

Murray Billett

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Interviewers: Jo-Ann Kolmes and Don Bouzek

Q (JK): Could you give us an overview about where you were born and when you came to Alberta?

MB: Born in Moose Jaw, Saskatchewan, in August of 1953. I grew up on the prairies and moved to Saskatoon when I was a child and moved to Edmonton in late '89.

Q: What was the context in Alberta in terms of LGBTQ respect, or how Alberta was seen and acted for the gay and lesbian community at that time?

MB: In Alberta in the late '80s and early '90s there was almost a climate of fear. Sexual orientation was not included in any of their human rights legislation. I recall moving here with some trepidation. I moved here to work with United Nurses of Alberta, and it was a consideration. The reality of Alberta in that timeframe, it's a redneck province, be careful in that province. The joke was it's the Alabama of the north; there's a real redneck attitude in Alberta. That was the reality of the day. We quickly learned that as we moved forward on the politics of our community during that time.

Q: How did you become aware specifically of the absence of protection for sexual orientation in the human rights legislation and Delwin's case? Which came first? Were you aware of these issues before Delwin's case?

MB: I became aware of the issue when my partner and I were looking for an apartment. The first question that was asked when we looked for a one bedroom apartment was, what do you mean, there's two guys moving into a one bedroom? No, we don't do that here. So subsequent to that I had to caution Darcy and say to him, look, you go look for the apartment and do not mention that two of us are moving in there; that's what we have

to do. We moved here from Winnipeg, and Winnipeg was different. You could say, yes we want a one bedroom and yes there's two men, and they can't do anything about it. I remember distinctly going, this is Alberta, it's different here; we have to be more cautious. I remember that very clearly. It's not a good feeling.

Q: How did you become involved in the activism around Delwin's case and inclusion of sexual orientation in the human rights legislation?

MB: My political activism in the queer community actually started in Winnipeg when I was involved in the community there and I managed Glen Murray's first campaign. Glen Murray was the first out gay man to be elected to City Council in Winnipeg. So managing his campaign and subsequently moving to Edmonton, that's how I met my now very good friend, Michael Phair, when he decided to run for City Council and asked me to manage his campaign here in Edmonton. So that's how I kind of got introduced to the community in Edmonton. My involvement with the Delwin Vriend case is as a result of working with Michael, as a result of being on the board of what was back then called the AIDS Network as opposed to HIV Edmonton today. That's where I met Delwin. I was on the board of HIV Edmonton and Delwin had left King's College and the case had actually already been started. Victor Leginsky had already started his counsel for the first bit of that case that went to the Human Rights Commission. Victor Leginsky acted on Delwin's behalf. When Victor moved to Toronto Delwin was going, Murray, what are we going to do? I need some counsel. So I'm going, well let me talk to, I work for UNA, let me talk to the lawyer that helps us out. I'm eternally grateful that there was this beautiful young woman by the name of Sheila Greckol that was acting on behalf of the United Nurses of Alberta in the early 1990s on the many cases that UNA was involved in. So I said to Sheila, this is what's going on, and that started the magnificent ride of nearly ten years of taking the government of Alberta to the Supreme Court of Canada. It was a remarkable journey and that's the entry point.

Q: Were you involved in GALA at the time? How did the organization fit into supporting Delwin's case?

MB: GALA was Gay and Lesbian Awareness. It started I believe in the early 1980s. I moved to Edmonton in 1990 and quickly became involved in, I was on the board of the AIDS Network, I got involved with GALA. It was kind of the only organization, gay and lesbian organization, in Edmonton. As a result of my involvement with GALA and understanding the magnitude of what we were up against, our community had to organize to help Delwin and help our community and help our city and help our province understand that discrimination is wrong. It kind of kicked in my prairie sensibilities. You don't treat one group of people this way and another group of people that way. As a result of that, GALA came quickly onboard. We started fundraising and holding meetings and doing what we could to start to organize. It quickly became much larger than I think anybody in our community or our city or our province thought. We didn't think for a moment that we would end up at the Supreme Court of Canada, but we were determined to show Canada that Alberta has to change and that our country has to change, and the new sense of normal has to change. Normal is a setting on a dryer, and in Canada we're moving to a direction where that new sense of normal is finally upon us in 2013.

Q: Were there efforts to communicate with government at the time? Could you describe, while the case was proceeding, what were the efforts to persuade government to amend the legislation and have a different approach in terms of inclusion?

MB: That was a dynamic ride. There were all kinds of meetings with a whole hockey bag full of politicians of all of the political stripes that were in power at that time, as well as meeting with people like Fil Fraser, who was involved with the Human Rights Commission. The Human Rights Commission, even during that time, had suggested that sexual orientation should be included in what was then the Individual's Rights Protection Act. But I recall vividly meeting with Stockwell Day, Lyle Oberg, Gary Mar, Ralph Klein – I met with all those politicians, sitting with them and saying, things have got to change here. I remember Stockwell Day hanging up on me. Fortunately, my office was across from the [Legislature – MB] and I went across the street to Stockwell Day's office, knocked on the door, went in and said to his assistant, tell Stockwell that Murray is here

to finish this conversation. This is the kind of attitude that we were up against and this is the kind of thing that I was just determined to be treated with respect. When that respect wasn't reciprocal, I was happy to use my prairie sensibilities to make them sit down and say, you gotta talk to us, we're not going away. So we met with a lot of politicians. I met personally with Ralph Klein on a few occasions. I know in my heart of hearts that he was a Liberal, and had it not been for the rightwing element perhaps we wouldn't have gone to the Supreme Court; I believe that. But in those days there was a strong element within the Tory caucus and within the Tory government, that's why we ended up so sadly doing what we did. The difficult part and the part that always bothered me and still does, in the gay community, and not just the gay community, we had a lot of support from our allies but we had to pay twice. We had to pay as taxpayers to support our government to fight us, then we had to pull money out of our pockets to help fundraise to take on the government that was kicking our butt. So that's one that still doesn't sit well with me.

Q: Going back to the sequence of the case, what do you remember about the stage that you became involved in, and what was going on at the time? Where did you start your involvement, and could you describe what it was like?

MB: My involvement started subsequent to Victor Leginsky leaving Edmonton. It was prior to Madam Justice Russell's decision in 1992 or 3 – I'm guessing on the date. With that we thought at the first level of court we'd nailed it. We had prepared, we had our work done. The magnificent legal team that did so much pro bono work and so much time spent – we went, we put our case forward. I was there, I heard the arguments, I watched Madam Justice Russell listen attentively, and in my view I saw a woman who understood. Subsequent to that she made a decision, and that decision was favourable. She took it so far that she took judicial notice, which means she didn't have to have the evidence. She said in that decision that discrimination against the gay and lesbian community is notoriously understood as a social reality in Alberta today, and for those reasons the Government of Alberta has to read in sexual orientation into what was then the Individual's Rights Protection Act. So we won that day, and we were elated. We were

going, finally it's going to happen. Then suddenly things fell apart when we were given notice that that decision would be appealed.

