlay: Trends relief as

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00:27:57.990 --> 00:28:02.070

barbara findlay: Or trends experience as a disability, which

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00:28:02.190 --> 00:28:03.300

barbara findlay: Apparent theoretically

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00:28:03.750 --> 00:28:08.640

barbara findlay: says something about how people see what it means to have a disability.

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00:28:11.580 --> 00:28:12.150

barbara findlay: But

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00:28:16.170 --> 00:28:28.170

barbara findlay: We produce a. So, you know, the interesting thing about that process was sandy pull together all those parts of the community, and I did not participate

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00:28:29.610 --> 00:28:36.450

barbara findlay: As explicitly and on purpose in the meanings of that group, because we all agreed that

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00:28:38.310 --> 00:28:39.720

barbara findlay: My voice was too big.

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00:28:41.490 --> 00:28:45.360

barbara findlay: And that those conversations should happen among

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00:28:46.950 --> 00:28:49.860

barbara findlay: Trend trans folk and honestly I remember

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00:28:52.020 --> 00:28:56.580

barbara findlay: I don't think at the time that the term trends was ever used

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00:28:57.270 --> 00:28:59.160

barbara findlay: It was so

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00:29:00.930 --> 00:29:03.480

barbara findlay: If it would have been transgender

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00:29:03.840 --> 00:29:05.160

barbara findlay: Regular you know

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00:29:06.840 --> 00:29:18.630

barbara findlay: So retrospectively that that transaction figure that out for themselves. Tell me, and we should follow that we should write it up according to their instructions, which is what we did.

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00:29:19.500 --> 00:29:34.650

barbara findlay: And I think that that was entirely appropriate as a way of that piece of activism happening in it so happened that the then Human Rights Commission was headed by Mary Lucien

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00:29:35.580 --> 00:29:45.360

barbara findlay: And he held hearings around the province about what changes should be made to the human rights legislation and we

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00:29:48.090 --> 00:29:50.070

barbara findlay: Piece of work at that point.

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00:29:53.070 --> 00:29:53.880

barbara findlay: The

255

00:30:02.640 --> 00:30:02.760

barbara findlay: I

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00:30:08.010 --> 00:30:25.560

barbara findlay: Do the report that resulted was called finding our place, and I think it was published in. I can't remember 9496, something like that. I have a copy. If you don't, and so does the trance history archives now has a copy

257

00:30:31.620 --> 00:30:34.140

barbara findlay: And it was a Canadian first

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00:30:34.500 --> 00:30:37.590

barbara findlay: Mm hmm. And the

259

00:30:40.440 --> 00:30:47.130

barbara findlay: I'm not able to speak to whether the Alliance's across the different communities of transport.

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00:30:48.210 --> 00:30:52.710

barbara findlay: Held or did not hold, they certainly were not natural.

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00:30:58.140 --> 00:31:03.420

barbara findlay: Allies with each other. Those communities did not see themselves as natural allies.

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00:31:03.480 --> 00:31:05.040

Evan Taylor: And then we say, Look, can you just do you mean

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00:31:05.160 --> 00:31:07.380

barbara findlay: The like drag kings and queens.

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00:31:09.240 --> 00:31:12.570

barbara findlay: male to female transsexuals etc.

265

00:31:13.170 --> 00:31:14.130

Evan Taylor: Right, okay.

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00:31:14.400 --> 00:31:14.790

So,

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00:31:19.140 --> 00:31:20.040

barbara findlay: The

268

00:31:21.330 --> 00:31:24.060

barbara findlay: We know we created a

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00:31:26.010 --> 00:31:28.350

barbara findlay: An activist group called

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00:31:37.560 --> 00:31:42.630

barbara findlay: God, I don't remember trans activism society or something of that some weird like that.

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00:31:43.800 --> 00:31:46.050

barbara findlay: And so this was

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00:31:46.140 --> 00:31:47.280

Evan Taylor: An alliance society.

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00:31:47.820 --> 00:31:53.220

barbara findlay: No Jen's alliance society was translated society was

274

00:31:55.020 --> 00:31:59.010

barbara findlay: Who is the woman who wrote novels is now dead.

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00:32:00.090 --> 00:32:00.750

barbara findlay: And

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00:32:01.890 --> 00:32:03.000

barbara findlay: Stephanie.

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00:32:03.180 --> 00:32:04.500

barbara findlay: Castle. Yeah.

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00:32:04.710 --> 00:32:12.000

barbara findlay: Yes. So, Stephanie castle was kind of the moving force behind the trends aligned society.

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00:32:12.630 --> 00:32:16.200

barbara findlay: Trends alliance society was largely a social and

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00:32:16.200 --> 00:32:19.500

barbara findlay: Support Group and they were

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00:32:20.880 --> 00:32:22.800

barbara findlay: Politically speaking, nervous.

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00:32:24.360 --> 00:32:25.170

barbara findlay: About

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00:32:27.060 --> 00:32:32.340

barbara findlay: Political work something in, in, in ways that I recognized from the in the closet lesbians.

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00:32:33.120 --> 00:32:40.440

barbara findlay: Right. You all did. On the other hand, Stephanie was a remarkable woman and

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00:32:44.100 --> 00:32:46.170

barbara findlay: You know, was connected with

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00:32:47.580 --> 00:32:52.530

barbara findlay: There was a trans woman in in prison that she was really closely connected with

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00:32:53.580 --> 00:32:54.180

barbara findlay: Who

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00:32:55.710 --> 00:32:58.680

barbara findlay: Who died. I think after

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00:33:00.360 --> 00:33:02.850

barbara findlay: Self castration either

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00:33:05.640 --> 00:33:07.770

barbara findlay: So and Stephanie and I had

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00:33:09.540 --> 00:33:11.160

barbara findlay: Know how we were connected

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00:33:13.740 --> 00:33:22.770

barbara findlay: We certainly knew each other and had mutual that maybe because of the Cynthia cabinet. One of the early court cases.

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00:33:22.890 --> 00:33:32.340

barbara findlay: He had I did was for Cynthia, Kevin, who is was in federal prison and

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00:33:35.040 --> 00:33:38.340

barbara findlay: She as it happened because she had

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00:33:40.500 --> 00:33:54.540

barbara findlay: Damages from a car accident or something. She had adequate money to pay for her own sex reassignment surgery but the prison was refusing to either permission. They had her in

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00:33:55.020 --> 00:34:16.080

barbara findlay: They had her in maximum security in a male prison because that was the only place they could keep her safe and I mean I could, I cannot tell you what maximum security in a federal prison looks like it's it's horrendous. And so I took it did a human rights complaint on her behalf.

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00:34:18.090 --> 00:34:18.720

barbara findlay: To

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00:34:21.090 --> 00:34:31.410

barbara findlay: compel them to recognize her as female, and to grantor the permission to have the surgery and ultimately the question was whether she would be

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00:34:31.860 --> 00:34:49.530

barbara findlay: Then house in a women's prison and that that last piece was done, not by me, but by the Federal Human Rights Commission. And so I think it was through Cynthia that I got connected to Stephanie because

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00:34:51.240 --> 00:34:59.790

barbara findlay: Definitely was able to talk about the conditions for trans women in prison. Right. So at this point.

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00:35:04.290 --> 00:35:21.270

barbara findlay: When I'm looking for experts for any court cases there are few and far between. So there was mostly the the the docs at the gender clinic and the gender clinic, as you know, was shut down and I think

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00:35:22.440 --> 00:35:23.400

barbara findlay: I'm not mistaken.

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00:35:23.970 --> 00:35:24.240

Evan Taylor: Yeah.

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00:35:24.300 --> 00:35:29.100

barbara findlay: Thanks me for that. So the folks there were

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00:35:30.960 --> 00:35:51.990

barbara findlay: pretty conservative in their idea of what counted as female, and it was back in the horrible days when folks had to live for two years in their affirm gender before they were entitled to be to receive treatment. I mean, it's really hard to imagine a more

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00:35:53.730 --> 00:35:55.740

barbara findlay: draconian and

307

00:35:57.450 --> 00:36:02.850

barbara findlay: Cruel requirements for medical treatment. Yeah.

308

00:36:04.380 --> 00:36:14.130

Evan Taylor: That was, that was still the case when when I had my case in 2009 that was still in place. The two years, then it was shortly changed. Yeah, but I was on I was required to do two years.

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00:36:15.420 --> 00:36:15.660

barbara findlay: Yeah.

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00:36:15.720 --> 00:36:25.200

Evan Taylor: That wasn't my end. Yeah. And our, our, our interaction of that case my surgery was 2009 so so it wouldn't have been changed until 2010 or later.

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00:36:25.560 --> 00:36:25.890

barbara findlay: Yes.

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00:36:26.430 --> 00:36:32.910

Evan Taylor: That was one of the things we we talked about should be challenged and we said, Just go, just get the coverage so

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00:36:32.970 --> 00:36:44.970

Evan Taylor: Yeah, yeah. But yeah, I remember that. Remember that when that changed and and just all the arguments we're all having at the time saying people are not literally able to live in that in that gender.

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00:36:45.060 --> 00:36:45.540

barbara findlay: The thought

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00:36:48.180 --> 00:36:51.000

barbara findlay: I mean, it was bizarre. And I'm I

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00:36:51.420 --> 00:36:54.180

barbara findlay: I had forgotten that it was that late

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00:36:54.510 --> 00:36:55.080

Evan Taylor: Mm hmm.

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00:36:55.230 --> 00:37:03.540

barbara findlay: That that change occurred. It really was astonished is astonishing to think that that was so and

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00:37:06.990 --> 00:37:07.410

barbara findlay: So,

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00:37:07.890 --> 00:37:13.530

Evan Taylor: Having those last 10 years is probably more than you for trans folks, probably more than you saw in the 50 years before though.

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00:37:13.530 --> 00:37:14.520

barbara findlay: Yes. Oh yeah, you

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00:37:15.690 --> 00:37:21.600

Evan Taylor: Know that this 10 years is flown by and it's amazing to me to look past and think about, oh, well that was only in to

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00:37:21.630 --> 00:37:22.020

barbara findlay: I know

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00:37:22.440 --> 00:37:23.370

barbara findlay: I know, I know.

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00:37:24.600 --> 00:37:25.050

barbara findlay: I know

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00:37:25.230 --> 00:37:30.810

Evan Taylor: So you at this time and you're also saying you had that there's a bit of an activist group that was sort of different from the

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00:37:30.930 --> 00:37:32.280

barbara findlay: Way it turns out the size of it.

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00:37:33.060 --> 00:37:36.960

barbara findlay: So, so now. Have you heard anything about Christine Burnham

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00:37:37.800 --> 00:37:39.810

barbara findlay: Precision Burnham was

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00:37:39.900 --> 00:37:41.400

barbara findlay: a trans woman who

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00:37:42.450 --> 00:37:54.030

barbara findlay: Who transition. She, she had been a reporter in Cranbrook or someplace and she moved to Vancouver when she transitioned and and really

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00:37:55.260 --> 00:38:15.600

barbara findlay: Left turf her for her. I guess her wife and kids and and was very deliberate about it came to Vancouver and decided to be an electrode just knowing that she would then be have lots of work in the trans community.

333

00:38:15.810 --> 00:38:20.040

barbara findlay: a proctologist know attune and and electrolysis.

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00:38:20.040 --> 00:38:21.630

Evan Taylor: Selection process. Okay, sounds like

335

00:38:22.350 --> 00:38:23.310

Evan Taylor: That's a lot of training.

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00:38:27.870 --> 00:38:29.640

barbara findlay: Not to mention a very funny.

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00:38:30.270 --> 00:38:31.170

Occupation.

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00:38:33.210 --> 00:38:35.820

Evan Taylor: Have a lot of transportation. So it's like, well, I guess I just did.

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00:38:37.440 --> 00:38:37.890

Evan Taylor: Okay, so

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00:38:39.660 --> 00:38:52.740

barbara findlay: So, there she was in the middle, literally, in the middle of because everybody went to see her for electrolysis, and somehow or another, she found her way to me and

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00:38:53.340 --> 00:39:05.130

barbara findlay: Wanted to know, sort of, okay, now what can we do, we have to change these things. And I said, Okay, well we can we can have a group we could we could set a political action group.

342

00:39:07.980 --> 00:39:29.820

barbara findlay: I mean, in that 10 year period between 92 and 2002 I was also involved in the December in setting up and running something called the December 9 coalition, which we described as I working coalition on issues of sexual orientation and gender identity and our kind of cutline was working

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00:39:31.740 --> 00:39:33.450

barbara findlay: For our welcome in

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00:39:34.230 --> 00:39:36.330

Evan Taylor: To kind of cut out the tagline that's important to hear

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00:39:36.570 --> 00:39:44.700

barbara findlay: All these great lines. Okay, working together across our differences for our welcome in the world.

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00:39:45.270 --> 00:39:48.030

barbara findlay: Huh, and the revolutionary

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00:39:48.030 --> 00:39:53.430

barbara findlay: Part, there was the change from tolerance.

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00:39:54.480 --> 00:40:01.260

barbara findlay: To past acceptance and all the way to we are looking for. Welcome.

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00:40:01.980 --> 00:40:02.460

Evan Taylor: Right.

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00:40:02.520 --> 00:40:06.420

barbara findlay: We want the world to be delighted when we show up.

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00:40:07.650 --> 00:40:11.190

barbara findlay: So that, and that was, as far as I know.

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00:40:14.220 --> 00:40:23.040

barbara findlay: That was well. In fact, I do know that was the first group in DC that included both sexual orientation and gender identity as part of its mandate.

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00:40:23.760 --> 00:40:28.560

Evan Taylor: Right, that that everybody was in a coalition working towards both of these issues.

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00:40:28.620 --> 00:40:30.030

barbara findlay: Together. Yes.

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00:40:30.390 --> 00:40:43.590

barbara findlay: Yeah, so we had that December night coalition had a very odd structure. The structure was anybody could do any anything in any time in any for any purpose in the name of the December 9 coalition

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00:40:45.360 --> 00:40:46.230

barbara findlay: And

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00:40:47.250 --> 00:41:01.110

barbara findlay: Including speaking to the media. Okay. And they, they might if the rule. The deal was you might be told when you came to the next meeting. Please don't do that again. But you would never be censored for having done it.

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00:41:01.500 --> 00:41:02.460

Evan Taylor: Right, okay.

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00:41:02.640 --> 00:41:05.730

barbara findlay: The idea being that there was so much to be done.

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00:41:06.510 --> 00:41:13.890

barbara findlay: Right on so many friends so few people who are able to be out and out

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00:41:14.610 --> 00:41:20.730

barbara findlay: Mm hmm. That whatever you did was just 100% totally fine.

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00:41:21.390 --> 00:41:29.250

barbara findlay: So in the December 9 coalition. We had everybody from the Conservative Party of Canada to the anarchist league, politically speaking,

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00:41:29.580 --> 00:41:43.110

barbara findlay: Yeah. And we built into that because I also had I had already had a history of doing unlearning oppression work, which was something that I'd done from 1984 and I still do to this day.

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00:41:43.710 --> 00:41:57.030

barbara findlay: And that inform the way we work so that we built in to the December 9 coalition on learning sexism and learning racism and learning and so on and so on so that we

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00:42:01.410 --> 00:42:04.650

barbara findlay: It was really an amazing group actually without

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00:42:07.500 --> 00:42:14.610

barbara findlay: Then we wanted to focus specifically on some transitions. So we set up another group and

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00:42:16.620 --> 00:42:29.040

barbara findlay: I believe it was called the transact called transaction that would, but I'm not. I don't quite remember. And it has. And we wanted, we decided we wanted to have a conference.

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00:42:31.170 --> 00:42:38.130

barbara findlay: And we applied to the court to cope. Challenges Program, which then provided money for conferences of that kind, because

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00:42:39.300 --> 00:42:54.150

barbara findlay: We wanted to argue for the inclusion of gender identity and human rights in we were again focused on human rights school. And when we wrote to the when we applied to court. Challenges Program.

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00:42:55.980 --> 00:43:10.560

barbara findlay: The initial response that I got was that they didn't feel comfortable funding trends trends work because it was not clear how that would impact women's rights.

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00:43:13.020 --> 00:43:19.140

barbara findlay: And I wrote them. What I unfortunately had been prescribed

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00:43:21.120 --> 00:43:29.820

barbara findlay: Cortisone a couple of days before it. As you may know, cortisone is it's it's like a steroid, you know, I was like,

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00:43:30.840 --> 00:43:41.040

barbara findlay: I was already hyped up angry when I got this response and I wrote what is what stands out in my entire legal history as the most blistering

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00:43:42.270 --> 00:43:44.130

barbara findlay: Like what the in the

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00:43:46.320 --> 00:43:47.610

Evan Taylor: salty language just work.

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00:43:47.610 --> 00:43:51.600

barbara findlay: Who do you think you are, and it was

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00:43:53.220 --> 00:44:16.440

barbara findlay: Is I'm not actually proud of that letter because I would not write that letter in the manner that I wrote it again right but i just tore strips off them and we eventually got funding to do a consultation was. It was so the so called and we

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00:44:19.530 --> 00:44:29.550

barbara findlay: That was a very that was I, as far as I know, that was the first TRANS Conference in Canada. Hmm. And that was, I believe, 1999

379

00:44:30.660 --> 00:44:45.480

barbara findlay: And that and who was at that conference that you might also talk to this wrong Gallagher. Have you talked to yet okay so wrong might remember the name of that group because the group lasted past

380

00:44:46.920 --> 00:44:52.410

barbara findlay: The conference and after the conference there developed a conflict.

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00:44:53.700 --> 00:44:58.800

barbara findlay: In the group and the conflict in the group was about whether or not I should be in the group.

382

00:44:59.610 --> 00:45:05.010

barbara findlay: Because I was a not trends right and so I left the new

383

00:45:07.560 --> 00:45:22.920

barbara findlay: Wide nobody asked me to leave. I left unsaid in leaving. It's really, really not. It's not right that the question of whether I was a member of that group should occupy the group and be divisive

384

00:45:23.520 --> 00:45:25.860

barbara findlay: So I was taking myself out of that.

385

00:45:26.340 --> 00:45:27.240

barbara findlay: Conversation.

386

00:45:27.630 --> 00:45:30.120

Evan Taylor: Now it's taking up the energy that they need to be putting elsewhere.

387

00:45:30.180 --> 00:45:31.980

barbara findlay: Yeah, exactly. And

388

00:45:32.100 --> 00:45:32.850

And

389

00:45:35.370 --> 00:45:36.540

barbara findlay: So,

390

00:45:41.580 --> 00:45:43.560

barbara findlay: Around that time,

391

00:45:48.060 --> 00:45:54.810

barbara findlay: There was a project. This is also around the time of the Kimberly Nixon case.

392

00:45:55.230 --> 00:45:57.390

barbara findlay: So around that time.

393

00:46:01.740 --> 00:46:03.360

barbara findlay: There was

394

00:46:04.650 --> 00:46:06.510

barbara findlay: The publication of

395

00:46:09.570 --> 00:46:17.280

barbara findlay: A document that had photographs and descriptions of the lives of maybe it doesn't transfer

396

00:46:17.970 --> 00:46:18.480

Yes.

397

00:46:19.590 --> 00:46:21.150

Evan Taylor: Yes, I've read this one.

