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Anti-Wokeness, Hate Speech, and Rights Discourse Uphold the Status Quo Current Realities in Education and Law

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Abstract

The recent rise of anti-wokeness in Canada sustains and nourishes systemic oppression, while the radical roots of wokeness and legal rights discourse have been co-opted. Canada, a settler colonial state, relies on liberal values, including the rhetoric of multiculturalism and free speech, to uphold systems of power. Using critical race theory as a framework, we examine how rights discourse is not legally protected and contributes to the growth of hate speech and related hate crimes in Canada. As articulated by the Supreme Court of Canada in Canada (Human Rights Commission) v. Taylor, the Canadian Charter of Rights and Freedoms does not protect public dissemination of hate under the freedom of expression guarantee. Hateful discourse is not simply offensive; it has harmful material impacts, and this position is reaffirmed by the Supreme Court of Canada in the Saskatchewan (Human Rights Commission) v. Whatcott decision. Considering the role of anti-wokeness in the continued oppression of marginalized groups, we conclude by offering several recommendations for law and education to address this growing issue.



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Within Canada's current legal and educational landscape, it is crucial to understand how power, privilege, and oppression are systemically integrated and manifest on different scales. In recent years, overt anti-wokeness has risen in popularity, impacting everyday realities, particularly for marginalized peoples. With longstanding systemic issues such as racism, sexism, colonialism, heteronormativity, and transphobia, the anti-woke movement has, in certain ways, reaffirmed and regenerated multiple oppressive forces in Canadian society. This paper aims to address how and why anti-wokeness has emerged in Canada; understand the relationship between anti-wokeness, hate speech, and rights discourse; and articulate the dangers of this movement. In this paper, we refer to rights discourse both in the legal context and the everyday usage and understanding of rights as related to freedom of expression. After beginning with a brief overview of the roots of wokeness and the sociohistorical landscape of Canada in relation to critical race theory, this paper will examine the relationship between anti-wokeness and hate speech and the use of rights discourse within the anti-woke movement. Next, drawing on jurisprudence interpreting section 2(b) of the *Canadian Charter of Rights and Freedoms*, we will demonstrate how and why hate speech is not a legally protected act. Finally, based on these discussions, this article will present several recommendations for law and education to mitigate the harm of anti-wokeness.

Context and Emerging Issues

The Roots and Shifts of Wokeness

The term and concept of wokeness is not new, yet it has taken on alternate meanings in recent years. The history of woke is rooted in Black culture and anti-racism (Cammaerts, 2022). Specifically, woke was first referenced in popular culture in the 1938 protest folk song, ‘Scottsboro Boys’ by Lead Belly (Cammaerts, 2022; Cose, 2020). The idea of staying woke was tied to the need for Black Americans to consciously recognize and be aware of the conditions of living in a racist country dominated by white supremacy (Cammaerts, 2022). The message of wokeness is related to an awakening (or waking up) and realization of racial discrimination (Major, 2022).

A distinct shift occurred in the public discourse surrounding wokeness after the 2014 Ferguson protests and the Black Lives Matter movement (Cammaerts, 2022; Davies & MacRae, 2023). The term had historically been related to race, and while this aspect did not shift, wokeness has also been applied in recent years to other social, political, and economic issues such as wealth disparity and cisheteropatriarchy (Major, 2022). As wokeness grew in popularity and was often used as an adjective, it was also used and weaponized by the right to “signify a supposed progressive over-reaction” (Cammaerts, 2022, p. 735). There has since been a moral panic surrounding wokeness, and the term has been integrated into a more common lexicon (Davies & MacRae, 2023). For example, without understanding the term’s historical meaning, politicians have used woke as an offensive term to label anyone they deem as too “progressive” (Major, 2022). Thus, the radical roots of wokeness have been mischaracterized into a comical force related to sensitivity and political correctness (Ezell, 2023). However, despite this appropriation, at its core, wokeness is grounded in anti-oppression, and it is not a pejorative term: it is, put simply, about life or death (Okpokiri, 2022).

The Myth of Canadian Exceptionalism

While research on the roots of wokeness does not specifically discuss Canada, Canada is built on oppression with structures that align with the values of anti-wokeness. As a settler colonial

state, Canada – in the past and present – relies on the dispossession of Indigenous peoples and pervasive anti-Indigeneity (Evans et al., 2023). Within this place-based context, settler colonialism is an ongoing process that is incumbent upon its persistence of colonial violence, land theft, and dispossession of Indigenous Peoples (Rowe & Tuck, 2017). While Canada claims exceptionalism as a multicultural nation where diverse peoples live harmoniously, the inherent violence of Canada and its existence is present systemically and interpersonally (Jiwani, 2008). As Sunera Thobani (2007) asserts, in Canada, multiculturalism plays a role in reconstructing a more tolerant version of whiteness. This process of reframing through multiculturalism represents “a more fashionable and politically acceptable form of white supremacy, which has had greater currency within a neocolonial, neoliberal global order” (Thobani, 2007, p. 148). The assertion of a multicultural, mosaic identity is core to the public image of Canada.