Q: Can you describe waiting for Madam Justice Russell's decision? What was that day like for you and for the community that was involved?

MB: Personally I felt confident. The appropriate arguments were made, the reality of the discrimination was understood and validated. So as a result of that, we felt good that day. We felt that this is going to change; finally Alberta is going to get on board. We've gone to court, we've done what we had to do, and now we can get on with our lives. We won't be discriminated against anymore, because Madam Justice Russell has said it's in the human rights legislation now, it's read in. Then quickly that happiness turned to profound disappointment and sadness, quite frankly.

Q: Were you at the Queen's Bench hearing when the evidence went in, and did you give evidence?

MB: I was there but I did not give evidence.

Q: Can you describe what the courtroom was like?

MB: There wasn't very many people there. It wasn't a big deal, it wasn't a big media event that I thought it would be. In the actual courtroom it wasn't a packed house at all. There wasn't a great deal of people there. The facts were presented by Sheila Greckol, and I don't recall the lawyer for the province. I do recall some of the arguments made by the counsel for Alberta and the less than warm tone that Madam Justice received some of those comments with. When you're in court and you're watching all of the nonverbal stuff, it was another thing where, okay, Sheila nailed it. Sheila nailed the Government of Alberta, screwed it up, so we're good to go. So I was really optimistic.

Q: Was Sheila at the QB level, or was that still Victor?

MB: I'm pretty sure it was Sheila, because Victor at that point, [he – MB] left subsequent to the challenge at the Human Rights Commission. Victor went and Delwin went to the Human Rights Commission to file a complaint. Victor had crafted the complaint and presented it to the Human Rights Commission, and the Human Rights Commission said, sorry, can't do it; it's not a prohibited ground, so we can't receive the complaint – which left us with no other alternative but to file a complaint and take the government to court.

Q: Was there much media attention? Could you describe how the media responded when Madam Justice Russell's decision came out at the Queen's Bench?

MB: You know what, I don't have a whole lot of memories around what happened. I remember our feelings, but the media stuff, really there wasn't a whole lot. We've got a lot of clippings and stuff that we can dig into, but in terms of the actual what was going on in the media that day, I think we can find some stuff in my box of gay in my office there.

Q: Let's move to the Court of Appeal level. Could you describe how you found out about the fact that the government was going to be appealing, and what was going on for you, for Delwin, for GALA and the community in relation to an appeal now being filed?

MB: There was extraordinary disappointment. There was anger. The court of public opinion in Alberta and the tone in the media was all against us – those gays, we need to keep them in their place, and this government needs to make sure that happens. So there was a lot of pushback, a lot of letters to the editor. It was, if I'm recalling correctly, it was coinciding with around the same time that Michael Phair was being elected to City Council. The gay community was finally standing up, was finally integrating and getting involved in the decision-making. As a result of that, the rightwing was really pushing back – Focus on the Family, help Alberta women. AFWUF [Alberta Federation of Women United for Families - JK], do you remember that organization? I believe they were involved and intervened at that particular level of court, if I remember correctly.

Some of the outright nonsense that they put forward in the media – the hate, the concept that gay and lesbian people fell off the back of a turnip truck, that we aren't a family. If gay and lesbian issues aren't a family issue, I don't know what is. It's the notion that those who Focus on the Family and AFWUF, those kinds of organizations that pushed back to try to suggest that somehow for some reason they should have the gold card to family, and that anybody that's got a gay kid, you get the blue card because that family isn't anything close to what we are. So they really set an important tone and I think helped us in the long run. What they said and what they did was so very unCanadian and so very fundamentally wrong, it really helped us and made my job in terms of being a spokesperson very, very easy, because you'd talk to anybody about how their family wants to live in our country and our city and our province. Those kinds of people at that level of court, when they started to speak up, as difficult as it was, and they got a lot of ink, they got a lot of press, but I think at the end of the day, and they were nipping at our heels at every level of court, every step of the way. But I think at the end of the day they showed us who they were and at the end of the day helped us in terms of getting not just Edmonton and not just Alberta but I think Canada on line in terms of understanding equality rights. One of the important points in this whole case is that in Canada at that point we can't just look at the snapshot, we have to look at the mural called Canada. This case I think had a profound impact on other provinces in our country. I think that just goes to the prominence of our discussion today in terms of how this thing went from one little fella who got fired from being a schoolteacher into this historic human rights case.

Q: At the stage of the Court of Appeal, how was Delwin doing with carrying this load and how were you doing?

MB: It was a very difficult time for Delwin, because he's fundamentally a pretty shy man. His family is very religious and just good people. They don't want to make waves. Delwin wanted to do his job and live his life. He did not want to and still does not want to be in front of the cameras. He is such a great guy but so shy, but a determined young man he was and is today, to ensure that this moved forward. He was kind of my little brother. Anybody that tried to get in the way... I get choked up about this, this is interesting.

Anybody that tried to get in his way or tried to be mean to him, I'd be going, well I've got your back. This is wild, holy doodle. So the impact was significant, needless to say. It was powerful stuff. But boy oh boy did we do some good work together. We got to know each other so well that I could read him. If the reporters were going too far I'd say, no more questions or I'd say, Delwin is done, and just pull him out of the scrum or pull him back, and dealt with that reality in the moment. Our friendship grew and it impacted him. He and his first partner broke up; I don't recall the dates on this. So there was a price to pay. In the mid 1990s my partner and I broke up. I'm not blaming it on this issue but life happens. I was so involved in so many things. I'm still very good friends with my former boyfriend, but he called me a committee queen and I was. I was so involved in all of these things. So the impact on both of us and our families was profound, it was significant. It wasn't easy. I lost sleep, I lost weight, I worried. It's that prairie sensibilities. Both Delwin and I were very firm in our convictions in doing what we had to do. Fortunately for us, we had the support network of friends and family. Do you want me to go into the UNA piece now?

Q: Sure, that would be great.

MB: Coming to work at United Nurses of Alberta in 1990, I didn't have a strong sense of what moving to Edmonton would turn into. Working here at UNA, they for the most part gave me unfettered support in my activism. I couldn't have done what I did, both for GALA and for Delwin and for all of my other volunteer opportunities, if I didn't have the understanding and latitude that United Nurses of Alberta provided for me. That's right from the leadership down to my colleagues. There were times when I've got a court case, and I'm working as a fulltime labour relations officer during all of this. I've got a fairly busy job and I'm doing arbitrations and I'm [presenting some – MB] quasi judicial review panels, I'm doing negotiations. But UNA, by virtue of their existence and their support, gave me the opportunity to accomplish much more than I would've been able to without them. My gratitude overflows when I think about how they were behind me all of the time. I was so worried about getting my job done, but they were very understanding. That support of not just United Nurses of Alberta, we had support from the labour movement.