398

00:46:21.450 --> 00:46:25.950

Evan Taylor: Okay yes stories from the lives of 11 people in DC.

399

00:46:26.250 --> 00:46:26.790

barbara findlay: There you go.

400

00:46:26.940 --> 00:46:27.450

barbara findlay: Yeah. Yes.

401

00:46:28.110 --> 00:46:29.670

Evan Taylor: I think I might be very as well.

402

00:46:30.240 --> 00:46:36.510

barbara findlay: Okay, there you go. So I wasn't far off when I said it doesn't. Okay, so that that publication.

403

00:46:38.040 --> 00:46:43.470

barbara findlay: Was also I mean all every one of these things is is groundbreaking

404

00:46:43.770 --> 00:46:47.370

barbara findlay: Mm hmm. Every one of these things is the first one ever

405

00:46:47.880 --> 00:46:50.550

barbara findlay: Yes, every one of these things is

406

00:46:51.960 --> 00:46:52.980

barbara findlay: Seeing

407

00:46:54.540 --> 00:46:54.870

barbara findlay: Is

408

00:46:56.490 --> 00:47:07.410

barbara findlay: Is pulling together stories from the ground instead of through them, in particular, instead of through the medical lens.

409

00:47:08.250 --> 00:47:11.460

barbara findlay: Yeah, and and so

410

00:47:14.610 --> 00:47:26.250

barbara findlay: It was very exciting and germinating and and important you know so Kimberly's case.

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00:47:27.420 --> 00:47:29.970

barbara findlay: Of you and I hope you talk to Kimberly.

412

00:47:31.230 --> 00:47:35.070

Evan Taylor: We've we're in. We're in conversation that's happening. We're booking it and doing the OH.

413

00:47:35.070 --> 00:47:36.120

barbara findlay: Great. Okay.

414

00:47:36.300 --> 00:47:36.930

barbara findlay: She's great.

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00:47:37.020 --> 00:47:39.210

Evan Taylor: Definitely into it and we're definitely gonna be recording something

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00:47:39.270 --> 00:47:39.540

That's

417

00:47:44.790 --> 00:47:46.560

barbara findlay: When I think about it now.

418

00:47:49.590 --> 00:48:00.930

barbara findlay: As a kind of, you know, old human rights activist, the idea that my first couple of cases where. Number one, you take on the

419

00:48:02.460 --> 00:48:03.780

Evan Taylor: Intended to

420

00:48:04.080 --> 00:48:05.640

Evan Taylor: A you take on the web.

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00:48:06.120 --> 00:48:06.930

barbara findlay: The prison.

422

00:48:07.020 --> 00:48:08.520

Evan Taylor: System. Right.

423

00:48:09.150 --> 00:48:12.120

barbara findlay: And number two, you take on the women's movement.

424

00:48:15.210 --> 00:48:18.120

barbara findlay: Were perhaps not the right places to start

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00:48:19.980 --> 00:48:35.040

barbara findlay: By contrast, I mean by comparison in 1993 we had a meeting of queer lawyers to talk about what the litigation strategy for lesbians and gay men should be

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00:48:35.730 --> 00:48:55.590

barbara findlay: Right. And part of the reason for that meeting was to dissuade an Ottawa lawyer who had gone to court and lost a right to marry case. Oh, and we said to that lawyer. Do not appeal that case, we should take that case last

427

00:48:57.330 --> 00:49:04.620

barbara findlay: And so we developed a litigation strategy, which was first to claim spousal benefits.

428

00:49:08.340 --> 00:49:10.740

barbara findlay: There by not challenging

429

00:49:10.980 --> 00:49:13.680

barbara findlay: The sacred cow of marriage so

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00:49:13.860 --> 00:49:14.970

barbara findlay: My analogy.

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00:49:15.510 --> 00:49:18.390

barbara findlay: You wouldn't I locked into the insurance system basically

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00:49:18.780 --> 00:49:19.410

barbara findlay: Pardon me.

433

00:49:19.650 --> 00:49:26.640

Evan Taylor: I like sort of a backdoor into the insurance system basically so get established and then it was hard to put the cows back in the barn.

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00:49:27.060 --> 00:49:36.540

barbara findlay: Yeah. So it was an there were lots of other good reasons for going after common law benefits because right union supported it.

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00:49:36.870 --> 00:49:41.820

barbara findlay: Yeah, so there was money to litigate. It was all you know all that kind of stuff, but

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00:49:43.950 --> 00:49:50.340

barbara findlay: But the moral of that story is, don't go after the sacred cows first

437

00:49:50.640 --> 00:50:03.930

barbara findlay: Rate. So you would think that I would have learned a lesson from that and not started with the prison system and the women's movement as the two first like okay, we'll just take this on them.

438

00:50:04.350 --> 00:50:07.410

Evan Taylor: You might as well start with the Olympics on athletics are really

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00:50:07.830 --> 00:50:16.860

barbara findlay: Really, really well. In fact, Kimberly, we took on we did take on the women's professional golf Association. Oh.

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00:50:17.070 --> 00:50:18.030

Evan Taylor: I don't know about this one.

441

00:50:18.060 --> 00:50:24.510

barbara findlay: Yeah, because she was a golfer, and they were going to exclude her because so we did and they change.

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00:50:25.200 --> 00:50:31.320

barbara findlay: Insurance. Yeah, but, um, but I i

443

00:50:33.300 --> 00:50:34.320

barbara findlay: First of all,

444

00:50:38.820 --> 00:50:42.000

barbara findlay: I wouldn't have known. I don't think I would have said no.

445

00:50:43.260 --> 00:50:49.440

barbara findlay: I don't think I would have shot. I don't think I should have had the right to say no to a trans person.

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00:50:49.920 --> 00:50:50.490

Evan Taylor: Um,

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00:50:50.700 --> 00:50:53.010

barbara findlay: Who came to me looking for legal help

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00:50:54.390 --> 00:51:01.410

barbara findlay: On the basis that I thought that it was politically the wrong strategy. I just don't take it was my not my place.

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00:51:01.680 --> 00:51:11.640

barbara findlay: Right. And I did say no to a couple who came to me looking for same sex marriage me for but that I was in that community.

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00:51:12.540 --> 00:51:14.940

Evan Taylor: Right. Right. Yeah, you personally had investment there.

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00:51:15.240 --> 00:51:23.670

barbara findlay: Yeah. Well, no, I personally had not so much investment. I personally had I was located there like as

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00:51:24.720 --> 00:51:48.900

barbara findlay: It and it's its own challenge to work with a community that you're part of but it's but I was always, always, always very conscious that my as this person. I don't get to make it up. I get to listen and then present

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00:51:49.290 --> 00:51:52.350

barbara findlay: Rate, like I say, what I'm told to say

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00:51:53.520 --> 00:51:54.330

barbara findlay: So,

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00:51:55.320 --> 00:52:04.530

Evan Taylor: As I was different, with the same sex couple who wants to talk to you about marriage because you have your own skin in the game, as it were, so you're able to say from my own place. I gotta

456

00:52:04.800 --> 00:52:14.280

Evan Taylor: Say no. And I can do that since my own community, but with the trans folks who were like, you know what political political political if you need help. I can't say no, it's not the right thing to do.

457

00:52:15.750 --> 00:52:27.150

barbara findlay: Yeah, I'm not. I don't get to say this is I said to that couple i can i hear you. You have an absolute right to get married, I completely agree with you. And this is not the right time.

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00:52:28.800 --> 00:52:29.070

Evan Taylor: Yeah.

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00:52:29.130 --> 00:52:38.310

barbara findlay: And I'm going to tell you that that's not and all of these cases. Right. I think almost literally all of them were pro bono so

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00:52:45.600 --> 00:52:52.290

barbara findlay: So part of that was where I was going to put my energy, but it wasn't, it was a question of who gets to decide.

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00:52:52.680 --> 00:53:05.490

barbara findlay: What makes political sense and I in the in the gay and lesbian context. I had my feet on the ground in community activist groups. I had a very good idea of what people thought was the right

462

00:53:06.030 --> 00:53:23.670

barbara findlay: Place direction and that was part of what informed my political, legal work for lesbians and gay men for trans people on the other hand, I had no right to be making those decisions and I listened to people who told me right

463

00:53:26.250 --> 00:53:34.230

barbara findlay: So, Kimberly came and told me what it happened to her at reproof. And I was appalled at what happened to her reproof and awful and

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00:53:35.730 --> 00:53:42.870

barbara findlay: And they were as gross then as they are now.

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00:53:44.760 --> 00:53:46.560

barbara findlay: And in some ways.

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00:53:49.920 --> 00:53:56.970

barbara findlay: Well, they've now kind of dressed up their anti trends rhetoric.

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00:53:57.690 --> 00:53:58.260

In the

468

00:53:59.730 --> 00:54:02.070

barbara findlay: In the turf, you know,

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00:54:03.720 --> 00:54:04.410

barbara findlay: Frame

470

00:54:04.680 --> 00:54:10.740

barbara findlay: Yeah. At the time, it was very, it was like men and dresses.

471

00:54:11.100 --> 00:54:23.430

barbara findlay: Right. And they were they were the humiliated Kimberly and they conducted the litigation in a manner that was

472

00:54:30.750 --> 00:54:31.830

barbara findlay: disgraceful.

473

00:54:32.340 --> 00:54:32.730

Evan Taylor: Hmm.

474

00:54:33.150 --> 00:54:41.730

barbara findlay: You know, for example, one of their arguments, was that trans people were not covered by the Human Rights Code at all.

475

00:54:43.110 --> 00:54:46.980

Evan Taylor: Because they were they were they were covered neither by they were not covered by

476

00:54:47.520 --> 00:54:48.810

barbara findlay: The word sex.

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00:54:50.070 --> 00:54:55.500

barbara findlay: Because the word sex only applied to the natural sexes of male and female.

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00:54:57.060 --> 00:54:57.690

Evan Taylor: Wow.

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00:54:57.750 --> 00:54:58.350

Evan Taylor: That's, yeah.

480

00:54:58.740 --> 00:54:59.610

barbara findlay: I mean, that's

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00:54:59.820 --> 00:55:00.060

That

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00:55:01.350 --> 00:55:04.560

Evan Taylor: The base of that argument is that trans people aren't actually human

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00:55:05.160 --> 00:55:17.280

barbara findlay: That is exactly right. And that is exactly what I said that that was so when we, when we began the human race case they took a name took as apparently it's called a preliminary position.

484

00:55:18.000 --> 00:55:26.880

barbara findlay: They said, well, this case should should be dismissed because it can't go anywhere because there's no legal basis for because trans people are not

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00:55:28.950 --> 00:55:29.400

barbara findlay: Covered

486

00:55:29.460 --> 00:55:31.830

barbara findlay: By the human rights so

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00:55:33.450 --> 00:55:36.150

barbara findlay: We ended up having to go to court.

488

00:55:36.750 --> 00:55:38.430

Evan Taylor: Trans people are not capital.

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00:55:39.900 --> 00:55:44.430

Evan Taylor: We're not rodents. Like, who was covered by the Human Rights Code, if not all human like

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00:55:44.700 --> 00:55:46.350

Evan Taylor: Wow, that's, that's incredible.

491

00:55:46.980 --> 00:55:49.890

barbara findlay: Wow. So we then we had to go to court.

492

00:55:50.640 --> 00:56:13.440

barbara findlay: And we went to court to argue that very point. And so there is a before the main case itself, there is a preliminary decision, which is the decision in Canadian law that establishes that the word sex in human rights legislation does indeed cover.

493

00:56:15.240 --> 00:56:16.560

barbara findlay: Discrimination against

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00:56:17.910 --> 00:56:18.300

Evan Taylor: Right.

495

00:56:18.330 --> 00:56:21.690

barbara findlay: Right. So now, parenthetically,

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00:56:22.800 --> 00:56:23.850

barbara findlay: This is a nice

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00:56:25.050 --> 00:56:28.800

barbara findlay: Little illustration of a point and that is

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00:56:30.030 --> 00:56:43.890

barbara findlay: The effect of that decision liens. There was no need, legally speaking to add gender identity to human rights legislation. Right. It was already covered, but

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00:56:44.910 --> 00:56:45.900

barbara findlay: Nobody knew it.

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00:56:46.650 --> 00:56:47.100

Evan Taylor: Right.

501

00:56:47.610 --> 00:56:51.840

barbara findlay: And so it's a really important illustration of

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00:56:53.490 --> 00:57:02.460

barbara findlay: The relationship between law and rights and and the and

503

00:57:08.070 --> 00:57:14.850

barbara findlay: The ability of a community to assert their rights if trans people don't know that they're covered

504

00:57:16.170 --> 00:57:28.920

barbara findlay: Then they're not going to advance those rights if employers don't know that gender is that sex covers trans folk, they're going to continue to discriminate. So there's an entirely educational function.

505

00:57:29.520 --> 00:57:50.730

barbara findlay: That is very little understood and described, but this is a, like a perfect illustration of that and as you know the the advocacy to have gender identity and gender expression added to the code right federally. I mean, there were three or four attempts before it finally was made.

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00:57:51.870 --> 00:57:52.440

barbara findlay: Law.

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00:57:52.860 --> 00:57:53.310

Hmm.

508

00:57:55.230 --> 00:57:57.720

Evan Taylor: And that was a 20

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00:57:57.930 --> 00:57:59.910

barbara findlay: Oh yeah me

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00:58:03.750 --> 00:58:09.480

barbara findlay: Please again 2016 I think NBC and maybe or yeah 20 there abouts

511

00:58:09.690 --> 00:58:09.960

There.

512

00:58:11.430 --> 00:58:26.100

barbara findlay: And kind of. Meanwhile, back at the ranch we had been doing trans cases under the ground sex for a long time and I would throw depending on the circumstance. I don't remember what we did yours. We do sex and disability for you, or do we just do sex.

513

00:58:26.520 --> 00:58:33.900

Evan Taylor: And we put in for sex and disability but then we end up being kind of a non issue because of the end up just being the conversational

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00:58:34.260 --> 00:58:35.250

Evan Taylor: Sanction end

515

00:58:35.370 --> 00:58:35.730

Yeah.

516

00:58:36.990 --> 00:58:38.100

barbara findlay: But, um,

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00:58:38.130 --> 00:58:41.850

Evan Taylor: But I remember we had to have that compact have that conversation then

518

00:58:41.910 --> 00:58:42.960

barbara findlay: Yeah yeah yeah

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00:58:43.050 --> 00:58:50.520

Evan Taylor: 2010 so or 20 10,009 or 2010 either around about because it took it took a while. I think it's probably 2010 by the time I came to you.

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00:58:50.760 --> 00:58:58.890

Evan Taylor: Because I had already filed it and done a whole bunch of back and forth with them for a while. So it's probably early 2010 because that was when I was getting the place of like we need to sign this now and I

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00:58:59.940 --> 00:59:06.540

Evan Taylor: I need someone to read this or knows what they're talking about. So that's where we were. Then I already had a couple of meetings. So yeah, I would have put in under

522

00:59:07.800 --> 00:59:10.770

Evan Taylor: Under a sex and disability I think because we had that conversation.

523

00:59:11.520 --> 00:59:21.000

Evan Taylor: But so backing backing up a little bit, though, back to back to with the mixing case. So when that's a big decision came, came in this, this was the pre

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00:59:21.570 --> 00:59:29.430

Evan Taylor: Sort of the pre decision before you end up in human rights because they had to basically say, Yes, this is going to be a human rights, you know,

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00:59:29.880 --> 00:59:32.520

Evan Taylor: Yeah, this would be an argument under human rights, yes, you can do it.

526

00:59:32.970 --> 00:59:44.010

Evan Taylor: Yep. Wow. Okay, so what happened then, when you actually had to play when when the you know the Human Rights piece when because I know when kind of back and forth, but three different decisions. There wasn't there.

527

00:59:44.490 --> 00:59:47.910

barbara findlay: So we we we human rights hearing

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00:59:48.420 --> 00:59:50.010

barbara findlay: Was was

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00:59:51.990 --> 00:59:53.640

barbara findlay: Was very interesting they

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00:59:54.660 --> 00:59:55.740

barbara findlay: The

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00:59:59.520 --> 01:00:05.040

barbara findlay: There were many different pieces with some of which you can in fact

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01:00:07.410 --> 01:00:10.530

barbara findlay: Excellent decision that the tribunal wrote

533

01:00:11.610 --> 01:00:20.490

barbara findlay: They were pretty some pretty scandalous things. One of the things we believe did was they called a 70 year old woman to testify that she

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01:00:21.570 --> 01:00:31.950

barbara findlay: had contacted relief to talk a little daughter granddaughter or something and right and that she had seen Kimberly Nixon in court, the year before.

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01:00:32.190 --> 01:00:50.610

barbara findlay: And would end, she was no testifying that head Kimberly Nixon been one of the counselors, she would not have felt comfortable in speaking with her and that was part of their evidence about why Kimberly could not be a human rights. Oh, couldn't be a rape crisis counts.

536

01:00:50.610 --> 01:00:51.540

Evan Taylor: Right, yeah.

537

01:00:51.960 --> 01:01:02.250

barbara findlay: And so I went in. This is one of my favorite moments in my legal career in cross examination, I said to her, now I want you to look around the room.

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01:01:03.360 --> 01:01:05.880

barbara findlay: Now you understand. At this point, the room is full of transfer

539

01:01:07.050 --> 01:01:10.140

barbara findlay: It's not a very big room, but it's full of pencil.

540

01:01:10.440 --> 01:01:26.040

barbara findlay: Okay. And I want you to look around the room and I want you to, I want you to point to any of the people in the room that you would now feel uncomfortable speaking with if they were

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01:01:27.690 --> 01:01:32.310

barbara findlay: Counselors, and the tribunal member went nuts. She said, wait a minute.

542

01:01:33.510 --> 01:01:53.910

barbara findlay: You can't make the gallery into evidence in this hearing. You can't do that. And I said, well, Madam Chair. She's just testified, and on the basis of what she saw last year in a courtroom. This is her evidence so

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01:01:55.500 --> 01:02:07.230

barbara findlay: I have that right so she stood down, she came back and she said, Okay, I'm going to ask the gallery. If anybody feels uncomfortable being it with that question. Gotcha.

544

01:02:09.480 --> 01:02:11.820

Evan Taylor: Oh, you're freezing free throws up there forever.

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01:02:15.330 --> 01:02:19.560

Evan Taylor: Just going to pause for a second. Totally. Okay, we're back to recording that

546

01:02:20.520 --> 01:02:20.940

Okay.

547

01:02:26.040 --> 01:02:29.340

Evan Taylor: It happens you know we have to do a little bit of tech troubleshooting all the time. It's

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01:02:29.730 --> 01:02:30.900

Evan Taylor: par for the course right now.

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01:02:31.170 --> 01:02:39.960

Evan Taylor: Yeah, and I also wrote down exactly where we were, because it was hilarious. If it cuts out. You say, I want to tell you about one of my favorite moments, my legal career.

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01:02:40.110 --> 01:02:51.030

barbara findlay: Yeah, I know. And I was just, I was just about to tell you what happened after the tribunal chair came back in and said okay, you can. You're allowed to use

551

01:02:51.210 --> 01:02:53.550

barbara findlay: Your gallery as witnesses and

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01:02:53.640 --> 01:03:00.960

barbara findlay: And the, the witness the seven year old woman looked around the room and she just hated having to answer the question.