I'm a very proud trade unionist from Saskatchewan. I characterize myself as a prairie fairy from Moose Jaw. I worked with Retail Wholesale Department Store Union, I worked with United Food and Commercial Workers Union, I worked with the Saskatchewan Federation of Labour, I attended Canadian Labour Congress conventions. We had the support of the labour movement. That's one of the things that I'm thrilled that we're doing this today, is to understand the significance and the commitment of our labour movement to our country, to our provinces, and to our cities. Without the labour movement behind this case, I'm not sure we would've been able to do what we did. The role of the labour movement in Canada and in Alberta and certainly in Edmonton was significant and can't be underrated – very important.

Q: Getting back to the experience you and Delwin had with the media, and going back to the time just before the Court of Appeal hearing had happened, what was happening for you and for Delwin with the media?

MB: It was quickly becoming a big story. When the Government of Alberta decided to appeal Madam Justice Russell's decision, the story was growing, the reality that the Government of Alberta was going to try to keep those gays in their place. They saw what was going on and we were squaring off. The media, I have to say for the most part I'm pretty proud of the way most of the media handled the case, the story. It was tremendously difficult for Delwin because he's so fundamentally shy. Fortunately I'm not, but for Delwin it was not easy to do. It's not easy for many people to stand in front of a whole bunch of TV cameras, lights and questions, and everything going at the same time. So it put a lot of pressure on Delwin to respond. Let's not forget, he was a young man. He was a kid just out of school who was trying to do a good job at a college that he wanted to teach at and was proud to be there, and they fired him. When they fired him, it's not just Delwin – it's his family, it's his partner, it's his community. It was an attack on one young man in our community. The government's appealing of that decision and the media seeing the reality of somebody being treated differently simply because of sexual orientation resonated with a lot of people. I think that's partly why it became the significant media story that it did. It got to the point where Delwin was famous, he

became famous. He was in every newspaper, on national television, and around the world. Today that case is in the top ten human rights cases that are studied in law schools, not just in Canada, around the world. Little did we know then that it would turn into this significant case, and I think quite properly so. It was very much a them and us, it was the little guy taking on, the man taking on the government, and we won. It's a significant story and important to so many people. I think, quite frankly, it's made Canada a better place.

Q: In the preparation for the Court of Appeal hearing, what do you remember about that?

MB: What was interesting, I was just going through documents last night, is one of the things that we had to do, we suddenly had to prove that we were being discriminated against, and prove it. We actually started to put posters up, have you been discriminated against because of your sexual orientation? Everybody knew it was a social reality. A lot of gay people have felt it or as a result of seeing it brought a tremendous chilling effect to them and their families that they would just absolutely go back in the closet or be quiet about it. But we literally had to put up posters to get affidavits to be able to write down people's stories, and in the event it became necessary, to use these people as witnesses. We were able to get some affidavits and I don't recall from an evidentiary perspective if there were any individuals involved. But we suddenly found ourselves going, just a minute, now we have to prove it too? Everybody knew it was a social reality. But that's one of the things I do recall.

Q: Was that at the Court of Appeal level or at the Queen's Bench level?

MB: I believe it was the Court of Appeal level, because Madam Justice Russell took that judicial notice that it is a social reality. Of course we relied on her taking judicial notice, but as you move through the court the evidentiary burden becomes more significant, so you have to have the facts.

Q: What do you remember about the Court of Appeal hearing?

MB: I was scared, I was nervous. [This was personal – MB]. I've been involved in union [judicial matters – MB]. I've been involved in arbitrations and quasi judicial things. Now I'm at the Court of Appeal as a result of one of my friends getting fired. We're sitting in front of three judges and listening to Sheila Greckol and others explain our side of the story, and the government lawyers. I actually still have the notes that I took during the course of that hearing, watching again the body language and Justice McClung. I just felt in the pit of my gut where this was going, because Justice McClung did not receive our arguments well. I just for the most part sat taking notes with furrowed brow going, what are we going to do now? I was still hopeful. This is justice, this is Canada, this is Alberta. We've got three judges now, surely this is going to be successful. But at the end of the day it didn't go. We lost, and that's what started the next stage up to applying for leave to the Supreme Court of Canada, which shocked me. Really? We have to go to the Supreme Court of Canada? We have to take our province in Canada to the Supreme Court of Canada to get equality rights – really? Well you're damn right we're going to – watch this. We set to work and we put together... When I say we, there were so many people and so many law firms. We put together a dream team of the extraordinary variety, a group of men and women from not just Alberta but from across the country, from prominent law firms, interveners that were willing to step up and assist, that delivered the harsh reality of the day. They took what was going on in Alberta, what happened at that Court of Appeal decision. They took all of this information and did all of the case law research, which [Jo-Ann Kolmes – MB] did lion's share of, and put all of this together in this beautiful package. This talented group of lawyers just put it on the bench in front of the Supreme Court and said, take a look at that. One of the other pieces that I will never forget is, as you can tell I've started to get teared up already. I cry when I look at Carleton gift cards and those kinds of things. But I knew going into the Supreme Court, and I'm sitting, Delwin's beside me and his partner's beside him and some other people down the row, I knew it was going to get emotional. Before I went in, go into the bathroom, taking the toilet paper and I'm putting it in my pocket, cuz I knew I was going to get welled up and tears rolling down my cheeks. Then some of the arguments that were made, particularly Lyle Kanee, on behalf of the Canadian Jewish Congress, who was one of the

interveners. When he said, the sooner Canadians learn to hold hands and walk through the doors of equality together... oh my God, I said. I started going in my pocket and I look over at Delwin, next thing I know I'm rolling out my toilet paper down the way to the rest of the crew. It was so profoundly powerful and such a Canadian thing to say and to do and to witness. Then to hear counsel for the Government of Alberta [state – MB] to the [Justices of the – MB] Supreme Court of Canada “We do look after gay people in Alberta. If they get AIDS, they get healthcare.” There was a boo and a sigh. You can't speak in the crowd; you're supposed to be quiet. But there was a gasp and a boo. Chief Justice, and I can't remember which one it was, “Counsel, do you mean to tell me...” That's when I really started to feel good about where we were at. I know I jumped forward on you, Jo-Ann.

Q: The Chief Justice was Lamer. But Justice McLachlin, who is now Chief Justice, was on the bench at the time, and she was the one.

MB: I think it was a man. I don't remember, I honestly don't remember. We can do a fact check and that's another piece we can do again. But that part, that's going to be with me until the dirt nap. I was just like, dude, really? Really? Powerful.

Q: Can you describe the group that went to Ottawa?

MB: Yes, Kolmes was there, Sheila Greckol was there, Doug Stollery was there, Delwin Vriend was there, Julie Lloyd was with us, and other names might come to me. I recall flying out there, and we were like school kids. I saw how important it was, because I saw the focus of the lawyers. As we got there and as we started to get our bags, the lawyers were working already as they were waiting for their bags. You guys were staying at Minto Place, because I remember meeting at that hotel room. I do believe you guys worked most of that night preparing for that. So the ride down was giddy at first and then suddenly the team just came together at show time. We gotta rock n roll and you gotta have these ducks in a row, and this is do time. Knowing everybody as well as I did, it was so cool to watch the way we worked together. We know when to play, we know when to

have fun, but when it comes time to get down to it, this group of men and women just kind of went like this and said, here we go. So it was powerful stuff. Didn't sleep much that night. It wasn't because I drank too much, either. I think we were all tired. It's a long ride from Edmonton out to Ottawa, but it was a remarkable journey.