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01:03:01.080 --> 01:03:02.430

Evan Taylor: Did anyone leave a gallery.

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01:03:02.520 --> 01:03:03.630

barbara findlay: When they were invited to

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01:03:03.780 --> 01:03:06.420

Evan Taylor: No, no, no, everybody, we're fine. We'll sit right here.

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01:03:06.480 --> 01:03:06.840

Yeah.

557

01:03:07.920 --> 01:03:08.250

barbara findlay: And

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01:03:10.680 --> 01:03:11.520

barbara findlay: She

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01:03:14.520 --> 01:03:16.590

barbara findlay: I'm just going to ignore that. Is that OK.

560

01:03:16.830 --> 01:03:18.720

Evan Taylor: That's fine. I don't mind. You can get it if you like it.

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01:03:24.300 --> 01:03:29.550

barbara findlay: I just don't. I just don't want it to mess up the is going to stop in a second and

562

01:03:29.910 --> 01:03:31.320

barbara findlay: Greens three times.

563

01:03:31.740 --> 01:03:42.780

barbara findlay: Gotcha. Okay. And I'm not going to be able to get to the end of this goddamn story so she looks around. She looks. I'm going to say it again because you're going to edit this. So,

564

01:03:44.700 --> 01:03:55.050

barbara findlay: So she looks around the room and she is extremely reluctant to answer the question. Finally, and very tentatively, she says.

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01:03:58.260 --> 01:03:59.490

barbara findlay: That person.

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01:04:00.570 --> 01:04:01.290

barbara findlay: There.

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01:04:03.210 --> 01:04:10.860

barbara findlay: And that person there that she pointed that is my partner Sheila Gilly a sis gender woman.

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01:04:10.950 --> 01:04:24.480

barbara findlay: If ever there was one. And so for my next move. I put Sheila on the stand and got her to talk about her experiences as a very butch looking woman.

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01:04:25.740 --> 01:04:35.040

barbara findlay: And being told that no she couldn't work at the Women's Center, because people would think she was a man and and so forth. And so what like horrendous.

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01:04:37.320 --> 01:04:37.680

barbara findlay: Oh,

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01:04:39.480 --> 01:04:43.680

barbara findlay: So it was absolutely Pitch Perfect.

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01:04:45.060 --> 01:04:46.620

Evan Taylor: You couldn't you couldn't if you

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01:04:49.080 --> 01:04:51.990

barbara findlay: If it was in a movie, you would think it was like, Oh, come on.

574

01:04:52.350 --> 01:04:56.070

Evan Taylor: Yeah, like that would never happen to real, they're not going to pick the lawyers partner.

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01:04:56.100 --> 01:04:57.060

barbara findlay: Like yeah yeah

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01:04:58.710 --> 01:05:00.840

barbara findlay: It was it was truly hilarious.

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01:05:02.850 --> 01:05:03.630

barbara findlay: So,

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01:05:05.370 --> 01:05:09.720

barbara findlay: The decision of the Human Rights Tribunal was

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01:05:11.340 --> 01:05:17.970

barbara findlay: Fantastic. The tribunal member hearing the decision, who later went on to be a Supreme Court judge

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01:05:19.290 --> 01:05:25.860

barbara findlay: Really got all of the elements of the case and wrote a stunning

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01:05:27.540 --> 01:05:30.660

barbara findlay: Stunning decision they did things like

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01:05:33.720 --> 01:05:47.340

barbara findlay: At the break my Sheila, my partner came up to me and said, I know you said not to interrupt you, but the lawyer for Rape Relief is over there talking to the press and using male pronouns.

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01:05:50.340 --> 01:05:52.020

barbara findlay: In the middle of the case.

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01:05:52.380 --> 01:05:57.660

barbara findlay: Wow. So when I went back into the tribunal. I said,

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01:05:58.740 --> 01:06:01.080

barbara findlay: I have just been advised that this happened.

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01:06:02.670 --> 01:06:12.870

barbara findlay: I want to add a complaint about there's a provision of the code if you if you

587

01:06:14.010 --> 01:06:28.080

barbara findlay: Basically if you screw up again after being told you should you can go back again. Okay. And so I said, I want to file that right now of course it. I mean, I want a remedy of that right which is impossible to get

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01:06:28.470 --> 01:06:41.820

barbara findlay: Right, because you have to file a whole new complaint and I knew that I nevertheless if you read the judgment that lawyer was excoriated in the judgment for that behavior.

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01:06:43.710 --> 01:06:44.070

Evan Taylor: Well,

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01:06:44.160 --> 01:06:46.350

barbara findlay: That was just appalling.

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01:06:46.470 --> 01:06:48.030

barbara findlay: Yeah, appalling.

592

01:06:50.580 --> 01:06:51.360

barbara findlay: So,

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01:06:51.510 --> 01:06:52.170

barbara findlay: That's what I

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01:06:52.500 --> 01:06:52.800

Evan Taylor: Do

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01:06:52.890 --> 01:06:59.820

Evan Taylor: I'm sorry, and antagonistic as well in the in that particular circumstance. It's not just like it's it's already you know

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01:07:00.120 --> 01:07:12.450

Evan Taylor: An awful thing to be doing, but it's like we're actually here trying to litigate this right now and you're pretending like you've already you know one and you can treat people like they're not humans. And that's not the case yet.

597

01:07:12.870 --> 01:07:14.520

Evan Taylor: Yeah, yeah. Wow.

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01:07:15.930 --> 01:07:16.650

barbara findlay: So,

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01:07:18.630 --> 01:07:19.290

barbara findlay: Then

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01:07:22.020 --> 01:07:28.650

barbara findlay: The then Rape Relief appealed the or they did not appeal. They took judicial review which

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01:07:30.450 --> 01:07:37.830

barbara findlay: You can't appeal a human rights decision, but there's a technical procedure where you can say

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01:07:42.720 --> 01:07:44.070

barbara findlay: It feels natural.

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01:07:45.090 --> 01:07:58.620

barbara findlay: Suppose a Human Rights Tribunal, said the eviction of this tenant was wrong because the landlord already had PAYMENT FOR THE RENT.

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01:08:00.090 --> 01:08:03.360

barbara findlay: And they did not refer to any human rights ground.

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01:08:06.600 --> 01:08:08.550

barbara findlay: Well, then they can't make that decision.

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01:08:09.060 --> 01:08:13.380

barbara findlay: They're only allowed to make, they're not allowed to make residents tenancy decisions.

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01:08:13.650 --> 01:08:16.770

barbara findlay: They're only allowed to make human rights decisions so

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01:08:16.860 --> 01:08:21.390

barbara findlay: Then, so if they have exceeded their jurisdiction.

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01:08:23.640 --> 01:08:33.510

barbara findlay: One of the participants is entitled to go to BC Supreme Court, which is not the highest court in DC, but and say,

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01:08:36.210 --> 01:08:50.400

barbara findlay: You know, has strayed outside of its boundaries and you should review that decision, right. So although it's a different procedure than an appeal. But in some ways, it has the same effect.

611

01:08:51.480 --> 01:08:53.640

barbara findlay: So they did that and

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01:08:55.080 --> 01:09:01.830

barbara findlay: We lost and we we went to the court of appeal and lost a baby.

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01:09:08.280 --> 01:09:22.470

barbara findlay: If you we lost in the Court of Appeal based in part on a provision in the human race code that says if you're doing an activity which is designed to benefit a marginalized group in this case Ayman

614

01:09:23.580 --> 01:09:28.320

barbara findlay: You are exempt from the Human Rights Code.

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01:09:29.700 --> 01:09:30.390

Evan Taylor: Right.

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01:09:30.810 --> 01:09:31.680

barbara findlay: Drink that in

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01:09:33.660 --> 01:09:37.410

barbara findlay: So it's a very, very bad provision.

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01:09:38.130 --> 01:09:42.450

Evan Taylor: If you're working on behalf of human rights, then you're not subject to human rights.

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01:09:43.260 --> 01:09:43.890

You got

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01:09:45.810 --> 01:09:55.530

barbara findlay: So Kim. We did, however, get from the tribunal. The, the, then largest award in the Human Rights tribunals history.

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01:09:57.180 --> 01:10:09.450

barbara findlay: For their reach away the of the tribunals signaling how egregious they thought the behavior was and the human rights decision had end the preceding

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01:10:10.740 --> 01:10:13.410

barbara findlay: Decision that women were

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01:10:18.900 --> 01:10:31.170

barbara findlay: Purposely influential right in and and that case because it was so early, and because it really did concern the personhood.

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01:10:32.190 --> 01:10:32.370

Evan Taylor: Of

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01:10:32.430 --> 01:10:33.390

barbara findlay: trans folk

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01:10:34.440 --> 01:10:40.830

barbara findlay: Has been written about in I don't know 500 legal

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01:10:42.870 --> 01:10:49.740

barbara findlay: Hundreds of people have written articles analyzing that case. So it became

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01:10:51.150 --> 01:10:51.930

barbara findlay: Um,

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01:10:53.130 --> 01:10:56.610

barbara findlay: Well that plus there were hardly any cases that at the time.

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01:10:58.200 --> 01:11:02.700

barbara findlay: When, when the explosion. It happened in universities.

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01:11:02.970 --> 01:11:05.070

barbara findlay: Yeah interest in trend stuff.

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01:11:05.460 --> 01:11:10.890

barbara findlay: That was one of the early texts. Yeah, people focused on

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01:11:11.610 --> 01:11:25.410

Evan Taylor: Well, I mean, even when it was happening here in Vancouver. I remember I was in, I was in my in social work, school when this was when this was active when this is going on and somebody, one of the students on the Council invited

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01:11:26.790 --> 01:11:35.970

Evan Taylor: I don't remember the person's name, but it was the end of rape relief to the school like for you know what it was anti. You know, I don't know, December.

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01:11:35.970 --> 01:11:40.170

Evan Taylor: Six like somebody you know some like anti violence against women, sort of thing.

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01:11:40.710 --> 01:11:49.290

Evan Taylor: That this person was invited for and we certainly didn't have any trans people. I wasn't you know out or anything like that. I don't even know if I understood. Really what trans. Was it

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01:11:49.590 --> 01:11:59.040

Evan Taylor: Might still like you know it was you know, I kinda but like, certainly, it was, it was still there was no one trans at the school. There's no one really talking about those issues.

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01:11:59.700 --> 01:12:07.020

Evan Taylor: And it cause it was it was an uproar among the students and it was probably the most divisive thing I've ever seen.

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01:12:07.770 --> 01:12:08.430

Evan Taylor: In terms of

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01:12:08.970 --> 01:12:23.340

Evan Taylor: Should we invite this person here or not. And then the students, saying, but what does it mean to uninvite that person we're taking a very clear stance, maybe we shouldn't you know it's not a legal thing yet. And it was it was a it was very in between because no one

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01:12:23.700 --> 01:12:32.370

Evan Taylor: A lot of the argument was, well, it's from the side who said what we shouldn't just invite her was because they were concerned that it wasn't, it wasn't like there was no legal reason

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01:12:32.460 --> 01:12:34.500

barbara findlay: We have not yet established, yes.

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01:12:35.490 --> 01:12:49.380

Evan Taylor: Exactly what happens. Um, well, what happened was literally and I'm happy to say this for the long term historical record literally screaming and crying like a lot of screaming and crying like in the school if people just broke down.

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01:12:50.100 --> 01:13:01.890

Evan Taylor: And for me it was a very pivotal moment in my own sort of understanding of what activism was because I learned my own approach, it really solidified my approach because I realized I wasn't

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01:13:03.450 --> 01:13:14.130

Evan Taylor: I might be a loud voice, but I wasn't a screamer or a crier. I realized what I was, was the person to come back in after that and say, Okay, everybody, let's be reasonable.

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01:13:15.030 --> 01:13:26.010

Evan Taylor: And let's talk about this as our profession as our obligations as social workers, what is our professional obligations and and in doing that everyone you know basically

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01:13:26.850 --> 01:13:33.930

Evan Taylor: calmed down and went, oh, right, if this isn't okay this is and then they came around to the human rights perspective.

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01:13:34.620 --> 01:13:39.510

Evan Taylor: And the, the students who was most worried about having to the invite. We just said, then you don't have to do that.

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01:13:39.960 --> 01:13:46.500

Evan Taylor: The rest of us will happily take that on and I'll happily write her a letter and explain to her why she's being disappointed.

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01:13:47.220 --> 01:13:54.900

Evan Taylor: That we didn't and she basically said okay and that's the end of that. But it was it was for me it was a very pivotal moment and realizing that

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01:13:55.200 --> 01:14:05.520

Evan Taylor: There's so many parts to activism that you need the people in their frontlines banging pots and pans like freaking out and getting upset and being visible.

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01:14:05.850 --> 01:14:17.700

Evan Taylor: And then you also need professional people with like credentials. Not even just credibility, but credentials. It is what it is. Right. Cultural cultural currency and we need to have those people come in and say, okay,

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01:14:18.240 --> 01:14:26.040

Evan Taylor: What's the legal reason, what's our professional obligations and and to smooth that over once people had a chance to have their

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01:14:26.490 --> 01:14:36.150

Evan Taylor: You know their freak out. But people need to have the freak out and then you need to let the other side respond, you know, resistant Lee, because that's what they will do

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01:14:36.720 --> 01:14:46.260

Evan Taylor: And then once everyone's had that. And it kind of. That's what I like to come in and say, what are we doing now, because we don't want to continue having this this problem.

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01:14:46.590 --> 01:14:54.120

Evan Taylor: So that it is and that's what happened. And it was a very interesting moment for me as an activist learning my own approaches that you know

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01:14:54.630 --> 01:15:02.970

Evan Taylor: I see it as a drill that hole into the system and then you get in there and you blow it up from there. But you have to be able to get inside somehow

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01:15:03.630 --> 01:15:10.500

Evan Taylor: You know, to be able to break it down. So that's part of my part of my approach for it, but it was that was very difficult for me.

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01:15:11.130 --> 01:15:23.760

Evan Taylor: I certainly didn't know Kim Nixon was I'd never met. Kimberly, I didn't, you know, I didn't know you know tons of trans people or anything, but it just seemed like basic human rights and it was, it was so obvious.

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01:15:25.500 --> 01:15:29.820

Evan Taylor: And really, once you got a bunch of social work students sitting down and talking reasonably with each other.

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01:15:30.480 --> 01:15:41.670

Evan Taylor: Then they realized, oh, this is completely obvious this is a human rights issue. And you know that one of the things that were taught and social workers, you know, what must not always be legal, but one must always be ethical

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01:15:42.120 --> 01:15:55.020

Evan Taylor: Yeah. And we came to that conclusion and start to talk about that more as a cohort what it meant to be practitioners that we're practicing ethical, social work, as opposed to always looking at what legal meant

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01:15:55.320 --> 01:15:58.740

Evan Taylor: Right. Yeah. Those were different things. And I think that that was a big learning

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01:15:59.340 --> 01:16:10.050

Evan Taylor: For a lot of people, maybe not just in my cohort, but I think across the board that was I think what that that case was happening for us young university students in those times were learning about the difference between

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01:16:10.650 --> 01:16:11.760

Evan Taylor: The article

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01:16:13.080 --> 01:16:13.350

Evan Taylor: So,

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01:16:14.010 --> 01:16:28.140

barbara findlay: The case itself went on for years, literally. And during that period of time. Kimberly had six different jobs he from each of which she was fired when when

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01:16:29.220 --> 01:16:30.960

barbara findlay: She was voted in the newspaper.

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01:16:31.830 --> 01:16:32.160

Evan Taylor: Oh,

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01:16:32.190 --> 01:16:40.380

barbara findlay: In the dress. And so I did six wrongful dismissal things for her along the way of her case.

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01:16:40.920 --> 01:16:42.480

Evan Taylor: I didn't know any of that.

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01:16:42.540 --> 01:16:44.820

barbara findlay: Oh my god is Kimberly is

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01:16:45.810 --> 01:16:48.270

barbara findlay: An incredible hero.

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01:16:49.980 --> 01:16:54.030

barbara findlay: And only in the last few years, or long time

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01:16:55.260 --> 01:16:59.310

barbara findlay: She was not inclined to be

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01:17:00.630 --> 01:17:09.300

barbara findlay: Better at but recently that's changed. I'm really glad that she's being recognized and honored for the contribution that she

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01:17:11.100 --> 01:17:13.230

barbara findlay: Cannot be measured. We spent

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01:17:13.950 --> 01:17:28.890

barbara findlay: gazillions of hours on on unpacking the aggression that she experienced I myself was booted from there was a National Association of Women in the law.

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01:17:29.730 --> 01:17:47.220

barbara findlay: That's been something rather and they kicked me off the at that point we had email lists that was where we were internet wise right and or some sort of maybe there was a chat forum or something. I don't remember, but whatever it was the

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01:17:49.650 --> 01:17:50.340

barbara findlay: Any longer

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01:17:51.090 --> 01:17:54.750

barbara findlay: Because I was because I was the lawyer for Kimberly.

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01:17:55.800 --> 01:17:56.670

barbara findlay: Like that.

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01:17:57.060 --> 01:17:59.370

barbara findlay: That's another really shocking piece.

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01:18:00.060 --> 01:18:05.130

barbara findlay: That. So for me that was like being kicked out of home.

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01:18:06.840 --> 01:18:08.280

barbara findlay: You know i by that point.

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01:18:08.490 --> 01:18:12.330

barbara findlay: There was a lesbian by that point there was a lesbian lawyers identity.

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01:18:12.960 --> 01:18:14.610

barbara findlay: Yeah, only they wouldn't let me have it.

688

01:18:15.870 --> 01:18:18.030

Evan Taylor: And you're like, I started this. Yeah.

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01:18:18.060 --> 01:18:22.680

barbara findlay: Hang on a minute here. Yes. Just one card that but i mean

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01:18:25.020 --> 01:18:27.690

barbara findlay: It didn't matter to anybody but me, of course. But

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01:18:27.870 --> 01:18:36.660

barbara findlay: But that was the end. I also, I did. Kimberly and I both did a lot then often we did public speaking together.

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01:18:37.980 --> 01:19:02.130

barbara findlay: But one year. I know, I remember was there was a leaf conference and it so happened that we got a settlement of the of the cabinet case on the very day of the conference. And so I showed up with a bunch of brightly neon colored pink flyers describing that case and our win.

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01:19:02.760 --> 01:19:03.930

barbara findlay: Hmm, and

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01:19:04.950 --> 01:19:09.330

barbara findlay: There was nobody in the room who was glad to see me.

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01:19:10.680 --> 01:19:11.550

barbara findlay: And in the

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01:19:12.990 --> 01:19:19.740

barbara findlay: Of the work of the conference that I was the leader of I don't remember what I was talking about. I must have been

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01:19:20.220 --> 01:19:32.670

barbara findlay: Maybe I was talking about trends rates. I can't. Maybe it was, it might not even a bit at the same leaf conference but at that point. Monica chapel and I Monica chapels have to spirit woman is now living in Nelson.

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01:19:34.590 --> 01:19:40.800

barbara findlay: We're co facilitating a workshop in the leaf leaf conference and

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01:19:42.750 --> 01:19:48.660

barbara findlay: They wanted to unseat us as the cultures, because

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01:19:49.740 --> 01:19:51.540

barbara findlay: Essentially blasphemous

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01:19:53.100 --> 01:19:56.460

barbara findlay: And they spent and we were literally spat on

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01:19:58.170 --> 01:20:01.230

barbara findlay: This is like a bunch of legal academics, you understand

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01:20:03.720 --> 01:20:04.710

Evan Taylor: Oh my gosh.

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01:20:05.940 --> 01:20:14.970

barbara findlay: So the anti Nixon, the anti trans animus at the time was incredible.

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01:20:15.450 --> 01:20:16.020

Mm hmm.

706

01:20:17.220 --> 01:20:23.340

barbara findlay: The I'm happy to say that in most of the winners centers around the province.

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01:20:24.450 --> 01:20:31.260

barbara findlay: Most people thought Rape Relief was wrong, but they also didn't really know what to do with trans women.

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01:20:31.740 --> 01:20:36.990

barbara findlay: Right, so they didn't they just were. They were variously clumsy.

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01:20:40.200 --> 01:20:47.550

barbara findlay: Discriminatory without really intending to be didn't know how to deal with that kind of stuff. So

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01:20:47.550 --> 01:20:48.270

barbara findlay: I had lots

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01:20:48.360 --> 01:20:57.990

barbara findlay: Of lots and lots of consultations with with women's groups, looking for solutions to those kinds of how do we deal with

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01:21:00.630 --> 01:21:01.350

barbara findlay: Yeah yeah

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01:21:02.370 --> 01:21:06.330

barbara findlay: And and the women's movement as a whole.

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01:21:07.380 --> 01:21:10.710

barbara findlay: As represented by those women.

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01:21:13.800 --> 01:21:14.460

barbara findlay: Shifted

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01:21:15.030 --> 01:21:17.010

barbara findlay: Yes, there was a sea change.

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01:21:17.430 --> 01:21:20.070

barbara findlay: In attitude and I would say over

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01:21:21.420 --> 01:21:22.020

barbara findlay: I don't know.

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01:21:22.140 --> 01:21:29.280

barbara findlay: It over a couple of years, maybe, and to the point where the minority view was the Reaper leaf view.

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01:21:29.850 --> 01:21:30.450

Evan Taylor: Yes.

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01:21:30.570 --> 01:21:32.820

barbara findlay: You know, yeah. And now,

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01:21:33.690 --> 01:21:48.750

Evan Taylor: Accepted. I mean, it just took that case was so you know whether or not it was, you know, one in the long run, or or not it was it was it was just so pivotal that got the conversation happening. And that basically, it took so long for the case to

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01:21:49.800 --> 01:21:59.610

Evan Taylor: Go through its various different iterations that by the time it had that conversation have been happening. And, you know, at, at the end of the day, you know, if

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01:22:00.300 --> 01:22:02.790

barbara findlay: I live date we lost the battle and won the war.

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01:22:03.330 --> 01:22:06.060

Evan Taylor: Yeah, that's it. Yeah, great. But yeah, exactly, exactly.

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01:22:06.390 --> 01:22:09.900

Evan Taylor: Yeah it visible and it brought the conversation out into the mainstream

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01:22:10.650 --> 01:22:20.190

Evan Taylor: In a way that, you know, frankly, in some ways, if if they'd never appealed. And you just want the BC human rights case and it stayed there, it probably wouldn't be nearly as much change. You know, it's

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01:22:20.580 --> 01:22:24.510

Evan Taylor: True. Yeah, good on your go to them for going ahead and being such a jerk.

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01:22:26.040 --> 01:22:33.390

Evan Taylor: Because if they hadn't been so resistant, you would have just happily one that bc human rights hearing and walked away.

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01:22:33.570 --> 01:22:33.990

barbara findlay: Yep.

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01:22:34.260 --> 01:22:43.470

Evan Taylor: They made it into a big national issue. And frankly, it probably, probably promoted trans issues ahead in that time twice as quickly as they would have otherwise. So

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01:22:43.500 --> 01:22:43.830

barbara findlay: Yeah.

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01:22:44.220 --> 01:22:56.130

Evan Taylor: You know, but I mean, of course, all that's being done what I'm thinking about my own my my own perspective is on whose backs. Right. And what is the cost of that to you, and also the Kimberley, you know, like

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01:22:56.670 --> 01:23:04.500

barbara findlay: Yeah. Well, it was the cost. Kimberly was enormous. And it's amazing to me that she survived.

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01:23:05.130 --> 01:23:06.840

barbara findlay: And she and I mean

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01:23:07.020 --> 01:23:07.620

We

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01:23:09.960 --> 01:23:23.850

barbara findlay: We had not. Neither of us had any doubt about the right, we were doing. And so we were able to deal with the micro aggressions and and the macro aggressions in that context, you know,

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01:23:26.430 --> 01:23:27.990

barbara findlay: So what that

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01:23:30.720 --> 01:23:36.090

barbara findlay: This is another kind of parent. This is but what that means, as if you're doing layering.

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01:23:37.110 --> 01:23:38.700

barbara findlay: In marginalized community.

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01:23:40.380 --> 01:23:45.540

barbara findlay: You cannot do, in my view, know part of your job.

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01:23:46.890 --> 01:23:47.880

barbara findlay: Is to

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01:23:48.990 --> 01:23:53.370

barbara findlay: Be able to say to people who come to see you look

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01:23:54.480 --> 01:24:03.780

barbara findlay: We can do a human rights case, this is what the micro aggressions are going to be this is what's going to be what the just the process is going to do to you.

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01:24:04.470 --> 01:24:05.760

Evan Taylor: Hmm. Right.

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01:24:06.150 --> 01:24:07.380

barbara findlay: After that,

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01:24:08.640 --> 01:24:10.800

barbara findlay: You may also suffer.

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01:24:12.210 --> 01:24:15.510

barbara findlay: Aggression from other directions. These days from the internet.

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01:24:15.990 --> 01:24:16.350

Yeah.

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01:24:17.490 --> 01:24:26.760

barbara findlay: So here's the cost which is a cost entirely separate from the merits of your complaint, the

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01:24:27.870 --> 01:24:33.810

barbara findlay: Have already suffered from something horrendous enough that you've come to see me in the first place.

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01:24:36.450 --> 01:24:40.980

barbara findlay: And the human race process in particular is really

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01:24:42.120 --> 01:24:45.240

barbara findlay: It's it's largely a liberal bandage it

754

01:24:45.780 --> 01:24:52.200

barbara findlay: It is not an effective way for people. It's not an effective way to address oppression. Let's put

755

01:24:52.800 --> 01:24:53.580

Evan Taylor: Yeah yeah

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01:24:53.610 --> 01:25:01.080

barbara findlay: It's one way, but it's by no means, you know, it is always at huge cost.

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01:25:01.410 --> 01:25:03.000

barbara findlay: Yes, who are going through it.

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01:25:03.870 --> 01:25:11.220

Evan Taylor: That's one of the things that I teach in when when I when I'm teaching about human rights in my classes. One of things I talked about

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01:25:11.580 --> 01:25:19.110

Evan Taylor: Particularly around health issues and human rights is the problem with human rights and I think Dean Spade talks quite a bit about this as well.

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01:25:19.620 --> 01:25:39.420

Evan Taylor: Is that it requires a victim, like it's, it doesn't do anything. It prevents no harm. In fact, the only thing it does is allow people who have been victimized to now be further victimized by a system that is frankly not going to give them any justice whatsoever so

761

01:25:39.750 --> 01:25:56.730

barbara findlay: And in and. And until recently also would not give them enough money even to pay a lawyer to get them where they were going. So by by financially unless you unless you had both money and conviction.

762

01:25:57.960 --> 01:26:00.540

barbara findlay: It was effectively unavailable now.

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01:26:01.620 --> 01:26:11.910

barbara findlay: The NBC, there was always been a human rights clinic, but it has been so overwhelmed that it has not made an effective change in what I've just said.

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01:26:13.020 --> 01:26:14.850

barbara findlay: So it is

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01:26:16.230 --> 01:26:17.490

barbara findlay: And you

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01:26:18.960 --> 01:26:30.330

barbara findlay: You, you may get as a remedy an order that they change. What is that the whomever changed the whatever discriminatory practice was accepted, then no oversight.

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01:26:30.960 --> 01:26:33.510

barbara findlay: Right whatsoever. Yeah, you know,

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01:26:33.930 --> 01:26:34.380

barbara findlay: I did a

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01:26:34.620 --> 01:26:42.000

barbara findlay: I did a case against the Vancouver city police in about 1997

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01:26:43.050 --> 01:27:03.330

barbara findlay: On behalf of a trans woman, and we went to mediation and where the, where the the Diversity Officer was one of the police officers who was present at the mediation and he was astonished. He was a sis white dude he was astonished to hear that any marginal

771

01:27:05.070 --> 01:27:05.670

barbara findlay: Please.

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01:27:07.440 --> 01:27:16.890

barbara findlay: There was any reason. Any reason for. So, you know, there's my clients and me sitting there saying he's the Diversity Officer.

773

01:27:17.310 --> 01:27:34.980

barbara findlay: Okay, you know. Anyway, they agreed in 1997 to a whole raft of trans inclusive policies, the likes of which you know you would love to see in a textbook, except it made absolutely no difference whatsoever.

774

01:27:35.310 --> 01:27:35.940

barbara findlay: Yeah, none.

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01:27:38.280 --> 01:27:47.850

Evan Taylor: Exactly. And one of the things like no one ever was going to go and you know fire somebody or gay bash somebody and went

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01:27:48.450 --> 01:28:04.590

barbara findlay: Into resentment Policy Manual. Get it, make it you know they agree but didn't make it into the Policy Manual. If it was in the Policy Manual. Did it make it into the training if it was in the training. Did it make it into the disciplinary procedures like you know so

777

01:28:06.600 --> 01:28:15.240

Evan Taylor: ANYTHING HAPPENED TO TO roller girl just recently. I can't remember the last few last few years. But, you know, and

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01:28:15.720 --> 01:28:18.300

Evan Taylor: She was when I care and so forth.

779

01:28:18.810 --> 01:28:18.990

Yeah.

780

01:28:20.460 --> 01:28:21.120

barbara findlay: It.

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01:28:21.870 --> 01:28:27.210

Evan Taylor: Was as well, you know, back in 2017 that's still 20 years after they're

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01:28:28.470 --> 01:28:32.400

Evan Taylor: Like oh, the intervention has already happened. And yet, nothing happened.

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01:28:32.460 --> 01:28:33.600

Evan Taylor: Yeah yeah

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01:28:34.320 --> 01:28:40.860

Evan Taylor: Exactly. So there's the Kimberley next in Case. What was the. How did that change the the

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01:28:41.220 --> 01:28:52.140

Evan Taylor: The landscape of doing human rights work for trans folks because I know for you there. You had so many cases. After that, or even probably the same time that it would have changed your approach somehow I'm imagining

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01:28:53.850 --> 01:28:54.810

barbara findlay: Um,

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01:29:02.700 --> 01:29:09.150

Evan Taylor: Or were there other pieces that you can think back that you know we're had that same that continued that trajectory

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01:29:20.670 --> 01:29:23.550

barbara findlay: I'm kidding. I'm hesitating because I'm

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01:29:28.380 --> 01:29:30.000

barbara findlay: I think the answer.

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01:29:31.260 --> 01:29:44.730

barbara findlay: Would be that the result of that Nixon case was that one of the things I did with it was I went off and did wrote articles and did presentations at every single

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01:29:45.150 --> 01:30:00.510

barbara findlay: Continuing legal education seminar there where they would have me so whenever they always put out a call for proposals and so when it was an employment related thing I would do make it possible to do something about trans rights in the in the employment contents when

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01:30:02.220 --> 01:30:06.540

barbara findlay: So I did. And Kimberly awesome did them with me.

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01:30:07.080 --> 01:30:07.440

Okay.

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01:30:09.660 --> 01:30:23.760

barbara findlay: presentations about that case and the implications of that case. Right. So the and we did innumerable like I can. I can't tell you how many

795

01:30:24.870 --> 01:30:30.840

barbara findlay: Speaks for Oh for women's groups or women's conferences for

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01:30:32.310 --> 01:30:41.880

barbara findlay: I actually asked you what happened at that social work thing was because Kimberly and I were out there at UBC for something with a similar

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01:30:42.870 --> 01:30:58.110

barbara findlay: Exactly like a big tension between the ante and the regularly folks and Kimberly. So, but whatever it was, whoever invited us and I, no idea who know we they're all there on that occasion.

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01:30:58.260 --> 01:31:02.550

barbara findlay: There was interest. Yeah. I mean, there was the rate for the folks in there was us.

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01:31:03.090 --> 01:31:04.500

Evan Taylor: An idea.

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01:31:04.770 --> 01:31:11.100

barbara findlay: I know, I know. On the other hand, the only idea that was worse was to say no, like,

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01:31:11.760 --> 01:31:16.200

barbara findlay: Right at that time you and so

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01:31:16.980 --> 01:31:18.690

barbara findlay: Wow, and

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01:31:20.790 --> 01:31:41.640

barbara findlay: I wouldn't be able to tell you how many educational whatever we did based on that. And that was the most important impact of that case was that people realized, I think the social impact was that people realize that there was something they needed to know when they did.

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01:31:42.240 --> 01:31:43.260

barbara findlay: Yes, yes.

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01:31:43.440 --> 01:31:46.470

barbara findlay: And that and that that meant, and they would

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01:31:46.830 --> 01:31:51.450

barbara findlay: Mean lawyers from where anywhere would phone me up and say, I know.

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01:31:52.890 --> 01:31:55.920

barbara findlay: I'm doing this case, what about this or that and

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01:31:58.800 --> 01:32:04.770

barbara findlay: And so that took that that was the NSA lots and lots of people wrote

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01:32:07.770 --> 01:32:14.370

barbara findlay: Kim Kimberly was on the was the cover model for Elle magazine fashion magazine.

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01:32:14.640 --> 01:32:15.060

Another

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01:32:17.310 --> 01:32:19.740

barbara findlay: Like it. That's what I mean about

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01:32:21.240 --> 01:32:27.060

barbara findlay: The diffusion of the ideas from that case was really profound

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01:32:27.660 --> 01:32:32.610

barbara findlay: Yeah, but it was not a diffusion, particularly in the legal context.

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01:32:32.760 --> 01:32:36.180

barbara findlay: Right, so I continue to do work for trans people in certainly

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01:32:36.630 --> 01:32:38.370

barbara findlay: Human race cases for transfer

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01:32:39.510 --> 01:32:54.240

barbara findlay: But most of them. First of all, 95% of all human race cases are resolved in mediation. Right. And for everybody. That is the most practical outcome if you can get it because it avoids an expensive hearing

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01:32:55.080 --> 01:32:57.660

barbara findlay: An expensive and unpredictable.

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01:32:58.620 --> 01:33:00.270

Evan Taylor: Hmm, of course.

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01:33:00.510 --> 01:33:01.380

So,

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01:33:03.570 --> 01:33:14.400

barbara findlay: I would, I did lots of human rights cases for transfer. But I mean, up until when was the most recent one I or not very long ago maybe within the last five years.

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01:33:16.350 --> 01:33:24.750

barbara findlay: cuteness who was being harassed at work by she was working in a job where she was like, with some job like

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01:33:26.250 --> 01:33:28.800

barbara findlay: Railway maintenance or

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01:33:30.870 --> 01:33:35.880

barbara findlay: Something like that, where she worked alone a lot in a somewhat dangerous environment.

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01:33:36.330 --> 01:33:40.710

barbara findlay: And her co workers would harass her

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01:33:41.670 --> 01:33:52.380

barbara findlay: Hmm, and do things that were just on the border of threatening, except it was very, very difficult to dip very difficult to prove

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01:33:52.860 --> 01:34:01.350

barbara findlay: Course, so we went to a mediation and the very first question from the chair.

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01:34:02.310 --> 01:34:08.640

barbara findlay: The human rights tribunals, who happened to be a mediator in that room right

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01:34:09.660 --> 01:34:11.760

barbara findlay: Cuz she had surgery.

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01:34:15.540 --> 01:34:21.240

Evan Taylor: How I'm going to guess that was probably one of those things that was being said by those co workers as well like

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01:34:22.500 --> 01:34:32.040

barbara findlay: But I mean that the gap, the kind of job dropping what this guy was so the the Human Rights Tribunal itself.

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01:34:36.810 --> 01:34:37.800

barbara findlay: had no clue.

832

01:34:39.720 --> 01:34:47.610

barbara findlay: During a liberal during the liberal regime. They're all a little appointed, they're all government employees. Right, so they

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01:34:49.290 --> 01:34:52.380

barbara findlay: I use it on one occasion, I was, I did it.

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01:34:54.990 --> 01:35:12.600

barbara findlay: In which I made assertions about what was now the law under the Human Rights Code as a consequence of whichever case. I was talking about. And somebody, one of the lawyers from the tribunal was in the audience, and he just, he just kind of like

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01:35:17.340 --> 01:35:17.880

Evan Taylor: Frozen.

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01:35:18.420 --> 01:35:20.280

barbara findlay: But also, he didn't

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01:35:23.280 --> 01:35:24.600

barbara findlay: First of all, you didn't know

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01:35:25.980 --> 01:35:26.370

Evan Taylor: I'm

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01:35:26.610 --> 01:35:32.430

barbara findlay: In, you know. But secondly, he was not at all willing to just kind of go, Yeah, that's right. That's for

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01:35:33.750 --> 01:35:38.310

barbara findlay: So since the NDP appointees things have gotten better over there.

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01:35:39.750 --> 01:35:40.380

barbara findlay: But

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01:35:41.700 --> 01:36:01.050

barbara findlay: But the process remains problem extremely problematic. Yeah. So my my approach in loitering in general is that there are three prongs. There is the community and activism. There's the legal piece which is like a a fulcrum. You can sometimes insert

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01:36:02.310 --> 01:36:14.280

barbara findlay: Like a claim a human rights complaint and make a pretty big change with a pretty small investment right but it only works if you have also the third problem, which is the social education piece.

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01:36:15.030 --> 01:36:18.300

barbara findlay: So if people don't know about the case, it didn't happen.

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01:36:19.350 --> 01:36:20.910

barbara findlay: For all intents and purposes.

846

01:36:21.270 --> 01:36:21.960

Evan Taylor: Mm hmm.

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01:36:22.200 --> 01:36:29.910

barbara findlay: So you the legal work had to be grounded in the activism and the direction the activism was taking

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01:36:31.170 --> 01:36:31.530

barbara findlay: Be

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01:36:33.780 --> 01:36:34.590

barbara findlay: Viable

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01:36:36.690 --> 01:36:40.800

barbara findlay: And it then had to be made made known

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01:36:41.460 --> 01:36:41.790

Evan Taylor: Right.

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01:36:41.880 --> 01:36:46.050

barbara findlay: And so I considered that my job was to do all three of those things.

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01:36:47.130 --> 01:36:50.880

barbara findlay: And that's why I was always in the men.

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01:36:52.830 --> 01:36:54.480

barbara findlay: Doing the educational work.