Q: After the hearing, could you describe what it was like for you and Delwin to arrive back in Edmonton? When those doors opened at the airport, what did you see?

MB: Actually on Facebook this morning I posted, there's actually picture I found in my box of gay in there, of Delwin and I. I'm just going, score. We walked into a sea of community and supporters and allies. The airport was loaded with people with banners, welcome home, proud of you, and all of that stuff. It was needed. The stress of watching all of that work coming together, and then all of a sudden we're done. The Supreme Court has heard us, we've had our day in court. So there it was, suddenly you had, we're done now. You can stand down ladies and gentlemen, we've gone to the Supreme Court of Canada. We've done everything we can do now. There was this huge buildup for years and years and years, we get to the Supreme Court decision, and all of a sudden we're done now. Now we go back home. The ride home in the airplane was, we were happy, we were happy people. We were replaying the discussions, we were replaying some of the statements that were made, maybe having a drink or two in celebration of a job well done, of the history that we had made, the reality that we had placed on the laps of the Supreme Court of Canada on the national stage. During that time leading up to and subsequent to, this story was playing out in the media across the country in each and every city. In each and every newspaper, Delwin Vriend was there, the story was there. It was the tipping point in equality rights in Canada, dare I say, where there were some malingers across the province, and Alberta was one of them, and our community and our team said, you can't do this anymore. The critical mass went like this because subsequent to Vriend the rest of the provinces came together and said, we have to pass this legislation, subsequent to that gay marriage came along. Everybody knew, including the Mayor of Edmonton, knew that he couldn't discriminate anymore. The mayor of Edmonton, Bill Smith, said, no I'm not giving you a gay pride proclamation. I said to

him, Mr. Smith, you have to, because we'll take you to the Supreme Court of Canada next. Mr. Bill Smith said to me, I'm the Supreme Court justice of this city, and as long as I'm mayor you're not going to get a proclamation. I said, Mr. Mayor, we'll see. One of the last proclamations he signed was for the gay community of Edmonton and a proclamation for gay pride. So the Supreme Court of Canada, not only did it make a difference on the national scene, it was kind of nice to have in my hip pocket when I met with this man. Literally his legal team, the legal department at the City of Edmonton said, you gotta sign it. So that was another, in the overall scheme of things, not a big deal but significant, particularly a learning moment not just for our mayor but for our city and for our country. It means something now. You can't pick on us anymore. The law is now on our side. Pompous man that he was – loved that, loved that. Cool little side story, sorry.

Q: Is there anything in the waiting for the Supreme Court decision that you remember that you'd like to talk about?

MB: The waiting was difficult. It's all with bated breath. When are we going to find out, when are we going to find out, when are we going to find out? Have we heard anything? What have you heard? When are you expecting things? Phone calls. Let's remind ourselves, this was before Internet. Emails were just starting to happen towards the end of this, so a lot of this, excuse me, correspondence was done faxes and actual letters and those kinds of things. So there was, I think there was some anxiety. I think we were cautious, I know I was cautiously optimistic. I had a strong sense that it would be successful. But I it's like any other, you're giving birth. You're kind of going, okay what's going to happen here? So there was some trepidation and there was some concern, but we knew it would happen eventually. Everybody wanted the decision now, now, now, now. When it came down it was a pretty happy day, it was a pretty significant day, it was a very historical day. The long fight was finally, finally over. The reality that this government insulted the citizens of this city and the families of this city that had queer kids, and made us go all the way to the Supreme Court of Canada – despicable behaviour, absolutely inappropriate. To have that validated by the Supreme Court of Canada, and quite frankly to have this government get the spank that they deserved from the Supreme

Court, they absolutely deserved that. On that point I want to tell a story that not a lot of people know about. This is the headline, and if I had the paper, and I do in there, where the Edmonton Sun quoted Delwin and it said, "Ha ha I won." Delwin got a little bit roasted over that. But the context of that, and we'll make sure we ask Delwin this, but the context of this and why Delwin said what he said was the government of Alberta acted like a whole bunch of schoolyard bullies and a whole bunch of little kids making us go all the way to the Supreme Court – that's why Delwin said "Ha ha I won." He was saying to the school board, uh schoolyard bullies, "Ha ha I won." So the context of that, while the headline looked a little bit cheesy and inappropriate, the context for Delwin, who's a searingly intelligent man, he put it right where it deserved. For him it was an absolute shot right at the government of Alberta going, so there. That's just another piece of that pie that I wanted to clarify. The actual paper is in my office, if we want to use that.

Q: On the morning of decision day, the decision came out at 7 o'clock our time. Where were you and where was Delwin on that day?

MB: Do you know what? I don't remember, I don't remember. Did we get notice and we had gone somewhere to do this? I'm trying to remember. Coach me here a little bit.

Q: We were at Chivers Greckol, we met at the office, and Delwin wasn't there. You were there at 7, everybody – Sheila, Doug, Lyle. Delwin felt it was just too much. That day he didn't come until 1 in the afternoon.

MB: That part had fallen off the radar for me. But it doesn't surprise me. I wish people understood how extraordinarily difficult it was for this young shy man to have to do. When you're an introvert and you don't want to be in front of the cameras and you don't want it to be about you and suddenly it is, the cost to him was profound. I think the cost to him emotionally was significant, the cost to his family and their friends was significant, so much so that Delwin left the country. No one knew that Delwin was the hero and was the famous man that he was in Paris until maybe a couple of years ago when he and I on Facebook, I started putting things out there and then Delwin

acknowledged that yes, this is who he is. So people on Facebook were going, well I had no idea. But that's the kind of humble man that Delwin is too, but it also tells me that he just wanted to... he moved from here to Paris, France, across the pond, to get away from this government and all of this stuff. Would he have gone had this not happened? I doubt it, I really do doubt it. I know the kind of family man that he is and how much he cares. But the boy paid a significant price to provide equality rights for our community and our city and our province today. It's something why I'm grateful to Alberta Labour History Institute, because today people don't even know who he is. People don't understand. I was at Second Cup over here on a nice warm Saturday afternoon and a couple of young gay guys walked by holding hands. I'm going, wow, Jasper Avenue, Edmonton, gay guys holding hands? How cool is that. Then I stopped as they walked down the street and I'm going, just a minute, I want to run down and tap them on the shoulder and go, you're welcome. They don't know what it took to get us here. Now discrimination still happens, but that's how far we've come. That's a product of our success, and I think that's a badge of honour for everybody involved. At the end of the day, that's what it's about.

Q: Could you describe the news conference that happened right after the Supreme Court judgment came out? What happens when it becomes known that they're considering invoking the notwithstanding clause? Let's start with the news conference.

MB: This was national and international news where a single gay man took on the province of Alberta at the Supreme Court and was successful. It was a big news day. It was held at the old school over here just in the neighbourhood here, I don't remember the name of the school. Do you remember?

Q: McKay.