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01:36:54.990 --> 01:37:03.570

Evan Taylor: Mm hmm. Well, it sounds as well, like that. The you the sociology training basically is is the

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01:37:04.860 --> 01:37:14.640

Evan Taylor: The unique ingredient in in in your in your recipe of loitering that has allowed you to have this very specific focus

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01:37:14.940 --> 01:37:26.970

Evan Taylor: On community change and activism that you know that lawyers and activism like that. Those don't usually go together and the sounds like that's the the sociology perspective and that that just the the ethics that you

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01:37:27.390 --> 01:37:28.290

barbara findlay: Know feminists.

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01:37:28.440 --> 01:37:29.250

barbara findlay: And feminism

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01:37:30.000 --> 01:37:33.330

Evan Taylor: Mm hmm. Yeah, I'm wrapping up and Dorothy Smith, of course.

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01:37:34.230 --> 01:37:34.830

So,

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01:37:37.710 --> 01:37:40.170

barbara findlay: I'm proud to say I had tea with Dorothy last week.

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01:37:41.370 --> 01:37:41.850

Evan Taylor: No.

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01:37:42.150 --> 01:37:42.540

Yeah.

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01:37:43.710 --> 01:37:44.640

barbara findlay: We're good friends.

866

01:37:45.210 --> 01:37:50.190

Evan Taylor: Oh my goodness. I've only I've only I've only met one other person who's met her even

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01:37:52.260 --> 01:37:52.440

Evan Taylor: Though

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01:37:53.700 --> 01:37:56.730

Evan Taylor: Oh my goodness, what she is like just

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01:37:57.330 --> 01:37:57.810

Evan Taylor: I know

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01:37:58.380 --> 01:37:58.650

And I

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01:37:59.730 --> 01:38:00.150

Evan Taylor: Was like I

872

01:38:01.290 --> 01:38:14.490

Evan Taylor: I don't get like I you know I don't care if I ever meet. I don't know, like George Clooney, but like Dorothy like I'm right now a little bit like starstruck but I'm talking to you and you just talked to her like totally starstruck. Oh my goodness.

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01:38:14.580 --> 01:38:17.430

barbara findlay: He's going to be 94 on your next birthday.

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01:38:18.150 --> 01:38:21.630

barbara findlay: Wow. And she is still supervising a thesis.

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01:38:24.570 --> 01:38:29.520

Evan Taylor: That's so exciting. Oh, that's, that is amazing. I'm like, seriously just completely starstruck

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01:38:29.880 --> 01:38:30.840

Evan Taylor: I know and

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01:38:31.140 --> 01:38:45.480

barbara findlay: I get it, I get it. And I, and I die note on on that. And then I report back to Dorothy and say another person. I just I describe it interaction with like this, where else goes really, you know, so

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01:38:45.810 --> 01:38:57.030

Evan Taylor: I i'm so tempted right now. I'm not going to do it so real my shot but like I have this lineup of books above my desk right here. And, like, it's, it's like just it's a lineup of her books like I'm just looking

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01:38:59.400 --> 01:39:01.950

barbara findlay: Oh, that's, that's awesome. Yeah.

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01:39:02.250 --> 01:39:10.620

Evan Taylor: Yeah, I, I, I'd seen a picture of her stand with lie, Frank. I remember seeing that picture as, like, Oh my goodness. There she is. Okay, well, we can't get too distracted by Dorothy.

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01:39:10.650 --> 01:39:16.350

Evan Taylor: Yeah, totally, totally distracted. Where's my one of the questions that I have for you.

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01:39:17.760 --> 01:39:19.260

barbara findlay: Before we leave that topic.

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01:39:19.680 --> 01:39:29.700

barbara findlay: When I was in graduate school, Dorothy and I and about six other people made a co op hosts. And so we live together with her two kids and

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01:39:31.410 --> 01:39:31.650

barbara findlay: And

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01:39:32.760 --> 01:39:38.340

barbara findlay: Other people that I recruited from the co op that we set up in Kingston, and we had a Cocos

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01:39:38.670 --> 01:39:42.150

Evan Taylor: So was this when she was, she she was still in grad school, then

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01:39:43.260 --> 01:39:46.440

barbara findlay: No, no, she was, she was a profit UBC, it was 1970

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01:39:46.800 --> 01:40:01.890

Evan Taylor: So yeah, so I know I heard some this actually probably good good history record. Anyway, so I'm gonna ask um she wasn't UBC right and then she wanted to set up a gender women's studies or whatever. And she got basically booted out right

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01:40:03.060 --> 01:40:19.080

barbara findlay: Well, I don't know how she would describe. She then she moved from she went from UBC to Toronto to Boise she she when I was in grad school, she and have a handful. There were only a handful

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01:40:21.540 --> 01:40:29.940

barbara findlay: And so she and Meredith Kimball and how good Jacobson, and a couple of other folks we're working to have

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01:40:31.080 --> 01:40:44.880

barbara findlay: Like to wedge feminism into the academy and having a hell of a time of it as similar time that I had when I was on the top of the law. But anyway, um,

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01:40:47.220 --> 01:40:47.640

barbara findlay: Wow.

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01:40:47.820 --> 01:40:49.290

barbara findlay: That's another story. Yeah.

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01:40:49.980 --> 01:40:52.620

Evan Taylor: That's definitely I'm going to pick your brain about that at some other

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01:40:54.360 --> 01:40:58.950

Evan Taylor: So yeah, before I go on, what's another PC want to say about that before I answer the next piece.

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01:40:59.460 --> 01:41:00.360

barbara findlay: I don't think so.

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01:41:00.750 --> 01:41:12.570

Evan Taylor: Okay. Um, one things i i'm wondering about just says you know this this trajectory. What were some of the cases that that you were, you were part of for you know that even knew about peripherally that you sort of looked at and said,

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01:41:12.870 --> 01:41:18.720

Evan Taylor: Kind of like the next one, where there was a game changer like that. There was a there was a pivotal sort of pivotal case.

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01:41:20.010 --> 01:41:22.200

Evan Taylor: I mean, I guess a lot of the early ones were all first

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01:41:22.230 --> 01:41:35.670

barbara findlay: But well, and the ones that I did. Yeah, they were offers. But one of the one of the pivotal ones was x y was the case in Ontario where which was about

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01:41:39.000 --> 01:41:46.500

barbara findlay: A requirement that you have set you have sex reassignment surgery before you could change your gender marker.

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01:41:48.210 --> 01:41:48.540

Evan Taylor: Right.

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01:41:48.600 --> 01:41:57.120

barbara findlay: And if I'm not mistaken. Don't quote me on these years. But in that rule changed by litigation in Ontario and about 20

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01:41:59.880 --> 01:42:01.200

barbara findlay: Maybe 2011

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01:42:03.030 --> 01:42:11.490

barbara findlay: And in 2012 there's a decision by the by the immigration by refugee Appeal Board that it was

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01:42:13.590 --> 01:42:28.230

barbara findlay: Inhumane for another government to require that somebody have sex reassignment surgery before they got to change their birth certificate so like it was only two years be after Canada and had been doing the exact same thing.

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01:42:28.830 --> 01:42:42.540

barbara findlay: Right, so that that one is a big one. The other one that I is ongoing is the challenges are the challenges to gender markers on on on

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01:42:44.370 --> 01:42:46.770

barbara findlay: ID carry I call them carry documents.

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01:42:47.040 --> 01:42:47.550

Hmm.

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01:42:50.610 --> 01:43:03.540

barbara findlay: And and i think that the direction we're going is that sex will see sex or gender will soon be treated as

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01:43:04.620 --> 01:43:10.560

barbara findlay: In the way we used to treat race I grace, used to be on your birth registration. It isn't any longer.

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01:43:10.920 --> 01:43:18.450

barbara findlay: Right and and eventually neither will neither will sex assigned at birth, except perhaps your research purposes.

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01:43:19.980 --> 01:43:29.760

barbara findlay: But certainly not as part of identification or carry cards and that's beginning to be broken down by litigation across the country and that is amazing.

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01:43:30.330 --> 01:43:31.080

Evan Taylor: Yes.

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01:43:31.620 --> 01:43:32.370

barbara findlay: And he's gonna wear him.

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01:43:32.640 --> 01:43:33.690

Evan Taylor: A long time now. Right.

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01:43:33.840 --> 01:43:34.350

barbara findlay: Oh, yeah.

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01:43:34.620 --> 01:43:41.490

Evan Taylor: Oh yes, there's a few folks that you have a, if I recall, you have a small group of folks who were been ongoing doing this challenge.

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01:43:41.610 --> 01:43:42.030

Yeah.

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01:43:43.680 --> 01:43:44.490

barbara findlay: So,

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01:43:48.810 --> 01:43:50.730

barbara findlay: I think that

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01:43:54.420 --> 01:43:58.050

barbara findlay: Well, the other thing is, there were no non binary folks.

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01:43:59.730 --> 01:44:00.600

barbara findlay: Visibly

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01:44:02.760 --> 01:44:03.360

Evan Taylor: Right.

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01:44:03.660 --> 01:44:10.710

barbara findlay: There were no non binary folks. So for a long time that the request was

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01:44:12.870 --> 01:44:17.340

barbara findlay: More easily from gender Ada gender be right.

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01:44:18.870 --> 01:44:21.780

barbara findlay: I want there to be fewer restrictions to move from A to B.

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01:44:23.070 --> 01:44:26.520

barbara findlay: But non binary folks blew that up.

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01:44:28.020 --> 01:44:33.840

barbara findlay: In a an absolutely fabulous way, from my perspective, because

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01:44:36.510 --> 01:44:37.950

barbara findlay: The entire

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01:44:39.510 --> 01:44:45.270

barbara findlay: Certainty of of gender and sex has been utterly demolished.

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01:44:45.360 --> 01:44:47.730

barbara findlay: Right, and so I'm I'm

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01:44:47.790 --> 01:44:51.840

barbara findlay: accustomed to saying that, you know, I grew up with the verities that

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01:44:53.580 --> 01:45:00.270

barbara findlay: Sex was known at birth, that there were only two sexes that they were complimentary that they never changed.

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01:45:00.570 --> 01:45:01.950

barbara findlay: And then the moves were like

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01:45:02.040 --> 01:45:18.480

barbara findlay: as natural as the air you breathe and they were all wrong. Every one of them was wrong. Right. They were all mistaken. And so what it will mean when we have disrupted.

937

01:45:19.980 --> 01:45:40.890

barbara findlay: That those conceptual structures and stopped gendering things, you know, blue sky when we stop having blue and pink blankets are pricey, but we stopped gendering practices that are pervasive now.

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01:45:41.940 --> 01:45:45.750

barbara findlay: Some feminists, say, but wait a minute, this

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01:45:46.860 --> 01:46:01.620

barbara findlay: Doesn't that mean that the men are going to, what about feminism. What about the 70%. What about the fact that women are still only paid 70 cents on the dollar, how does that, how do those things fit together. And my own view of it is that

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01:46:05.430 --> 01:46:19.050

barbara findlay: This development is completely consistent with the goals of feminism and that what we really have done is blown up the gendered arrangement that keeps white

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01:46:21.570 --> 01:46:26.940

barbara findlay: And that it's based on a fallacy. And it's not. That's funny.

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01:46:31.110 --> 01:46:32.070

Evan Taylor: All bonds in terms

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01:46:32.430 --> 01:46:34.140

barbara findlay: Of an agenda. Exactly.

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01:46:35.820 --> 01:46:39.360

barbara findlay: Look, I'm sorry to say completely accidental but there you go.

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01:46:41.820 --> 01:46:44.430

barbara findlay: So that that

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01:46:47.580 --> 01:46:50.520

barbara findlay: Is to my mind, that's the next revolution.

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01:46:51.870 --> 01:46:58.020

barbara findlay: And that is already happening in many, many different ways and shapes and forms and, you know,

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01:46:58.890 --> 01:47:15.930

barbara findlay: And it's gone from a situation where if anybody wanted to talk about transgender rights in the workplace, they would find up me or three other people down. We've got consulting companies and law professors and you and like like people all over the place.

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01:47:16.380 --> 01:47:19.920

barbara findlay: In like and and that that happens so fast.

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01:47:20.130 --> 01:47:20.520

barbara findlay: Yeah.

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01:47:21.000 --> 01:47:26.340

barbara findlay: Like it happened in like it just was mind blowing.

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01:47:27.720 --> 01:47:28.680

barbara findlay: Mind blowing

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01:47:30.060 --> 01:47:31.770

barbara findlay: How quickly and how

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01:47:33.780 --> 01:47:36.690

barbara findlay: Like, I don't know about theories of of

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01:47:39.330 --> 01:47:41.700

barbara findlay: The dissemination of new ideas.

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01:47:41.940 --> 01:48:01.470

barbara findlay: Right, so I can't really account for how it was then that that has happened so fast that there are now 10 year university positions devoted to the study of trans issues like in in academic terms that's ginormous.

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01:48:01.560 --> 01:48:07.500

barbara findlay: Yeah, and there are no departments that are no longer called women's studies. They're called

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01:48:08.550 --> 01:48:10.050

barbara findlay: whatever they're called but

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01:48:10.320 --> 01:48:15.900

barbara findlay: They're called something that that recognizes that those changes.

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01:48:16.200 --> 01:48:16.680

Evan Taylor: Mm hmm.

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01:48:16.920 --> 01:48:19.290

barbara findlay: And that's that's astonishing.

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01:48:19.830 --> 01:48:26.220

barbara findlay: Yeah, so I think that those cases, those, those

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01:48:30.330 --> 01:48:47.100

barbara findlay: Those gender recognition cases which have been like we settled one with the password folks on the basis that you can get an ex. Well, that's a completely useless thing. It's a completely useless result because x is puts a mark on your forehead.

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01:48:47.970 --> 01:48:57.600

barbara findlay: Right. However, it did have the effect of breaking apart. The, the feds absolute insistence.

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01:48:58.800 --> 01:49:01.830

barbara findlay: On about on a on an exclusively binary system.

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01:49:02.340 --> 01:49:08.460

barbara findlay: Exactly, so you know where I am younger lawyer. I was falling another human rights complaint.

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01:49:09.570 --> 01:49:17.100

barbara findlay: Against the passports and say, okay, now we know you. There's one province that has no gender markers on there.

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01:49:18.570 --> 01:49:26.730

barbara findlay: Anymore that for security reasons, you have to be able to hook it up as an identity chain. Now, what now you've got no excuses left

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01:49:27.180 --> 01:49:29.100

barbara findlay: Right, so

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01:49:30.240 --> 01:49:30.720

barbara findlay: And

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01:49:34.380 --> 01:49:43.890

barbara findlay: We settled. Another case with the federal government in which the agreed not to ask general questions except for it was necessary for the purpose of their operations. And they've also be done to

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01:49:44.640 --> 01:49:52.050

barbara findlay: You'll notice on federal forums, there's generally if there is a gender question. It's not a male, female gender question anymore.

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01:49:53.580 --> 01:49:59.550

Evan Taylor: They show the the Human Rights Tribunal number because He's apparently not aware of this at all.

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01:50:00.990 --> 01:50:03.030

Evan Taylor: It's a government employee employee, he should be

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01:50:03.690 --> 01:50:04.020

barbara findlay: Yeah.

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01:50:04.170 --> 01:50:07.680

barbara findlay: Well, that's that cases maybe five years ago, so

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01:50:08.850 --> 01:50:15.900

barbara findlay: Things change so quickly that he probably would be aware of it, know if he was still there. I don't think he's still there, but

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01:50:17.100 --> 01:50:18.810

barbara findlay: But you get the drift. Yeah.

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01:50:18.840 --> 01:50:27.510

Evan Taylor: And certainly the last five years has been any that's, that's when it's become it we one of the one to call the tipping point or whatever, you know, 2014 2015

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01:50:27.990 --> 01:50:33.090

Evan Taylor: But since then it's been a bit like I don't I don't necessarily like the tipping points.

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01:50:33.570 --> 01:50:44.040

Evan Taylor: Narrative, but nonetheless, you know, we know what we mean. What we're saying that time and that five years since it's now like normalized to the point where you know if a tribunal member said that

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01:50:44.340 --> 01:50:53.190

Evan Taylor: Now, like you might actually five years, like in this one, you might actually have a very different reaction. Now, in terms of what the follow up would be on that one.

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01:50:54.270 --> 01:50:59.970

Evan Taylor: But that that that five years I think has been the the the switch from visibility into

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01:51:00.300 --> 01:51:06.390

Evan Taylor: Actual integration in some way. I mean, I don't think trans people are fully integrated as full citizens yet.

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01:51:06.600 --> 01:51:15.720

Evan Taylor: But, you know, back to that thing you were talking about around like what does that mean around feminist work right or around what what wouldn't limit still earning 75 cents on the dollar you know and and

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01:51:15.960 --> 01:51:25.770

Evan Taylor: And also reasonable questions because we have to hold these things together and then say yes. And also what is trans people that are trans people earning on the dollar just this people

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01:51:27.360 --> 01:51:32.670

Evan Taylor: I know we don't know that information, but some, some, you know, trans economist somewhere should do that study.

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01:51:33.900 --> 01:51:38.190

barbara findlay: Except, we've been busy saying they can't collect gender information anymore.

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01:51:43.440 --> 01:51:49.680

barbara findlay: It. Well, I actually, I have always said, except for research, I have not. I

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01:51:51.690 --> 01:51:55.230

barbara findlay: Mean I had to prove it. I had to convince the Canadian Human Rights Commission.

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01:51:56.310 --> 01:51:57.180

barbara findlay: Of this

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01:51:58.440 --> 01:52:02.040

barbara findlay: Also and yo. Yeah, I mean,

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01:52:10.890 --> 01:52:18.360

barbara findlay: And they were concerned in particular about losing the ability to demonstrate that women were discriminated

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01:52:19.920 --> 01:52:22.020

barbara findlay: Against and so

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01:52:24.060 --> 01:52:26.040

Evan Taylor: It's a little like the all lives matter argument.

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01:52:29.460 --> 01:52:30.150

barbara findlay: It's

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01:52:33.570 --> 01:52:35.640

barbara findlay: I guess I

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01:52:42.660 --> 01:52:44.460

barbara findlay: I think it's, I don't

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01:52:45.990 --> 01:52:48.660

barbara findlay: Maybe, maybe they both are a failure.

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01:52:50.790 --> 01:52:56.430

barbara findlay: But like when once I was able to say yes, that's a valid concern.

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01:52:58.230 --> 01:53:04.680

barbara findlay: I agree with you that we don't want to lose the ability to figure out who is marginalized in the workforce.

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01:53:05.040 --> 01:53:06.960

barbara findlay: Right and

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01:53:09.150 --> 01:53:13.440

barbara findlay: And probably you agree with me. Listen, this sounds like an Evan Taylor's

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01:53:15.360 --> 01:53:15.930

barbara findlay: Cheating

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01:53:16.380 --> 01:53:24.060

barbara findlay: You know, probably you agree with me that that says gender people that trans people are oppressed by

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01:53:25.980 --> 01:53:26.220

Evan Taylor: Press.

1007

01:53:27.300 --> 01:53:30.000

Evan Taylor: I mean I carry cards with their gender marker on it.

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01:53:30.720 --> 01:53:31.650

Evan Taylor: Yeah, I mean certainly

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01:53:31.680 --> 01:53:42.930

barbara findlay: Absolutely no reason we have we have studies that demonstrate how harmful, that is, to the trans community. It is completely unjustifiable.

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01:53:43.290 --> 01:53:54.360

barbara findlay: And every data collection process in the federal government that does that has the same marginalized impact. So, you know, you would agree with me that that's a bad thing.

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01:53:54.450 --> 01:53:57.300

barbara findlay: That's discriminatory. Okay. Now, how are we going to put those

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01:53:57.300 --> 01:53:58.230

barbara findlay: Two things together.

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01:53:58.560 --> 01:53:59.160

Evan Taylor: Mm hmm.

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01:53:59.250 --> 01:54:00.540

barbara findlay: So if

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01:54:02.730 --> 01:54:10.920

barbara findlay: So my thinking about it is not so much in All Lives Matters problem as

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01:54:15.480 --> 01:54:18.210

barbara findlay: A silo problem, right.

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01:54:19.590 --> 01:54:30.420

barbara findlay: People think in silos and and if they're women and they've been educated as feminists, then you have that problem because you know

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01:54:33.300 --> 01:54:39.390

barbara findlay: And then we get into identity politics and what that means and why does it such and such. But anyway, that's

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01:54:40.710 --> 01:54:41.970

barbara findlay: And then we get off my new

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01:54:42.150 --> 01:54:56.160

Evan Taylor: Season of identity through I've identification, etc, etc, which we already know. We have an oppression issue with at the same time, exactly like you're saying. And I would say the same thing as a researcher is we need research like the

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01:54:57.000 --> 01:55:04.500

Evan Taylor: Only thing that proves science wrong is better science. So that's the one thing we actually can't limit is science.

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01:55:04.650 --> 01:55:05.190

Evan Taylor: And and

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01:55:05.520 --> 01:55:15.660

Evan Taylor: I don't mean you know just biological science, you know, as you know, a lot of my work, especially with Mary Bryson, it's been around how do we connect cultural competency with medical competency

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01:55:16.110 --> 01:55:28.770

Evan Taylor: Because you can't actually have one without the other. You know, especially in the, you know, work that we've done around that we've been doing around cancer. If you think about it like you can have all of the cultural competency in the world.

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01:55:30.060 --> 01:55:32.940

Evan Taylor: But if you can't cure my cancer. I'm not coming to your clinic.

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01:55:33.930 --> 01:55:39.990

Evan Taylor: Right, or it can't treat me and suddenly right like versa. You can have the best medical care in the world.

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01:55:40.170 --> 01:55:45.780

Evan Taylor: But if you're Miss gendering people if you're treating people like crap. If you're denying them service because they're the wrong gender.

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01:55:45.930 --> 01:55:54.990

Evan Taylor: Then you're not going to be helping their cancer. So in either Caitlin really can't have one without the other. And I think that's where the, the research becomes so important is recognizing that

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01:55:55.230 --> 01:56:01.650

Evan Taylor: Yeah, you know what, there are biological body markers on certain things that we can help ourselves with better medications if we get right but

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01:56:01.860 --> 01:56:15.780

Evan Taylor: Yes. Okay, good. Let's, let's, know that you know as trans people who argued to get access to hormones or surgery and whatever, then you know we have that access because of research and because of that kind of study and science and

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01:56:16.050 --> 01:56:18.870

Evan Taylor: So yeah, I completely. I completely agree with you that

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01:56:19.020 --> 01:56:29.610

Evan Taylor: On the day to day the idea itself at functions simply as an it's an oppressive disciplinary mechanism. It literally doesn't function for anything else other than as a disciplinary mechanism.

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01:56:30.240 --> 01:56:38.160

Evan Taylor: But just that like one like but we don't want to get rid of all of it because don't throw the baby out with the bathwater science is important.

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01:56:40.020 --> 01:56:57.000

barbara findlay: So the other, to answer your question, the other cases, I would refer to as as a groundbreaker is the one that happened recently which is AB versus CD and that's the teenage trans kid whose dad opposed his treatment.

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01:56:57.450 --> 01:57:02.550

barbara findlay: Mm hmm. As as a legal case, it is absolutely true.

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01:57:03.840 --> 01:57:07.380

barbara findlay: Because it has been the law NBC in Canada for forever.

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01:57:07.860 --> 01:57:12.720

barbara findlay: That once a mature minor is a you probably know this is able to

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01:57:14.700 --> 01:57:29.580

barbara findlay: And effects of a medical treatments, then they are exclusively entitled to consent to that treatment, provided that the doctor has made an assessment that the treatment is in there, what is in their best interests.

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01:57:29.760 --> 01:57:36.570

barbara findlay: Right, so we had a choice. We could have sued the doctors

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01:57:37.140 --> 01:57:37.620

barbara findlay: As a

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01:57:38.070 --> 01:57:41.100

barbara findlay: As a human rights denial

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01:57:41.490 --> 01:57:42.000

Rate.

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01:57:43.500 --> 01:57:46.590

barbara findlay: For insisting on a second letter.

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01:57:48.960 --> 01:57:52.200

barbara findlay: They actually finally sent a letter to the dad.

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01:57:55.050 --> 01:57:55.350

barbara findlay: Say,

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01:58:00.600 --> 01:58:03.630

Evan Taylor: Know, to repeat that bit about one of the doctors saying the letter to the dad.

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01:58:04.110 --> 01:58:06.600

barbara findlay: They said, unless you go to course.

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01:58:07.560 --> 01:58:09.240

barbara findlay: We're going to start treatment.

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01:58:09.720 --> 01:58:11.670

barbara findlay: Okay, no.

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01:58:13.470 --> 01:58:15.300

Evan Taylor: Interesting challenge on their part.

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01:58:15.690 --> 01:58:19.020

barbara findlay: But I really, I mean they had no right to say that the

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01:58:19.050 --> 01:58:21.690

barbara findlay: Child has exclusive right to consent.

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01:58:22.080 --> 01:58:25.200

barbara findlay: Yeah, so they were legally wrong.

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01:58:25.380 --> 01:58:36.750

barbara findlay: To do them and however this was also a dispute we well I characterized it as a dispute, a family law dispute.

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01:58:37.260 --> 01:58:41.220

barbara findlay: Right between mom and dad because mum supported the kid and dad did not

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01:58:41.580 --> 01:58:49.080

barbara findlay: Write to me the more than so legally. It was tried, the Court of Appeal finally decided that, yes, indeed.

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01:58:50.190 --> 01:58:57.690

barbara findlay: That kid had the right to consent, just like the law with has said for you know hundred years at least. Yes.

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01:58:59.280 --> 01:59:00.180

barbara findlay: But

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01:59:03.060 --> 01:59:19.800

barbara findlay: What was notable is that the the vicious right wing folks have attached themselves to trans issues and so G issues in general but transitions and particularly issues for trans kids.

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01:59:20.610 --> 01:59:35.940

barbara findlay: Is like their hot button issues so dad was supported first by Kerry Simpson. And then I think he had a falling out with Carrie Simpson and subsequently got hooked up with laurel entirely Thompson, who is People's Party of Canada.

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01:59:36.330 --> 01:59:37.950

barbara findlay: Right. And Jen Smith.

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01:59:38.220 --> 01:59:38.970

barbara findlay: Who is

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01:59:39.240 --> 01:59:42.810

barbara findlay: You know, Jennifer, and they

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01:59:43.980 --> 01:59:57.060

barbara findlay: Worked with dad to amplify his position in complete contravention of all the orders of the court and and wanted dad as their poster child.

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01:59:57.780 --> 02:00:02.160

barbara findlay: Yeah, they're anti so G campaign so so

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02:00:03.390 --> 02:00:06.510

barbara findlay: The reason or a reason that that case is

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02:00:08.430 --> 02:00:20.370

barbara findlay: Important is that it is one of the first times that that it's not the first time by any means. I mean Morgana geez case was

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02:00:21.990 --> 02:00:26.490

barbara findlay: Run that that coalition of the right showed up.

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02:00:26.910 --> 02:00:40.200

barbara findlay: Anybody had that that kind of they are coalescing into a laser focus against trans people, and on the unnatural blah blah blah side of things.

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02:00:40.830 --> 02:00:41.400

Evan Taylor: And it has

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02:00:41.760 --> 02:00:46.020

Evan Taylor: Echoes of the old all gay people are pedophiles thing like we're using the

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02:00:47.100 --> 02:00:48.120

Evan Taylor: Same for children.

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02:00:48.390 --> 02:00:49.410

barbara findlay: Yeah, completely

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02:00:49.860 --> 02:00:53.850

barbara findlay: Yeah, so that is really dangerous.

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02:00:54.060 --> 02:00:54.630

Evan Taylor: Mm hmm.

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02:00:55.170 --> 02:00:55.860

And

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02:00:57.720 --> 02:01:00.000

Evan Taylor: Can I transfer perspective, from a race perspective.

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02:01:01.230 --> 02:01:02.940

barbara findlay: It's just a really dangerous.

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02:01:04.860 --> 02:01:26.970

barbara findlay: The other thing that the Court of Appeal did that was not so good was they treated all we had got a protection order which means the police can enforce it if dad breaks it saying that dad was not permitted to talk to anybody about the case, except his lawyers essentially

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02:01:27.450 --> 02:01:30.630

barbara findlay: Right because he'd been going around breaching quarters.

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02:01:30.750 --> 02:01:33.480

barbara findlay: So that's how we got that Order in the court of appeals

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02:01:35.400 --> 02:01:43.890

barbara findlay: We don't think that that that was that was overreach. That shouldn't have happened. So instead we substitute something called the conduct order which is

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02:01:44.280 --> 02:01:57.810

barbara findlay: Still a court order, but it's not a police enforcement cause and dad treated that as basically a permission to go ahead and do again that which he had been so the court of appeal.

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02:01:59.160 --> 02:02:03.840

barbara findlay: Well, the good news is that the Court of Appeal recognizes Miss gendering

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02:02:04.620 --> 02:02:10.740

barbara findlay: Hmm, as bad as as discipline double behavior by a parent.

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02:02:11.790 --> 02:02:12.840

barbara findlay: Which is pretty big.

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02:02:13.500 --> 02:02:14.160

Yes.

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02:02:16.830 --> 02:02:33.030

barbara findlay: The bad news is that in doing that. They kind of eviscerating the family via psychological family violence section of the family law lot. But the interesting thing about a bee vs CV is that I think is the the

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02:02:34.890 --> 02:02:37.980

barbara findlay: The right wing coalescing around that.

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02:02:39.030 --> 02:02:50.760

Evan Taylor: And that one that's that's a new development that we didn't see like that wasn't the case in the 90s, early 2000s, that's something that's that's recent the last five, six years that that that attachment has been happening that

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02:02:50.820 --> 02:02:53.520

barbara findlay: Then, so then you see this weird phenomenon where

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02:02:53.790 --> 02:02:58.440

barbara findlay: Raipur leaf is on the same side of issues as People's Party of Canada.

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02:02:58.920 --> 02:03:00.210

Evan Taylor: Mm hmm. Yeah.

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02:03:00.240 --> 02:03:01.020

barbara findlay: Very bizarre.

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02:03:01.440 --> 02:03:09.480

Evan Taylor: With win rate relief and Sons of Odin sit together. There's something very strange happening that is not feminist anymore. That's all I know about that.

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02:03:11.550 --> 02:03:26.430

Evan Taylor: It's something else and then that way, great relief, as you know, has painted themselves into a very uniquely strange political corner that no one else's it. No one else is taking up that that political territory, except them.

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02:03:27.120 --> 02:03:28.620

barbara findlay: Right here in Canada.

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02:03:28.800 --> 02:03:29.190

barbara findlay: Yes, but

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02:03:29.610 --> 02:03:41.250

barbara findlay: It was a trans trans person from England came over and to meet with us to talk about how bc had been relatively successful in organizing

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02:03:42.660 --> 02:03:53.160

barbara findlay: Because they they told us in Britain, first of all, there's no organized trans political movement and there's a big right wing

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02:03:54.420 --> 02:03:55.710

barbara findlay: anti trans movement.

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02:03:56.040 --> 02:04:09.630

Evan Taylor: That people do not from the like I wasn't born there by all my family's from the people who are not from there do not understand how violent of a culture it is and how dangerous it is just to walk down a street Merseyside

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02:04:10.110 --> 02:04:17.040

Evan Taylor: Yeah, yeah. So they were talking about just that we had had so much more success in our organizing

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02:04:17.580 --> 02:04:19.980

barbara findlay: And they wanted to know how we did it.

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02:04:21.030 --> 02:04:21.540

barbara findlay: Basically

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02:04:22.350 --> 02:04:23.130

Evan Taylor: What did you say

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02:04:24.000 --> 02:04:24.420

barbara findlay: Well,

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02:04:24.660 --> 02:04:25.800

barbara findlay: I didn't do it through all

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02:04:26.040 --> 02:04:32.670

barbara findlay: I was I was only a I I met with them and with a couple of local transfer

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02:04:37.050 --> 02:04:39.420

barbara findlay: Transfer so um

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02:04:41.550 --> 02:04:44.010

barbara findlay: I don't honestly. Remember, I mean,

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02:04:44.250 --> 02:04:46.890

barbara findlay: I would have said to them, pretty much what I've said to you.

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02:04:47.610 --> 02:04:55.470

barbara findlay: Okay, the problem and the combination of, you've got to have. You've got to have community organizing, you've got to have a legal strategy and you've got to have publicity.

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02:04:55.860 --> 02:05:02.940

barbara findlay: They have a real deficit, because they don't have human rights legislation constitutionally enshrined in the way that we do.

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02:05:03.660 --> 02:05:08.970

barbara findlay: So they are at a disadvantage there and organizing has been largely over

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02:05:10.020 --> 02:05:15.630

barbara findlay: They say they told us that organizing was largely around class.

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02:05:16.650 --> 02:05:17.160

Evan Taylor: I'm

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02:05:17.250 --> 02:05:19.770

barbara findlay: At political organized we've largely route class.

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02:05:19.800 --> 02:05:20.220

Evan Taylor: Yeah.

1120

02:05:20.280 --> 02:05:28.860

barbara findlay: Yeah, and there wasn't really a tradition of the kind of organizing, we were talking about. So it was really an interesting conversation.

1121

02:05:29.430 --> 02:05:29.880

Yeah.

1122

02:05:30.960 --> 02:05:40.740

Evan Taylor: What I heard you to sort of talking earlier about the orders of case like that, you know, you would have taken on maybe different cases strategically.

1123

02:05:41.400 --> 02:05:55.050

Evan Taylor: Taking on that the big ones, you know that right away. What would you know, looking back, if you could have made different decisions. And what advice would you give your, your early lawyer in self in terms of how to organize and do activism.

1124

02:06:05.940 --> 02:06:06.600

barbara findlay: Well,

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02:06:37.980 --> 02:06:48.510

barbara findlay: I'm, what I'm thinking why I'm pausing is because I'm trying to think about whether or not looking back, if I'd known then what I know now what I've done. Nixon. And the answer is yes, I would have

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02:06:49.620 --> 02:07:12.750

barbara findlay: And the reason is because of not because of the legal precedent, but because of the the tipping point impact that that case hands and and that is a case, which to me is a really good illustration of the importance of all the pieces of the Community piece of the legal piece and of the

1127

02:07:14.160 --> 02:07:29.520

barbara findlay: Day. I mean, I mean when I say publicity. I mean, public education, which includes the academic academic stuff in includes on the ground stuff. It includes employer workshops. It includes the whole nine yards. You know,

1128

02:07:30.030 --> 02:07:44.610

barbara findlay: Out on screen. Having a trans inclusion and everything so that everybody sits back and things. Oh right, we should actually think about trans people. Right. Like when I in 19 also 1993 I set up.

1129

02:07:45.840 --> 02:07:53.760

barbara findlay: I had a conference out in with core challenges money. I had a consultation process out here called the thin

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02:07:56.340 --> 02:08:10.380

barbara findlay: The thin edge of the wedge and the the premise of the conference was that the courts were using section one of the Constitution to narrow the use of equality right section.

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02:08:10.680 --> 02:08:14.820

barbara findlay: Okay, but really it was an excuse to gather a few lawyers that I could

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02:08:14.940 --> 02:08:19.050

barbara findlay: Offer plane fare to from across queer lawyers.

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02:08:22.470 --> 02:08:34.050

barbara findlay: An organization inside the Canadian Bar Association for lesbian and gay Boyers know you understand boys are all completely 100% in the closet. Right.

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02:08:34.080 --> 02:08:35.520

barbara findlay: Right, so

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02:08:36.600 --> 02:08:39.330

barbara findlay: I'm Doug Elliot, who's a

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02:08:40.500 --> 02:08:51.540

barbara findlay: gay boy from Toronto was also a mover and shaker. And so between the two of us we persuaded the Canadian Bar Association for the very first time to set up.

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02:08:52.140 --> 02:09:10.710

barbara findlay: A group, which was not legally like not family not not copyright law, not an area of law, but an area of have been an affinity group effectively and to institutionalize that and in in having a discussion with Doug about what we call it.

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02:09:15.780 --> 02:09:15.990

barbara findlay: A

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02:09:16.380 --> 02:09:17.340

barbara findlay: Gender identity.

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02:09:19.110 --> 02:09:25.200

barbara findlay: And sexual orientation and gender identity conference, aka a subject.

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02:09:26.490 --> 02:09:29.550

barbara findlay: That was like 20 years before everybody else is calling it so

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02:09:31.170 --> 02:09:38.250

barbara findlay: And Doug said to me, What do you mean, gender, gender identity. I said, well, we have to include trans people.

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02:09:38.880 --> 02:09:40.950

barbara findlay: Yeah, none in Ontario, we don't

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02:09:42.210 --> 02:09:45.900

barbara findlay: So what do you mean he said well trans people we don't

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02:09:48.780 --> 02:09:51.810

barbara findlay: The, the communities are completely separate

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02:09:52.110 --> 02:10:01.140

barbara findlay: Right. And I said, Well, that may be, but they're not separate here and and analytics and we cannot do one without the other. We simply cannot

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02:10:02.130 --> 02:10:02.880

barbara findlay: And so

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02:10:04.740 --> 02:10:08.220

Evan Taylor: They are intrinsically linked in terms of the oppressions that they're fighting

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02:10:10.560 --> 02:10:21.210

barbara findlay: So, I mean, there was lots of queer opposition or fear ignorance or queer whatever into that idea also yeah as it went along.

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02:10:21.600 --> 02:10:23.250

barbara findlay: Yeah, but

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02:10:26.550 --> 02:10:32.340

barbara findlay: So what I would. What I do see actually to the young lawyers who come to me and say,

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02:10:33.360 --> 02:10:35.700

barbara findlay: I want to be just like you is

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02:10:35.730 --> 02:10:40.080

barbara findlay: I say to them. Okay, first of all, you have to understand. You're not going to make any money.

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02:10:42.030 --> 02:10:42.930

barbara findlay: If you want to have

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02:10:43.020 --> 02:10:45.540

barbara findlay: Money. If you want to make money. You can't do this.

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02:10:45.780 --> 02:10:46.260

Evan Taylor: Mm hmm.