MB: McKay Avenue School. We had done press releases. I've got the sign in sheet and got the name of every media person that attended and that signed in there. We had a panel of stars from different minority groups – Ron Ghitter, the former [Member of the Legislative Assembly who introduced the *Individual's Rights Protection Act* - JK] and

senator, myself and Delwin, and just a whole cast of characters. I think there might have been almost ten of us at the head table at the school. I pulled in front of the school, and the satellite trucks, the media trucks, they're lined up, their cables are running all over the place. There's cameras, a bank of cameras in front of this table with all of us sitting in front of it. We had to tell the story of what we just accomplished. To have that prominent cast of professional, respected Canadians with us saying, we won and this is why we won and this is why it's important, I think the way that was managed that particular day was as important as everything else that we did. The message that we pulled together, the job that we did to take that information and put it before the media because we knew it was going to be big, the team that put that press conference together, and the cast of characters that we had, got the message out in such a Canadian fashion, such a high level of respect and propriety, and to bring a voice that the gay community couldn't do by itself. This is about our country, this is about our province, this is about our families. That particular day it was such a big news story that I remember CBC News World stopped their programming to interview Delwin. They had the satellite truck and the anchor that was here, they had the national anchor for CBC News World here in Edmonton to interview Delwin. When CBC sends their top anchor guy to do that, plus all of the other media people were there... It was just pandemonium after that because everybody wanted a piece of Delwin. Everybody wanted to talk to him. That was something that fell to me, as I had to manage all of these people and look after Delwin in the process. I did some of the work, he did some of the work, and we really had to manage that carefully. Needless to say, Delwin was exhausted. The journey that he and his family had been on and then the subsequent stories of the day, it was the lead story for days afterwards because subsequent to being successful we hear from the Province of Alberta that they are considering invoking the Charter. I was outraged, I was pissed. As a Canadian and as a Canadian born in 1953 and watching our country grow up and understand what equality means and what fundamentals of being Canadian means, to have the Government of Alberta suggest to them that the Charter that was designed for Canadians by Canadians to respect diversity and equality and all things Canadian, they were going to use that very Charter that was not designed to be a weapon. It was designed to embrace diversity, to embrace equality. They were going to use the Charter to opt out of. We were absolutely

gobsmacked, which led to more meetings. It meant me sitting down with Ralph Klein again and saying to him, what are you doing? That's when things really started to heat up. The phone calls were coming in from the right, the phone calls were coming in from the left. During all of this I was getting hate phone calls, I was getting hate mail, I was cautious for my safety. I'm a 6'4" 200 pound guy, I'm not a small guy. But I always watched my back. I kept my doors locked, I watched over my shoulder. Those are the realities that were going on in the heat of that moment. The right was going, you invoke the Charter, you smack those gay people down and keep them in their place, put the door against their closet door or put a chair against their closet door and keep them in the closet, we don't want them. Then of course our side was going, what are you doing? Why? You're using the very Charter that defines us as a country, you're using to put us back in our place and discriminate? You want to do that to us, to your citizens in this city, in this province? Common sense prevailed at the end of the day. I'll give credit where credit is due – Ralph Klein drew the line in the sand and he saw what was going on. He saw the hate, the vitriolic hate that was being cast upon our community, upon Delwin, upon me, so much so that I think it finally sunk in to him, this is discrimination in its truest sense of the word. We told him that, and the right wing of this province showed him that. So again, when I say I'm grateful for some of the Focus on the Families and AFWUF and some of these rightwing organizations, their vitriolic response helped us. They showed us who they are. They showed our province what we have to face. The harsh reality of discrimination was on everybody's kitchen table. One of the things that this case did was bring the discussion out where it had to happen. Before it was like gay things, gay things. Spinsters, bachelors, no gay. So this case, in all of the years that it took, it took the conversations out of the courtroom, out of the Leg, and onto the dinner tables, breakfast tables and farm fields of this province. People talked about it because it was in the news. I think that is some of the things that I'm proud of as well, and Delwin and our community are proud of. Finally people that had gay people in the family – and I tell my friends and have for many years, if you shake any family tree hard enough a fruit will fall out of it – every family has gay people. Finally being able to say, we can't do this to these people anymore. Some of the best advocates we have are our families, our parents. When your child is being discriminated against, that's tough stuff to deal with.

That's one of the other significant components of this case that I'm proud of, is that we made our country, we made our province have those difficult discussions. They've learned, so many people I think learned as a result of this case. I will say the mind is like a parachute, it functions best when open. This case, you could almost see the parachutes popping where people would go, I think I get it now. As tough as that pushback was when they were trying to use the Charter, I think again that helped us. As a result of that, the province took out full page ads. If you recall, in the Journal and in the Sun they took out full page ads saying, the sun's going to come up tomorrow, if you drink homo milk you'll be fine, all of that kind of stuff that people used to think. They spent hundreds of thousands of dollars advertising the fact that we're going to be okay. It was even interesting being involved in the politics of this. I was working with Klein's communication team behind the scenes saying, lets... I phoned them going, get these people to shut up; you're not doing anybody any... He's going, okay Murray, you talk to people in your community, I'll get the word out, and both parties were working together. The Flames of Hatred was the headline that resonates to this day, were roaring. The two parties, and that's where I was doing some of this work, behind the scenes we were making phone calls and saying, okay let's stop pushing back, let's ratchet down and let common sense prevail. When that started to happen, then the meetings started to come together, then the minds started to realize, you can't be using the Charter for that. Ladies and gentlemen, this is so very unCanadian. I think that's the lesson. The biggest takeaway in my view, as revered as Mr. Klein is, the biggest takeaway that he got as a premier in Alberta was that we really were discriminated against. He's the one that said, I'm drawing the line in the sand, we're not going to do that. It takes leadership in every corner, and that's one of the big lessons that Albertans learned. Cool story, cool story.

Q: Were you at the demonstrations that were held at the Leg?

MB: Oh I was not just at them, I was involved in organizing them and making picket signs and getting people out and making phone calls and sending faxes, because we didn't have email. We did, we had a couple of huge, big successful rallies that were well attended. We had different political parties, different political groups speaking at them. I

can't remember, but the biggest rally that we had I believe just as we were headed to the Supreme Court, I walked away with a box of money, a box of money. We had all these lawyers and we didn't have a big bank account. GALA was a very small political organization in a very small city that was not even close to a million people back then. We didn't have deep pockets to go to the Supreme Court of Canada. I remember once I got all this money, we paid as much as we could and I wanted to have enough left over for flowers for Sheila. Any money that came in just went back out again. The cool part I think in all of this is what, when I say they, the government and some people in Alberta, believed and had a firm belief that the gay community was extremely well organized, extremely well funded, that we had this political machine that could make things happen. If they had any idea that the way we were squeezing nickels and trying to raise a dollar, and if they had any idea how many thousands and thousands of hours that lawyers, pro bono for the most part, not just lawyers, supportive organizations and photocopiers and all of the things that you need to do to go to the Supreme Court – that costs tens of thousands of dollars. So much of that work was done by the men and women that believe in equality that stepped up to the plate and did so much work for so many for not much. The law firms bit a huge financial bullet, because I know what lawyers cost. They cost a lot of money. If you look at the total cost of what that eight year battle cost and how much money we raised and paid, not even close. That's my Canada, that's the big story, when people pull together and make stuff happen. Don't start. She's starting to cry now and then she's going to get me going. No, it's absolutely true, it's absolutely true. You're one of them, Jo-Ann. How many damn hours did you spend going back there at night until 3 o'clock in the morning with your nose in books? We should've brought a box of tissues; there's some on the table out there. Do you want to take a break? Let's take a little break.