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02:10:47.220 --> 02:10:49.260

barbara findlay: I least I don't know a way to do it.

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02:10:50.250 --> 02:10:51.180

barbara findlay: Yeah, and

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02:10:51.810 --> 02:10:54.570

barbara findlay: Talk to somebody else. But, but after that.

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02:10:54.660 --> 02:10:55.470

barbara findlay: I was hearing

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02:10:55.650 --> 02:10:57.420

barbara findlay: The business when

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02:10:57.810 --> 02:11:03.690

Evan Taylor: Human rights laws, not a lucrative business you are inherently working with people who are marginalized and cannot pay you.

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02:11:05.310 --> 02:11:15.390

barbara findlay: For for for outcomes which in those days, like when Kimberly. Next one, the highest every award in human rights history. It was \$7,000

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02:11:16.350 --> 02:11:18.030

Evan Taylor: That was it. At that time, wow.

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02:11:19.470 --> 02:11:21.600

barbara findlay: That was after a 21 day hearing

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02:11:22.410 --> 02:11:23.610

Evan Taylor: Oh my goodness.

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02:11:24.750 --> 02:11:32.760

Evan Taylor: I remember that he was even when we did ours in 2010 YOU SAID YOU SAID YOU ASKED FOR 10 the laugh at you, but just asked for it anyway.

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02:11:33.810 --> 02:11:35.340

Evan Taylor: And that was just a few years later.

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02:11:35.520 --> 02:11:35.940

Yeah.

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02:11:37.050 --> 02:11:37.770

Evan Taylor: Wow.

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02:11:38.070 --> 02:11:39.330

barbara findlay: Yeah, so

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02:11:40.020 --> 02:11:40.890

barbara findlay: Like anyway.

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02:11:41.040 --> 02:11:42.480

barbara findlay: That's that's

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02:11:44.280 --> 02:11:54.930

barbara findlay: So what I do say to them, is that it is my conviction that all of those things are necessary, and that most lawyers do not do not it. First of all, don't agree. Big time.

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02:11:55.620 --> 02:12:04.500

barbara findlay: Yeah, really big time. They think that a lawyer should be like a technician and we we use our legal skills that we don't have

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02:12:05.070 --> 02:12:19.740

barbara findlay: Any business getting involved in the political end of things or the and maybe we do some kind of education of the profession as part of our, you know, public contribution or something. But really what we're talking about are the mechanics of the law.

1177

02:12:20.070 --> 02:12:31.290

Evan Taylor: Right. Yeah, I think that's, that's it. It's a set of rules and we just, we just follow them. And that's it. And it's, it's not. It's a static thing. It's not representative of any sort of social order or stratification.

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02:12:33.030 --> 02:12:33.420

barbara findlay: Yeah.

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02:12:33.870 --> 02:12:34.770

barbara findlay: And yes, it is.

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02:12:34.920 --> 02:12:36.480

barbara findlay: That's somebody else's business.

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02:12:37.020 --> 02:12:37.860

Evan Taylor: Right, yeah.

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02:12:37.920 --> 02:12:39.600

Evan Taylor: Leave that to the social workers.

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02:12:39.660 --> 02:12:41.790

barbara findlay: The end to the politicians.

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02:12:42.330 --> 02:12:44.970

Evan Taylor: Right, your job to change the law.

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02:12:45.540 --> 02:12:46.080

barbara findlay: Yeah, right.

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02:12:48.000 --> 02:12:49.050

Evan Taylor: We're just lawyers.

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02:12:49.200 --> 02:12:50.640

Evan Taylor: Yeah, right.

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02:12:51.360 --> 02:12:52.530

barbara findlay: So, and

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02:12:53.130 --> 02:12:56.400

Evan Taylor: And you still say nowadays that still like, you know, right across the board.

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02:12:56.970 --> 02:13:09.150

barbara findlay: No, I don't. I think that the Charter of Rights. What, first of all, the fact that we have a Charter of Rights and that that charter of rights is no more than a generation old

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02:13:09.690 --> 02:13:10.440

Is

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02:13:11.850 --> 02:13:16.530

barbara findlay: is hugely important in Canada and

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02:13:18.000 --> 02:13:24.660

barbara findlay: It. What it means is that at this point. Most of the judges on

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02:13:25.890 --> 02:13:33.210

barbara findlay: Canada went to law school after that section 15 of the Charter was part of the law of the land.

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02:13:33.480 --> 02:13:35.520

barbara findlay: Okay, I went to law school before

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02:13:35.910 --> 02:13:36.240

Evan Taylor: Right.

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02:13:36.300 --> 02:13:47.880

barbara findlay: I graduated in 76 I art. I became a member of the bar and 77 the charter was it enacted in 85

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02:13:48.360 --> 02:13:55.950

barbara findlay: Gotcha. So the fact that before that there was a huge there was a

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02:13:57.930 --> 02:14:04.110

barbara findlay: difference maker tried to make a piece of like a law.

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02:14:06.690 --> 02:14:10.710

barbara findlay: The Bill of Rights, but the Court said, well, it's just law.

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02:14:11.730 --> 02:14:17.460

barbara findlay: Any, any later enacted legislation which is inconsistent with that law has to prevail.

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02:14:18.660 --> 02:14:20.760

barbara findlay: So having

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02:14:22.020 --> 02:14:25.050

barbara findlay: Charter enshrined equality rights.

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02:14:25.320 --> 02:14:26.310

Evan Taylor: Right is

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02:14:26.370 --> 02:14:30.720

barbara findlay: The is honestly Evan. The only reason

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02:14:31.830 --> 02:14:33.660

barbara findlay: That we have queer rights in Canada.

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02:14:34.050 --> 02:14:35.940

barbara findlay: Hmm, in the fashion that we do.

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02:14:37.680 --> 02:14:39.390

barbara findlay: And is

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02:14:40.680 --> 02:14:58.470

barbara findlay: The I'm I my prediction is that if things go right after the covert and not left right then governments will begin to use the notwithstanding clause Quebec has been the first to say we're going to use the not withstanding plus to prohibit

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02:14:59.730 --> 02:15:09.120

barbara findlay: religious symbols today and using the urine. The government is entitled to use to say I'm an acting as a law.

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02:15:09.510 --> 02:15:23.250

barbara findlay: Though I recognize that as a breach of the quality right section and I'm relying on the notwithstanding clause and the only thing that happens is that legislation has to be renewed every five years. Okay.

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02:15:26.100 --> 02:15:35.280

barbara findlay: At them. It was enacted in a particularly Canadians solution to government saying, well, we can't have absolute rights.

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02:15:36.840 --> 02:15:43.980

barbara findlay: And so far, and with the expectation that it would always be politically so unpalatable

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02:15:45.240 --> 02:15:46.860

barbara findlay: That nobody would actually do it.

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02:15:47.310 --> 02:15:50.160

barbara findlay: Right back government has now done it.

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02:15:51.870 --> 02:15:52.440

barbara findlay: And

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02:15:53.520 --> 02:15:56.490

barbara findlay: That case is still on appeal to the Supreme Court can

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02:15:57.810 --> 02:16:11.010

barbara findlay: As soon as governments decide that they don't care. It will only take two or three times before that will become the new normal. And those rates will be will be eviscerated

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02:16:12.330 --> 02:16:13.920

barbara findlay: But until that happens.

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02:16:15.390 --> 02:16:16.380

barbara findlay: We have

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02:16:17.550 --> 02:16:22.440

barbara findlay: Some we have a culture that is

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02:16:24.900 --> 02:16:31.290

barbara findlay: Very, very significantly informed by the fact that we have chartered race. Yeah.

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02:16:32.460 --> 02:16:37.200

barbara findlay: It's enabled us to do lots of court challenges that we wouldn't have been able to do before.

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02:16:38.460 --> 02:16:41.130

barbara findlay: To challenge legislation is being country to

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02:16:42.150 --> 02:16:43.290

barbara findlay: Equality race.

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02:16:44.310 --> 02:16:45.090

barbara findlay: And

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02:16:51.630 --> 02:16:52.200

Evan Taylor: If things get

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02:16:53.610 --> 02:16:57.960

Evan Taylor: To the right after coven. What if things go to the left Africa. What do you see happening that way.

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02:17:00.960 --> 02:17:02.760

barbara findlay: My, my.

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02:17:03.960 --> 02:17:06.900

barbara findlay: hope and dream would be that

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02:17:10.560 --> 02:17:13.800

barbara findlay: People will will begin to reimagine

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02:17:15.000 --> 02:17:15.600

barbara findlay: What

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02:17:16.980 --> 02:17:39.000

barbara findlay: What a society. What a kind of a society we want. And I think that that will would embody principles like a recognition of our mutual interdependence, not only with other human beings, but with animals, plants with the the biosphere.

1234

02:17:39.660 --> 02:17:42.390

barbara findlay: In a way that is much, much

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02:17:42.420 --> 02:17:49.830

barbara findlay: Much more richly understood in the ways that indigenous people understood those connections.

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02:17:51.150 --> 02:17:53.190

barbara findlay: That we will

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02:17:55.260 --> 02:17:57.510

barbara findlay: That the values of caring

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02:17:58.560 --> 02:17:59.580

barbara findlay: And sharing

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02:18:00.930 --> 02:18:11.280

barbara findlay: And interdependence will mean that, and it would have to mean that you stop destroying the earth.

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02:18:11.760 --> 02:18:12.360

barbara findlay: For example,

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02:18:13.170 --> 02:18:19.050

barbara findlay: And that that would will open a space to reimagine

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02:18:21.750 --> 02:18:25.470

barbara findlay: How we live together collectively and economically.

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02:18:27.630 --> 02:18:41.790

barbara findlay: And I don't have any idea what the practicalities of that would be. But I do, I do watch during. Cool. Good. The springing up of locally based

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02:18:43.830 --> 02:18:46.440

barbara findlay: Of. First of all, local, local economies.

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02:18:47.370 --> 02:18:49.530

barbara findlay: Share it like sharing as opposed to

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02:18:49.620 --> 02:18:51.990

Evan Taylor: monetized economies. Yeah.

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02:18:52.200 --> 02:18:55.110

barbara findlay: Together with technology solutions like this one.

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02:18:55.800 --> 02:19:04.320

barbara findlay: Huh, and that that's and and the fact that work has suddenly been possible. Suddenly, yeah.

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02:19:06.300 --> 02:19:08.430

Evan Taylor: Yeah, yeah, it's no longer a question.

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02:19:09.000 --> 02:19:11.010

barbara findlay: Mm hmm. It's, it's a given

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02:19:12.240 --> 02:19:16.350

barbara findlay: So the notion of what quote work means

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02:19:17.820 --> 02:19:20.430

barbara findlay: has already taken this huge

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02:19:22.110 --> 02:19:25.740

barbara findlay: And i mean i my prediction is regardless of which direction we go

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02:19:28.200 --> 02:19:32.160

barbara findlay: Employers I'm going to stop paying for office space.

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02:19:33.390 --> 02:19:41.220

barbara findlay: thousands of workers. Instead, they're going to offload that expense to people who are going to be expected to work from their bedrooms.

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02:19:42.060 --> 02:19:42.600

Evan Taylor: Right.

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02:19:42.810 --> 02:19:44.220

barbara findlay: Which is a very weird thing.

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02:19:45.720 --> 02:19:46.080

barbara findlay: About

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02:19:47.130 --> 02:19:56.250

barbara findlay: You know, but and and that in turn means something really different for employment relationships for

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02:19:59.310 --> 02:20:04.920

barbara findlay: For soup quote supervision for innovation for all kinds of things.

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02:20:05.430 --> 02:20:06.600

barbara findlay: Right, so

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02:20:08.760 --> 02:20:13.380

barbara findlay: I'm, I'm actually beginning to work on a project with a lawyer from

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02:20:16.590 --> 02:20:27.030

barbara findlay: capturing some of the insights that people are getting from covert right and and trying to work towards ways of

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02:20:30.270 --> 02:20:42.930

barbara findlay: Well, first of all, capturing the wisdom that we are generating and the image we have is of the mycelium, you know, under the underground, the underground of mushrooms.

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02:20:43.830 --> 02:20:53.010

barbara findlay: Have lives underground and a scroll a little teeny sprout and all of a sudden between there's a big mushroom. So right now we're at the underground systems.

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02:20:53.880 --> 02:20:54.450

Evan Taylor: What is that

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02:20:55.230 --> 02:20:58.050

barbara findlay: I think it's called mycelium but I might be wrong.

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02:21:01.470 --> 02:21:02.310

barbara findlay: So,

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02:21:03.720 --> 02:21:07.860

barbara findlay: We're, we're trying to we're coming up with a ways of

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02:21:11.760 --> 02:21:28.530

barbara findlay: Making that more visible and more shareable so that we can, we don't lose those ideas as as regular life washes back over the experience we just had and makes it something like a vacation that you forget three months after he went on it, you know.

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02:21:29.820 --> 02:21:30.540

barbara findlay: So,

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02:21:32.670 --> 02:21:38.430

barbara findlay: I think this is a moment of opportunity for sure. And we can use it.

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02:21:40.800 --> 02:21:44.310

Evan Taylor: Looking looking ahead on specifically looking at that.

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02:21:44.910 --> 02:21:49.980

Evan Taylor: At the trans youth that you work with. Now, or, you know, and one of the things that I find interesting about this with

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02:21:50.250 --> 02:21:55.710

Evan Taylor: This work is that it's inherently intergenerational you know you're not going to have 20 year olds doing oral histories with each other.

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02:21:56.190 --> 02:21:57.750

Evan Taylor: Nor are you going to have a two year olds doing all that

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02:21:58.170 --> 02:22:03.120

Evan Taylor: So there's always going to be someone you know like there's going to be somebody who's gotten to a place in

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02:22:03.390 --> 02:22:13.890

Evan Taylor: In their qualifications, like I have now that I'm able to do a project like this to collect this information and it's going to be with people who are older than me and I'm doing it to preserve it for a generation younger than me.

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02:22:14.190 --> 02:22:26.370

Evan Taylor: And, you know, certainly when I was, you know, first thinking about trans issues, you know, there was the one little shelf in the library sort of thing. And now we have the trans archives that takes up a football field behalf, you know,

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02:22:26.910 --> 02:22:33.840

Evan Taylor: We've got you know so much has changed in that way and and i think it's going to be this, the work that we're doing here. Um,

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02:22:34.530 --> 02:22:41.490

Evan Taylor: It's, it's so important because it's the first time in history that has ever been able to be done. We've never before in history had

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02:22:42.000 --> 02:22:58.440

Evan Taylor: Two generations of trans people alive at the same time to be an out enough to have these conversations. And so I think that this is generational pieces is fascinating for me. And so one things I want to ask you about is thinking about the generation of

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02:22:59.550 --> 02:23:11.970

Evan Taylor: Kids adolescents right now who were in their teens or you know whatever that early, you know they're they're just about to kind of grow up and become their own personalities, whatever, that's going to be

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02:23:12.690 --> 02:23:24.270

Evan Taylor: And thinking about for those folks. What do you think it's going to be like for them in 20 or 50 even 100 years what what do you think is going to change for trans communities for trans people.

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02:23:24.840 --> 02:23:31.980

Evan Taylor: As a, as a, as a generational cohort in ways that you and I haven't seen or might not even be around to see

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02:23:34.200 --> 02:23:34.770

barbara findlay: Um,

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02:23:35.910 --> 02:23:37.140

barbara findlay: I think that

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02:23:38.610 --> 02:23:44.940

barbara findlay: Gender in the way that you and I understand it, have been taught it male, female, blah, blah.

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02:23:46.260 --> 02:23:52.380

barbara findlay: Is going to stop being a major signifier.

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02:23:53.790 --> 02:23:54.480

barbara findlay: And

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02:23:56.040 --> 02:23:57.600

barbara findlay: That it's

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02:24:00.420 --> 02:24:02.280

barbara findlay: Almost impossible for

1293

02:24:03.330 --> 02:24:06.540

barbara findlay: Us and and for this purpose. I'm including you.

1294

02:24:07.980 --> 02:24:12.390

barbara findlay: To imagine a world in which gender is not a signifier.

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02:24:14.190 --> 02:24:16.950

barbara findlay: And you know where where

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02:24:18.150 --> 02:24:21.600

barbara findlay: male body. People have children, and that is unremarkable.

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02:24:23.160 --> 02:24:24.090

barbara findlay: Where

1298

02:24:25.920 --> 02:24:26.970

barbara findlay: People's gender.

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02:24:28.530 --> 02:24:31.140

barbara findlay: Expression gender identity is fluid.

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02:24:32.400 --> 02:24:34.170

barbara findlay: Where people quit asking

1301

02:24:34.620 --> 02:24:35.400

For humor.

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02:24:36.420 --> 02:24:48.750

barbara findlay: Where, perhaps, everybody has shifted today as the kind of generic and nobody uses honorifics anymore and it just has fallen away.

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02:24:49.290 --> 02:24:56.490

barbara findlay: Hmm, in a manner that will make our world, seeing quaint

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02:24:57.060 --> 02:24:59.520

barbara findlay: Um, and

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02:25:01.170 --> 02:25:01.980

barbara findlay: The

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02:25:09.210 --> 02:25:19.680

barbara findlay: You know, for example, in terms of sexual orientation. We don't have a word for being attracted primarily to trans people right there just is no word

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02:25:20.070 --> 02:25:29.880

barbara findlay: But what the fuck that means your whole entire concept of sexual orientation is is at its base irredeemably flawed.

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02:25:32.940 --> 02:25:36.600

barbara findlay: Because it's based on some sense of opposites.

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02:25:38.820 --> 02:25:43.770

barbara findlay: You know, it's, I mean it either use an opposite sex attraction or it's the same sex attraction.

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02:25:44.070 --> 02:25:49.080

barbara findlay: Well, if you don't have those people. If you don't have the opposites to work with.

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02:25:49.560 --> 02:25:54.180

barbara findlay: Your conceptual structure of sexual orientation vanishes.

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02:25:54.570 --> 02:26:09.360

barbara findlay: Exactly. So you see what I mean. This is kind of back to where we started about none not being very attached to ideas of my sexual orientation or gender identity because I don't think those ideas are going to be around all that much longer.

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02:26:09.630 --> 02:26:13.620

barbara findlay: Mm hmm. And so I'm really go ahead

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02:26:14.250 --> 02:26:20.250

Evan Taylor: I there's a conference and you know you probably know that the gender Odyssey conference that back you know

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02:26:20.760 --> 02:26:28.950

Evan Taylor: 15 years ago used to be the MDM conference. And I remember going to the every year there was a workshop called

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02:26:29.610 --> 02:26:36.060

Evan Taylor: What do we call people who are you know do our track differently. And there's always a workshop for like partners about this and it was it was

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02:26:36.330 --> 02:26:49.860

Evan Taylor: Fascinating because they they think would come up with were like transsexual was their favorite what they came up with that every year it was brand new, every year, but it wasn't that there wasn't a word that they couldn't find what it was, was that you had these this this

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02:26:51.750 --> 02:27:01.470

Evan Taylor: Thing that was happening in the community where you had a lot of people saying, I am so bloody offended that someone would be attracted to trans people.

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02:27:01.980 --> 02:27:13.020

Evan Taylor: And I remember someone saying and I felt my heart went out to him because I felt his own his pain, but I didn't agree. And he said, well, that's like being attracted to someone who has cancer.