Q: Can you describe how you first met Delwin and became aware of and then involved with his case?

MB: Delwin and I first met at Michael Phair's Christmas party. Michael Phair does an annual huge Christmas party for the community on New Year's Eve. He's got a little

house over here on 101st Avenue, and some Christmas Eves there are 30, 40, 50, 60 people through, and he does baking and all of these things. When Darcy and I first moved to Edmonton in 1990 Nick and Delwin were at that Christmas party the first Christmas we were in Edmonton. So that's when we first met. Subsequent to that, he was working at the AIDS Network and I was on the board of directors of the AIDS Network in 1991 I think it was, 1990, in there somewhere. That's where we kind of met. He was involved with GALA and I ended up getting involved with GALA, and the rest is history.

Q (DB): Since we're on that topic with Michael Phair, my first broad topic of conversation is the whole sense of bringing the GLBT community into the political process. You can start wherever you want.

MB: Well I think in terms of the context of my political involvement, coming from Saskatchewan and my grandfather was an organizer for the Federated Co-operative movement and he opened a lot of the small Co-op stores around Saskatchewan and in Alberta. Leduc, he ran the Leduc Co-op store for many years. Me growing up in that environment in Saskatchewan and my grandfather being fairly political, and my work early, I was president of a small local in Saskatoon at the Saskatoon Co-op. I was the president of Retail Wholesale Department Store Union Local 545. I'll tell you how that happened. I started driving truck on Saturdays as a teenager. I moved through management at the Saskatoon Co-op to the point where I was traffic and warehouse supervisor. I had maybe half a dozen guys working with me in the warehouse delivering things. Our union, Retail Wholesale at that time, and I was in my early 20s, our union negotiated a collective agreement that provided an increase for everybody in the retail side of x amount, but the guys in the warehouse got less. I was a lot more shy and a little more reluctant to make waves when I was a young man, but that didn't sit well with me. I know how hard I worked and the guys I worked with. So I went to the union meeting and I stood up and took a microphone and I was nervous but I said, "This is wrong." These are these prairie sensibilities. You can't give that group of people that much money and then my guys something else. As a result of that, the local union was expecting ratification that evening, and everybody supported what I said, voted the ratification

down, sent the negotiating committee back, and we got the same increase as everybody else. So in that moment I learned that if you speak up maybe you can change things. That was a big of a galvanizing moment for me in terms of the politics of people and the politics of propriety, so much so that I ended up becoming a shop steward. Then the local president, who had been the local president for many years, and he was an old guy, might've been 40, and I was a young guy. Some of my friends were going, well you run for local president. Well I can run against. Well go for it. Long story short, I end up getting elected. Now I'm this young guy and I'm president of this local. Then I started working with labour relations and doing grievances and those kinds of things. Retail Wholesale needed a part time business agent for six months. They approached me and said, do you want to take six months away from your job at the warehouse? At that point I was married and had two little kids, and it looked like a very attractive career that I didn't have to break my back all day every day. It's stuff that was very appealing to me; the mental gymnastics of labour relations just seemed to fit very well with me. That turned into a career. I ended up with a permanent position with Retail Wholesale, subsequent to that with the United Food and Commercial Workers Union. With UFCW, and this is where I really learned about the power of politics. . . So I learned about the politics of organizing. With UFCW, as an international rep I traveled back and forth across the country. At one point I had over a million miles with Air Canada, that's how much I traveled. But I learned about union organizing, I learned about political organizing, and how somehow I'd been honing these skills to get people organized and to get people to have a common sense of direction and a common sense of purpose. That served me well. As I moved through my world as a young man married with two children, after five years of marriage I had to turn to my lovely wife and say, I forgot to tell you something. I came out to her and a couple of years after that I met my partner and we moved to Edmonton. Well I'm sorry, we moved to Winnipeg at that point. We moved to Winnipeg, that was with UFCW, and that's where I started to come out a little bit more. Had left UFCW, I'd traveled so much, I was so tired, I'm trying to raise kids, I'm coming out of the closet, I've got a new boyfriend, I want to make this relationship work. So I left UFCW and went to work for what's called the Village Clinic, which is the equivalent of the AIDS Network here in Edmonton. It was in central Winnipeg and Glen

Murray was the director of outreach for the Village Clinic and I was the director of volunteers for the Village Clinic. Glen being a political guy and me being a political guy, he decided he wanted to run for city council and he asked me to manage his campaign. With UFCW I had worked on and managed a couple of other campaigns across the country, working in just about every major city in Canada. So I said, let's go for that. That was such an invigorating, magnificent community-driven campaign once we got the nuts and bolts together, once we started to build community within communities. We started to realize that Winnipeg was ready to look beyond the gay thing. It was a real consideration. You're going to do this as an out gay guy, are you sure this is what we want to do? To the point where at one point when we were getting organized and we had declared and started to do some groundwork, we went to the village to the Italian community and one of the restaurant owners wanted Glen to meet a bunch of the other restaurant owners. We had already hatched an escape plan, because we were concerned for our safety. We don't know what's going on here, and back in the '80s you kind of had to be aware of those kinds of things. So we actually had an escape plan so if something happened we were going to make a break for it. It was like being in a movie. We went through the Italian restaurant, through the beaded curtains, into the dark room filled with smoke, because everybody smoked back then. Here's all the guys playing poker and drinking on poker tables. The restaurant owner, hey you guys, Murray Billett and Glen Murray the city councilor guy, he wants to talk to us. They turned up the lights and they asked good questions, and we walked away from that thing going, what just happened there? I was waiting for the violin case to go snap, that kind of thing. Coming from Saskatchewan into Winnipeg now moving to Edmonton with Delwin's situation, prior to that the gay community was starting to organize. From what I understand from queer history here in Edmonton, one of the first bars to open in Edmonton was in 1969. It was supposed to be called Bar 69 but that was too risqué, so they called it Bar 70. So we're fairly new in terms of the community growing up and becoming political, and this was an opportunity I saw where this government was just wrong, just absolutely wrong in saying that they aren't going to represent us, they aren't going to give us what I viewed as fundamental equalities. People talk about gay rights and it doesn't sit well with me, it never has. This has always been about equality rights. Don't give one group of people a

gold card and somebody else a blue card – that's discrimination. That's not Canada. That's kind of what I brought to Edmonton in terms of organizing the community. I had landed a dream job with United Nurses of Alberta. So when this happened to Delwin, one of my friends, we knew what we had to do. With that kind of union history, very proud trade union history, organizing history, I used some of those skills and some of the contacts that I had developed here in the city through working with Michael Phair and through working at UNA. That's how I learned to start to connect some dots, build some bridges, engage with the communities. I've always believed to be tough on the problem and easy on the people – not easy to do. Hard to practice what you preach, but it works. I had to go and sit down with these politicians. I had to learn to understand where they were coming from to get the understanding that I needed to help build this campaign of understanding, this campaign of prairie sensibilities and treating people with equality. The reality of the day is that they'd say gay people, this is about family. I'm going, you're damn right it's about family; this is about my family. Do you think my mom and dad feel good about their son being discriminated against? That doesn't sit well with me and it shouldn't sit well with anybody in Canada. So there's kind of the genesis of how this prairie fairy from Moose Jaw kind of moved across. You grow into yourself. Part of this I also want to give credit to the labour movement. There were people in Retail Wholesale: Dennis Deforest, Alberta Thall, Clarence Lions with Canadian Food and Allied Workers, Terry Stevens with United Steelworkers. These are the men in the trade union movement that kicked my ass. These are the men that believed in me, that said, ya you can do this. I've got my grade 12. I have no idea how all these years later I'm presenting arbitrations, going to quasi judicial review panel hearings, doing all of these things. But it's because of the men and women in the trade union movement that believed in me, nurtured me, trained me and taught me the way to do business in my world. We're all products, we're the sum total of the influencers in our lives. So those are the people that I'm very grateful to, as well as United Nurses of Alberta, that have given me the latitude and the office and the phone to make the phone calls, and the fax machines. I didn't even have an office. My partner and I had a little apartment. I would do my job as a labour relations officer during the day and then I would take calls during the day and work a little bit later that night, then come back later and do all of those things. But it gave me the tools to help people understand.

The way I like to characterize it, I give people choices. I won't tell people what to do but I'll give you some choices. When you give people choices, I think with that it becomes a responsibility. You become an opinion shaper in some ways, and I take that seriously. That's why I never try to tell people what to do, but I'll give them some choices, because with each choice comes consequences. I've tried to be a gentle leader. But if necessary, in the Delwin Vriend case, I have gone in and confronted politicians and confronted people in the media, and done so with the strongest sense of propriety. That's something that we talk about the prairie sensibilities for me – you just do the right thing. For me it's not a difficult thing, and that's where that whole tough on the problem easy on the concept comes from, because you don't know what other people are going through. Look at Delwin. People had no idea who he was; they all thought they knew him. That rings true for a lot of people. But the facility that I have today is the result of a whole lot of people that were very patient with a pretty bullheaded young man from Saskatchewan, I must say.

Q: For a lot of people, they see their work in a union in one box and their work in social justice communities in another box. What you're describing is the really complex interrelationships of those boxes, and I think that's really important here.

MB: I don't know that I see them in complex boxes so much as this is our Canada, these are our people, these are our qualities. For me, my life is my community, my professional life; my personal life is so integrated that they all belong together. If people thought more about that, I think our world would be a better place. I don't see it as complexities of boxes, I see it as very much integrated in terms of who we are and what we do and how we live. Other people, my life is a little bit different than most, because people do live in silos and they'll go to church and do this and they'll go to the rugby game and do that. But my community and my family and my city is very much integrated. I'll give you an example. In terms of my Thanksgiving dinner this Sunday, I'm gonna have 25 people from the ages of 20 something to 70 something, and I believe six or seven languages. I do that every year. It's bringing my friends, my family, my community and my Canada all to one dinner table. It really helps people understand the rest of the story in this, because it's

worth telling. Between main course and dessert I have a magic wand. I'm a gay guy, I can't help it. I've got a magic wand and it's pink and it's sparkly. What we do between main course and dessert, everybody takes a turn. It's like a talking stick. You say, this year I'm thankful for and this year I wish for. When you have a good cross section of your city, a good cross section of cultures and ages, you have people reflecting on what's important. If it's one thing that I take tremendous pride in is I want to understand what's going on in my world. That's why I like social networking, I enjoy Facebook and Twitter. I'm engaged, and I want to understand my city and I want to understand my Canada. That's I think what a responsible Canadian should do. That's certainly what a responsible trade unionist should do. It's my ongoing effort. The mind is like a parachute, it functions best when open. When you live in silos you're doing it like this, and that's not the way I like to view things. The trade union movement has taught me that. No matter who you are, everybody has their lot in life, their responsibilities, and you should take pride in what you do no matter what you do, no matter where you're doing it. If you're sweeping the floors, that's your responsibility and it's my responsibility to do something else, but everybody deserves absolute respect. I don't want to be looked down on and I'll never look down on anybody else. I take that stuff seriously. It's stuff that I learned in the trade union movement, simple stuff, prairie sensibilities.

Q: Can you tell the story of how when you were doing this campaign with Delwin there were so many phone calls coming into the office?

MB: With Delwin's disposition and his difficulties in dealing with media constantly, and it was huge, it was a big story. This is a big gay story in a redneck province in the 1990s, it was big news. It was my, well not necessarily my job, but it was my responsibility to cover for Delwin. I would step up in front of the mike and say, look, I'll deal with this. Often I would have the media contact me first and then I'd set up interviews with Delwin or with whoever they wanted to talk to. I was kind of the front guy on the media. Working at United Nurses of Alberta, it's a busy office and I had responsibilities in doing that job. But in addition to that, it didn't take long before people knew where I worked. There were no cell phones, remember, back then. They either had my home number or

my work number. Once you get it out to a few people it doesn't take long for phone numbers to get out. People started calling me here at UNA to the point where the phone was ringing as much if not more for me some days as it was for our office. UNA was in the process of growing and changing, and it was becoming a bit of a problem. I was really feeling nervous and bad. Their response was, look, we're going to provide an inside line. So I was able to have a separate number. They didn't say, you can't; no, we'll do this a different way. So if I had to go to the courthouse, if I had to go meet with Sheila, there was always flexibility. But I can also tell you that if I took two hours in the morning to go to the courthouse I'd stay an extra couple hours at night or work through lunch and those kinds of things, cuz it's the work ethic thing that most people have. But it's through my involvement in UNA that gave me the latitude to build the community and work with the media, and in doing that, getting my name out there instead of Delwin's. That took some of the heat off him, and it's something that didn't bother me near as much as it did Delwin. It was difficult, but again, it was part of what I took very seriously and that's my responsibility – this is my job in this campaign of ours. So between deal with all of the media and dealing with GALA and some of the community leaders, and then we start to work with some of the other organizations within Edmonton's community – the Edmonton Vocal Minority and some of the other gay and lesbian organizations that were starting to grow up and pop up – we started to do fundraising. As a matter of fact, I found some contracts signed between EVM and the Delwin Vriend defense fund that we did a concert to raise money for Delwin. When you have access, you tell two people and then they tell two people, and then you hold a concert, and then you've got 150 people and you can tell them, this is what we're doing, and we're going to hold a rally and come to the Legislature, and then you've got 1,000 people in front of you at the Legislature. Then you can say, this is what we need from you. Then you go around with a cardboard box and they fill it, well didn't fill it, but we got a lot of money, we got a lot of money. Does that capture it, Don?