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02:27:14.700 --> 02:27:21.180

Evan Taylor: And I, I felt I felt I felt his pain of its own internalized you know

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02:27:21.300 --> 02:27:27.000

Evan Taylor: dysphoria. Yeah. Fans phobia, all of that I could feel him. And he's like, this is a birth defect.

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02:27:27.210 --> 02:27:31.680

Evan Taylor: This is why would be attracted to that. And he was so offended by is like that. That's not okay and that's

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02:27:31.980 --> 02:27:39.570

Evan Taylor: So you had this there was always this resistance with them the trans community themselves saying we don't want people to be primarily attracted to us.

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02:27:40.020 --> 02:27:47.340

Evan Taylor: And I remember at that point for me. I had a very, it was, it was one of these town hall meetings and I and I stood up and I just said.

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02:27:47.790 --> 02:27:56.100

Evan Taylor: I understand that people have a lot of pain around the dysphoria. And you know their experiences of their body and transmits. I get that. I'm not trying to discredit it

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02:27:56.700 --> 02:28:05.370

Evan Taylor: But I am absolutely fine. If people want to objectify me as a trans person, please do. Please be attracted to me only because I'm trends. I would love

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02:28:06.000 --> 02:28:12.090

Evan Taylor: How about the actual viable sexual attraction, like we know what furies are we know what you know.

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02:28:12.180 --> 02:28:22.200

Evan Taylor: If people can be a trend. We don't pedophilia is how can we not just allow the possibility that trans people are a sexual attraction that that can be

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02:28:22.680 --> 02:28:30.360

Evan Taylor: And it really changed. I remember people like you know clapping was a big thing. People really happy about it because I think we, I was voicing something that

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02:28:31.170 --> 02:28:45.990

Evan Taylor: I mean, this was 15 years ago 12 years ago and I was voicing something. I don't think anyone had said yet because we were all still worried. We didn't want to be, you know, objective. I've been awful ways. But, you know, sometimes it's sexy.

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02:28:47.130 --> 02:28:47.310

Evan Taylor: And

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02:28:48.300 --> 02:28:53.670

Evan Taylor: If it's not, if, if we don't play with our gender, you know, for fun, then what are we doing you know better be fun.

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02:28:54.060 --> 02:29:08.250

Evan Taylor: And so it was it was a it was, I think, a shift. So I love that you're saying that because here we are still 15 years later, and we don't have a word and we're probably not going to have a word. By the time the idea of sexual orientation expires, as

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02:29:08.310 --> 02:29:11.310

barbara findlay: Well, and it's already expired. The other way, it's expired is

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02:29:12.150 --> 02:29:20.760

barbara findlay: If you have two lesbians and one of them transitions. There's this whole thing this whole identity crisis. Oh my god. Does that mean I'm heterosexual

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02:29:21.120 --> 02:29:23.160

barbara findlay: Yeah, and it's like

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02:29:23.280 --> 02:29:23.790

barbara findlay: Why do you

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02:29:24.510 --> 02:29:28.350

barbara findlay: What are you talking about, like, so the words are wrong. Like, it's not

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02:29:30.120 --> 02:29:50.700

barbara findlay: Like it just the whole bottom is falling out of that conceptual organization all together. It's just useless and I was talking to a trance friend of mine the other day about how they deal with Tinder and grinder and stuff and and what how people treat the fact that they're trans

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02:29:52.920 --> 02:30:00.600

barbara findlay: You know, and being a I mean I'm definitely not of the tinder, grinder generation. So I'm a

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02:30:00.600 --> 02:30:12.510

barbara findlay: Complete novice in that field. And they were explaining to me how that works and and their own experience with it and I and we we

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02:30:14.520 --> 02:30:18.930

barbara findlay: We have a lot of conversations about generational differences about the ways in which

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02:30:20.670 --> 02:30:26.850

barbara findlay: And I said, oh my god. Talk about a cultural divide. I've never done online dating ever

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02:30:27.720 --> 02:30:29.550

barbara findlay: Night and

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02:30:32.250 --> 02:30:37.680

barbara findlay: I've never had the experience of having trans people in the dating pool.

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02:30:38.310 --> 02:30:39.090

Evan Taylor: Right.

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02:30:39.210 --> 02:30:44.160

barbara findlay: Right, you know, and they like it just profoundly different

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02:30:44.880 --> 02:30:47.070

barbara findlay: And my sense from them of

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02:30:47.310 --> 02:30:49.530

barbara findlay: Their experience was that

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02:30:50.580 --> 02:30:51.990

barbara findlay: Being trans was

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02:30:53.910 --> 02:31:07.950

barbara findlay: No more or less of an issue that although there were some creeps. There were creeps. Anyways, and that they didn't seem to be creepy particularly about the transports

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02:31:09.360 --> 02:31:11.970

Evan Taylor: They weren't they weren't friends creepy specific. It was just creepy.

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02:31:12.330 --> 02:31:13.380

Evan Taylor: Yeah yeah

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02:31:13.620 --> 02:31:17.880

barbara findlay: Yeah, and and and i and i found that really, really, really interesting.

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02:31:18.000 --> 02:31:21.900

barbara findlay: Because now I see that's exactly where I think the cultural change is going to happen.

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02:31:22.350 --> 02:31:26.430

barbara findlay: Right is on is on those websites. That's where it's happening.

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02:31:27.150 --> 02:31:38.040

Evan Taylor: Mm hmm. And, I mean, we don't even know in 1500 years people might be not might not even be a thing anymore. I mean, who knows what they're going to be able have screens and planted on our forums or something and you

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02:31:38.070 --> 02:31:39.000

barbara findlay: Went over. Yeah.

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02:31:39.840 --> 02:31:45.930

Evan Taylor: What, what are some things that you know that you would want. So, you know, somebody's going to be listening to this and 50 or 100 years and

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02:31:46.650 --> 02:32:01.140

Evan Taylor: And maybe watching us and. And so in this 1500 years this trends person who may or may not understand themselves as trans or use that language or even understand the category. But will there will be people who are

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02:32:02.580 --> 02:32:08.010

Evan Taylor: Some verse subverting the cultural norms, no matter what that that'll happen what

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02:32:08.490 --> 02:32:15.000

Evan Taylor: What values what ethics, what, what do we know today about trans people about gender or sexuality, any of these things.

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02:32:15.270 --> 02:32:27.600

Evan Taylor: What do you, what do we know now that you would hope that that we actually hold on to. And then 50 or hundred years. There's a value in ethic good an idea. What are the ideas that you think are worth that you would want the person who's going to be listening.

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02:32:28.290 --> 02:32:31.350

Evan Taylor: To to remember where to know where to hold on to what's important to you.

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02:32:33.000 --> 02:32:35.850

barbara findlay: Well, that takes me into the anti oppression work that I

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02:32:35.850 --> 02:32:36.360

Do

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02:32:37.740 --> 02:32:38.370

barbara findlay: And

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02:32:40.950 --> 02:32:42.630

barbara findlay: I'm learning privilege.

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02:32:43.980 --> 02:32:44.400

barbara findlay: And

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02:32:47.280 --> 02:32:50.370

barbara findlay: What I would say is, first of all,

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02:32:51.930 --> 02:32:56.610

barbara findlay: For all of us, our identities are not something that we make up all by ourselves.

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02:32:56.970 --> 02:32:59.250

barbara findlay: Our identities are reciprocally constructed

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02:32:59.250 --> 02:33:01.530

barbara findlay: Between us and the culture we live in.

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02:33:02.640 --> 02:33:16.830

barbara findlay: And figuring out what part of your identity is somehow quote you, and what part is culturally either mandated or suggested or permitted or forbidden.

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02:33:17.940 --> 02:33:21.150

barbara findlay: Is an really important exercise.

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02:33:22.260 --> 02:33:28.650

barbara findlay: And it is a matter of coming to personhood right to to

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02:33:30.030 --> 02:33:31.740

barbara findlay: Make those

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02:33:32.760 --> 02:33:34.470

barbara findlay: Assessments for yourself.

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02:33:37.800 --> 02:33:51.360

barbara findlay: You can be assisted by hearing from folks who have had to find places in the culture, which were not initially permitted to that.

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02:33:52.710 --> 02:34:02.640

barbara findlay: And in, in, and so any history of marginalized people will be valuable for anybody who is being

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02:34:04.140 --> 02:34:15.930

barbara findlay: For whatever reason, because it will be a history of resistance that includes always a piece of learning to

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02:34:16.590 --> 02:34:45.630

barbara findlay: throw off the cultural norm of your unacceptability and seize upon your own worse and Valley and resilience and to resist the culture and create a space for yourself in doing that always that always involves a process of finding other people who like you

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02:34:46.170 --> 02:34:47.550

barbara findlay: Have been marginalized.

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02:34:48.120 --> 02:35:07.860

barbara findlay: And fight and by it's only by talking to each other that you will be able to find what parts of your experience are common to being marginalized. For that reason, what parts of your experience are from some other place, but it is only you can't resist one at a time.

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02:35:09.060 --> 02:35:15.690

barbara findlay: You have to resist. You have to learn resistance. You have to learn who you are in community.

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02:35:16.980 --> 02:35:18.930

barbara findlay: And so community is essential.

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02:35:19.710 --> 02:35:25.230

barbara findlay: The thing about community is that as soon as you create a week.

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02:35:27.000 --> 02:35:28.770

barbara findlay: Which is indispensable.

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02:35:30.690 --> 02:35:33.390

barbara findlay: You necessarily create a day.

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02:35:34.710 --> 02:35:47.460

barbara findlay: Right. And it the they may may meet maybe the culture. You are resisted the bad day. The day who have the power over you.

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02:35:48.780 --> 02:36:00.750

barbara findlay: But it may also be and this is what you have to guard against that you have created a we that excludes and marginalizes someone else right

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02:36:01.710 --> 02:36:17.010

barbara findlay: And so, you not only need to be looking out for your own place as a marginalized person and your resilience and your resistance against that but also to the ways in which your struggles

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02:36:17.670 --> 02:36:26.370

barbara findlay: Are connected to other struggles and have potentially damaging consequences for other struggles and so

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02:36:27.780 --> 02:36:34.890

barbara findlay: The work has to be done, not only in community but across communities and across differences. Mm hmm.

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02:36:36.180 --> 02:36:36.390

Evan Taylor: Well,

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02:36:36.660 --> 02:36:37.350

barbara findlay: Good, I would say.

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02:36:37.890 --> 02:36:47.580

Evan Taylor: Uniform beautiful advice. I had to have this an image while you were talking about, about the you know the circle right now when we draw a circle. There's an in and out.

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02:36:48.510 --> 02:37:01.710

Evan Taylor: There's no other way around it. That's how it works. And we have to be. I love that idea of being constantly aware of whether you're in or out of the circle and, especially, who is out of that circle. And what does that mean for them is

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02:37:01.890 --> 02:37:03.300

barbara findlay: This notice that you said

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02:37:03.570 --> 02:37:05.010

barbara findlay: There's no other way around it.

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02:37:06.510 --> 02:37:07.080

Evan Taylor: Nice.

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02:37:10.080 --> 02:37:11.460

Evan Taylor: Thanks. So, would be a fallacy.

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02:37:15.270 --> 02:37:27.930

Evan Taylor: I have a couple of other questions for you that there's really just one that's important to me to get to. And so is there other other pieces of your work or activism. You know that I haven't asked about that. You want to make sure that we're getting on on the recording today.

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02:37:30.210 --> 02:37:35.100

barbara findlay: I might think of something afterwards but no at this moment. My brain is not remembering any other things.

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02:37:35.400 --> 02:37:42.480

Evan Taylor: Well, if you if you think something afterwards we can always set up a quick video or you can just send it to me and I can do an addition sort of on the on notes.

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02:37:43.050 --> 02:37:53.460

Evan Taylor: And so I've asked you all of my, my, my favorite questions except for one and I asked this one of every single person that I interview and and i think it's an important

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02:37:53.970 --> 02:37:59.160

Evan Taylor: IMPORTANT PIECE. Because what I want to know is about about your legacy and

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02:37:59.760 --> 02:38:07.770

Evan Taylor: We, you know, we live in these uncertain times as the new cliché and really it's you know it's it's so uncertain, you know, at any given time.

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02:38:08.370 --> 02:38:16.560

Evan Taylor: Whether it's cold it or not any of us could get hit by a boss right like life happens or death happens. So if you died tomorrow. Right.

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02:38:17.250 --> 02:38:36.300

Evan Taylor: Hopefully not, please be safe. But, but, you know, life happens. And so if or when you know you're not with us anymore. How do you want to be remembered what is, what is the legacy that you that you want to leave and you want people in 50 or 100 years to say, oh, Barbara Finley I know

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02:38:37.560 --> 02:38:39.690

Evan Taylor: What do you want to be, what, what's that legacy

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02:38:40.470 --> 02:38:42.510

barbara findlay: I have no expectation

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02:38:42.630 --> 02:38:44.640

barbara findlay: At all that

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02:38:46.770 --> 02:38:57.450

barbara findlay: A generation from now, there will be anybody who remembers Obama personally and and that's okay. And I think that

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02:38:58.680 --> 02:38:59.640

barbara findlay: Um,

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02:39:11.190 --> 02:39:14.070

barbara findlay: If we collectively have a legacy and the

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02:39:20.520 --> 02:39:21.510

Evan Taylor: So collectively mean

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02:39:23.370 --> 02:39:28.920

barbara findlay: We know we here would be the we have the clear activists, so my life.

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02:39:30.930 --> 02:39:33.720

barbara findlay: Including the clients because

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02:39:35.520 --> 02:39:41.370

barbara findlay: That work is always done at the expense of and with end in collaboration

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02:40:00.090 --> 02:40:03.900

barbara findlay: I guess probably the lesson is something like resilience

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02:40:04.110 --> 02:40:16.200

barbara findlay: Hmm, that that in the ways and we find different and better ways as we go along the bow about how to

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02:40:17.220 --> 02:40:23.010

barbara findlay: Nurture and and be resilient in the face of oppression.

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02:40:24.450 --> 02:40:25.290

barbara findlay: That

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02:40:33.450 --> 02:40:35.490

barbara findlay: You know, if, if there was anything

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02:40:36.840 --> 02:40:40.440

barbara findlay: I guess that's what I would say I would like to see

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02:40:41.100 --> 02:40:41.940

barbara findlay: Anything in the way

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02:40:42.630 --> 02:40:46.920

barbara findlay: And anything I'd like to see if I could come back in 25 years

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02:40:47.220 --> 02:41:01.950

barbara findlay: I want to be a bunch of folks who were who were resilient and and joyful in their opposition to any kinds of oppression, who were committed to sharing and caring and laughing together.

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02:41:02.340 --> 02:41:03.300

barbara findlay: Who were

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02:41:04.590 --> 02:41:08.640

barbara findlay: Who were on defeated by

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02:41:11.760 --> 02:41:18.450

barbara findlay: By Power Man by oppression and that those

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02:41:19.620 --> 02:41:25.050

barbara findlay: That that kind of resilience sometimes seem to be

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02:41:25.890 --> 02:41:30.510

barbara findlay: So seems far away almost too, sometimes. It almost seems to die.

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02:41:31.290 --> 02:41:32.400

Evan Taylor: Mm hmm.

1436

02:41:32.910 --> 02:41:35.610

barbara findlay: But it almost always comes back.

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02:41:36.390 --> 02:41:37.980

barbara findlay: Yeah, so

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02:41:40.950 --> 02:41:46.500

barbara findlay: That would be what I would hope to see when I came back, but I certainly I have no I have no

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02:41:48.270 --> 02:41:52.440

barbara findlay: Particular interest in being somebody who is

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02:41:54.420 --> 02:41:54.750

barbara findlay: I

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02:41:57.690 --> 02:41:58.080

Evan Taylor: Cannot have a

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02:41:59.280 --> 02:42:00.180

Evan Taylor: Meeting someone who

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02:42:01.200 --> 02:42:04.500

barbara findlay: Has never been my goal to be somebody whose name would be remembered.

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02:42:04.710 --> 02:42:07.920

Evan Taylor: You remember well it will be its in its in

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02:42:08.040 --> 02:42:08.670

Its no

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02:42:09.810 --> 02:42:11.280

barbara findlay: No. No, it won't. Devon.

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02:42:11.490 --> 02:42:18.090

barbara findlay: It won't maybe some of us will be remembered for some period of time 100 years from now.

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02:42:19.170 --> 02:42:22.290

barbara findlay: Almost none of us will be remembered by name.

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02:42:24.750 --> 02:42:34.410

barbara findlay: And that's okay. We don't remember people from 100 years ago I feel I mean that insight actually came to me when I was about 15

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02:42:35.160 --> 02:42:44.280

barbara findlay: Hmm, and it it it kind of went, I kind of went, ding, ding, ding, not something to be hoping for it because it's not there.

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02:42:45.060 --> 02:42:47.700

barbara findlay: Ain't not something to be working for

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02:42:48.210 --> 02:42:48.690

Evan Taylor: Mm hmm.

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02:42:48.720 --> 02:42:53.430

barbara findlay: Like what a stupid thing to work for, to my mind,

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02:42:54.120 --> 02:42:54.900

barbara findlay: Right, so

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02:42:55.470 --> 02:42:57.360

Evan Taylor: You wouldn't be here to enjoy it so

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02:42:59.670 --> 02:43:00.120

barbara findlay: Anyway,

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02:43:00.600 --> 02:43:01.200

Evan Taylor: Make sense

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02:43:01.500 --> 02:43:12.000

Evan Taylor: Yeah, well, Barbara. And this has been an fabulous few hours, I've really enjoyed chatting with you. I don't think I've gotten to, you know, have this kind of nice personal chat with you before.

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02:43:12.390 --> 02:43:14.610

barbara findlay: You agree. Yeah, I've really enjoyed it too.

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02:43:15.030 --> 02:43:18.420

barbara findlay: I have to say at this moment. I really, really, really have to pee.

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02:43:19.200 --> 02:43:22.020

Evan Taylor: Well, I'm gonna let you go paint. Thank you so much for your

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02:43:22.350 --> 02:43:31.680

Evan Taylor: Incredible wisdom, I think your, your, your three part recipe for activism and then change making is is probably going to be that that thing that people will remember, and that when they look up this

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02:43:32.100 --> 02:43:36.570

Evan Taylor: Look up this this history in 50 or hundred years. I think that advice is going to stand the test of time.

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02:43:37.080 --> 02:43:37.770

barbara findlay: Thanks, Devon.

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02:43:38.070 --> 02:43:45.000

barbara findlay: And you're good on you. Good for you. Thank you so much for the work you're doing. It's fabulous. It's so important.

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02:43:45.270 --> 02:43:52.170

Evan Taylor: All it's on the on the shoulders of people like you who made that change for me to be even able to do this work.

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02:43:52.200 --> 02:43:56.430

barbara findlay: And there you go. And when we stand on each other's shoulders is what an image.

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02:43:58.470 --> 02:43:58.890

barbara findlay: For now.

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02:44:00.090 --> 02:44:00.690

barbara findlay: Bye bye.

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02:44:01.080 --> 02:44:01.680

Hi, Barbara.