Q: Yes. But you just triggered something about the way in which the case served to build a sense of community within the GLBT spectrum. Can you talk a bit about that?

MB: The sense of community I think grew exponentially as a result of the discussions that were forced onto the breakfast and dinner tables. People all of a sudden that were kind of thinking about coming out were coming out. People that were in the closet were opening the door and peeking out and going, oh, my parents are talking about this, my school is talking about this, my friends are talking about this. So it gave not just gay and lesbian members of our community an opportunity to authenticate, but to sit down and hear a conversation about somebody who got fired for being gay. There's that right and wrong dynamic that plays out. It's not just our community – it's our parents, it's our neighbours, it's our relatives, it's our coworkers. It's sitting around a coffee shop. I think what it's done as we've moved forward as a community is that for too many years being gay was my problem. I can't come out, because that's my problem, and I can't do that. Now if you've got a problem with me being gay, it's like Delwin said in his job interview, if you're going to discriminate you may as well do it right now. In terms of organizing our communities together, I think we have to understand more about each other. I think we still have a lot of work to do in terms of our minority communities. I wish we could be more effective in terms of our minority communities. It's like Lyle said, the sooner minority groups can learn to hold hands and walk through the door of equality together, the better off we'll be. But there's still a lot of community beliefs and religious beliefs that have us at loggerheads. The only way we're going to overcome that is to continue to have these conversations and continue to engage and realize we're more alike than people think we are. It goes back to how many times have we heard people over the years go, I've never met a gay person. Well sorry. It's like when I MC'd my friend's wedding as an out gay man and his old aunt came over – well I've never met anybody quite like you. He goes, well auntie I've never met anybody like you either. That's the fun of being in this place as we've moved through our community. It's interesting because the community continues to, there's almost some cachet to this now. ... Sure, if you want to keep going. The way it's changed now I think in terms of our community is in the last ten years there's almost some cachet to being gay. People want to have the gay couple over for dinner. You look at television now – is there a TV show that doesn't have a gay character in it? The way we've evolved as politicians and everything, we're starting to mainstream where we should, as it should be. There's still a notion that it's becoming increasingly irrelevant.

While I think that's true I also still maintain that as a community, any city, to make a city truly diverse and to make a city as dynamic as a city can be, you have to celebrate the gay community. You have to have a gay pride parade, you have to have the Cariwest, you have to have the Klondike Days. To simply assimilate, that's not Canada either. We're a whole hockey bag full of nonsense from all over the world with gender and colour and orientation that have to learn to get along. That's the beautiful dance that I'm seeing now. Being able to live a life that doesn't involve guilt, restraint, obligation, deceit, those kinds of things. Like Delwin said, to live a true authentic life, it's the best gift that anybody can give to themselves. It's something I wish more people would understand, cuz they often say, just keep to yourself, just shut up about it.

Q: This brings us to another point which is, is this breaking the silence? Politically it seems to me even 15 years ago that the government in this province was sustained by a kind of silencing process where people wouldn't talk about anything critical, anything outside of a fairly clear box.

MB: The normal. Everybody wanted the Alberta sense of normal. Well first of all, normal is a setting on a dryer, and people have to rethink their sense of what normal really means. When you live in a climate of fear, you live in a climate of guilt and shame and ridicule, that's not an authentic life. That's not a good life for anybody. But it's not something that's specific to just the queer community, the sense of condemnation that comes. I recently was asked by a group of former Catholics to come and talk to them about coming out as nonreligious. It didn't dawn on me that that would ever be an issue, but guess what? They get shunned, they get treated badly, they get discriminated against. So it's not something that's particularly gender or orientation specific. Here we get into religion. It's what I call the equality of sameness – that's what Alberta really did well. As long as you look like me, you act like me, you got the gun rack, you got the fishing rod, you're good to go. That's what they did. But if you talked about anybody else, that kind of stuff is that shaming silence that leads to that climate of fear. Look at what the Pope's saying in 2013. It's a long way to go but it continues to be a fascinating ride.

Q: What I'm saying too is that's why the Vriend decision was so important. It proved that a group of people, any group of people, could take this to the limit to say, okay we're just going to keep standing up to this silencing and trying to make us fit, and just keep saying no until you listen and hear it. I think that was hugely important and hugely liberating across the province.

MB: And again, I think Delwin and I both said this, Don, that it taught our community a lesson, it taught Edmonton a lesson, and now in the law schools of the world they're seeing it's like the little train that could. It's that kind of reality check. If people have a common purpose that's grounded in respect, dignity and equality, it's not a hard train to get onboard of. But if before you get on the train you have to go through a checklist of do you do this, do you act this way, do you dress like this, who do you sleep with, what kind of flavour do you like – that state of discriminatory practices. That's why I like the notion of equality of sameness. It's such a load of mule muffins, because it's wrong, it's just wrong. That's what people cloak themselves in. You go to this church, you behave this way, you believe in that. Don't confuse me with the facts, because I've made up my mind, but then you're equal to me. Cow cookies.

Q: You said that when you did the appeal you had to then actually evidence discrimination. What struck me was that that is so much the issues we talk about, about re-victimization. That's one of the things I'd like you to comment on.

MB: What we had to do was advertise, and when I say advertise, we had to make pieces of paper and put them on bulletin boards and hand them out. We couldn't post them on Facebook or Twitter or those kinds of things. Our legal team had asked us to find people who had been discriminated against and that were prepared to bring forward an affidavit to prove that they were discriminated against. I understand the legal necessity and the evidence that's required in a democracy, but when you look at what discrimination does to the heart, mind and soul of an individual and what they have to do to revisit that – whether that's a battered wife, an abused child, somebody who's been assaulted on the street – to revisit. You've healed, you've dealt with that discrimination, but now you have

to write it all down and revisit it. It's something that our world still doesn't understand as well. This stuff, when it comes to the impact on the human spirit, is draconian. It hurts to be discriminated against, it hurts to be judged. But to have to spill your guts again, take what healing you've done, pull the scabs off and I'm going to write it all down, the tears dripping on the damn paper, but I gotta do it. That's what Delwin did. He just kept doing it. He stood up, I'm going to do this, and that's what I have to do. I wish there was a different way of proving things, but that's the way it is. Thank goodness there's courageous people that continue to stand up and that have to stand up. That's what makes our world better, it's what makes Canada Canada. All I can do is encourage people to continue to stand up and do the right thing, because silence just condones. Silence isn't healthy. The silence is very telling, right?

Q: Anything else you want to talk about today?

MB: Thank you for the latitude, because I've rolled in some of the stuff that I've always really believed in, in terms of being a bit of a political guy and somebody who just believes in being treated properly, and some of the courage it takes to sometimes just stand up and do the right thing. If you don't have the courage, then get behind somebody that does, and volunteer, and donate and get involved. You teach people how to treat you, it's pretty simple stuff.

[END]