Further to this multicultural rhetoric, the deceptively fabricated public image of Canada relies on specific stereotypes to simultaneously undermine and overshadow the violent systems at play. For example, the former Canadian Prime Minister, Justin Trudeau, was a self-proclaimed feminist who preached diversity hinged on Canada’s favourable global branding (Exner-Pirot, 2018; Findlay, 2022). However, the reality is that this public support of historically marginalized peoples is superficial and deceitful based on the actions of the Trudeau government. Specifically, extractive industries, which are ecologically devastating and tar sands pipelines that go through over 350 Indigenous nations are prioritized over Indigenous and Black lives (Maynard & Simpson, 2022). The *National Inquiry into Missing and Murdered Indigenous Women and Girls* (2019) discusses evidence that these extractive industries exacerbate violence against Indigenous women, girls, and 2SLGBTQQIA+ people, including through the employment of transient and temporary workforces that engage many of the pathways to maintaining colonial violence. These alarmingly high rates of violence have been consistently delegitimized and neglected by the government (Felt, 2016). Colonial violence and dispossession are not only a part of history but continue to this day. With countless documented examples, the prevalence of anti-Black racism, state-sanctioned police violence, and the disproportionate criminalization of Indigenous¹ and Black² people also dispels the myth of Canadian exceptionalism and multiculturalism (Maynard, 2017). These examples, while only briefly referenced here, demonstrate the true pervasiveness of systemic violence in Canada. While the myth of Canadian exceptionalism obfuscates the realities of this violence, wokeness, or rather a commitment to social justice and anti-oppression, is absolutely necessary in this settler colonial context.

The Rise of Anti-Wokeness

In Canada, the alt-right movement, while lacking a precise definition, is majorly characterized by extremism, xenophobia, and exclusion of peoples who threaten the white status quo (McKelvey et al., 2022; Perry & Scrivens, 2018). The sentiments of the far-right or alt-right movement closely align with anti-wokeness. In addition to political influence, the people and groups who align themselves with the alt-right often utilize social media platforms to circulate

¹ According to [Government of Canada](#) (2026) statistics, in 2023/2024, “Indigenous adults were incarcerated at a rate 10 times higher than non-Indigenous adults” in Prince Edward Island, Nova Scotia, Ontario, Saskatchewan, Alberta, and British Columbia. From 2019-2024, the overrepresentation of Indigenous adults in custody increased each year. Indigenous women are overrepresented more than Indigenous men.

² According to [Government of Canada](#) (2026) statistics, in 2023/2024, Black adults were incarcerated at a rate three times higher than white adults, including data from Nova Scotia, Ontario, Alberta, and British Columbia.

their beliefs. In Canada, these platforms include Facebook, YouTube, X (formerly known as Twitter), and Reddit, among others (Elmer & Burton, 2022; McKelvey et al., 2022). For example, Fenwick McKelvey et al.'s (2022) study revealed that through social media, Canadian alt-right images and memes were used to “express a collective identity” (p. 718). These images were often anti-feminist, anti-immigration, and racist. (McKelvey et al., 2022). Consequently, these images represent a form of hate speech that circulates in digital spaces.

In addition to image sharing, social media has also paved the way for internet personalities who build their personal brand and image on harmful ideologies. We have chosen not to individually name specific anti-woke personalities in this article because the movement functions beyond individual names or characters. Importantly, platforming these people often fuels hate-filled agendas and supports their reach (Foo, 2022). Rather than highlighting individuals, we will describe how and why they thrive in an environment, particularly online, that has sculpted anti-wokeness into the mainstream.

Many anti-woke public figures have gained international audiences and amassed high numbers of followers (Wegenschimmel & McLaughlin, 2023). Within the digital environment in which anti-woke sentiment thrives, the platforms and algorithms that shape a user's experience are also engaged in creating polarized views and commodifying attention (Farries et al., 2024). In fact, these platforms enable anti-woke influencers because the attention economy allows individuals to profit from promoting their views (Farries et al., 2024).

These seemingly charismatic individuals have gained audiences by playing into debates around free speech and appealing specifically to young men by sharing life advice (Wegenschimmel & McLaughlin, 2023). Although Canadian media is regulated, these figures have circumvented these forces by sharing their views in YouTube videos, books, and on podcasts, which also grants them a larger, global audience (Wegenschimmel & McLaughlin, 2023). As Greg Elmer and Anthony Burton (2022) have found, Canadian far-right personalities and their media outlets reach audiences that are “almost as large as those of legacy broadcast news media such as the Canadian Broadcast Corporation (CBC), CTV, and Global” (p. 4). By reaching global audiences on social media platforms, these individuals “appear as a force to be reckoned with” (Wegenschimmel & McLaughlin, 2023, p. 694).

In recent years, the rise in popularity of misogynistic, extremist social media influencers has had and continues to have a toxic influence on young boys and empowers them to perpetuate hate (Vail, 2023). By sharing extreme masculinity and masculine ideals, these influencers promote sexism that impacts interpersonal relationships within educational settings and beyond (Wescott et al., 2023). Hegemonic masculinity wields material impacts, including patriarchal attitudes, proliferation of harassment, and normalizing discourses of violence (Wescott et al., 2023). Research has demonstrated that experiences of racism and exposure to racist media has harmful long-term effects, including post-traumatic stress disorder (Fani et al., 2021). Each of these impacts drastically affects people's mental, emotional, and physical safety, especially for those who belong to multiple and intersecting marginalized identity groups.

Within the sphere of media, recent waves of anti-wokeness through the far-right have been dominated by white masculinity that views itself as all-powerful, all-knowing, and therefore unapologetically hateful, relying on fantastical notions of white superiority (Kyle, 2019). These movements are dominated by people in certain privileged positions, most often white cisheterosexual men (Perry & Scrivens, 2018). According to Bart Cammaerts (2022), in the

discourse of anti-wokeness, “freedom of speech to be racist and discriminatory is thus coupled with a divine freedom and right to insult and to offend others” (p. 739). Further, the weaponization of wokeness from the far right was clearly articulated by a 2023 online study of 2000 Canadians conducted by Pollara Strategic Insights. Pollara found that “31 per cent of Canadians who have at least heard the word think woke is ‘usually’ a ‘bad thing’ while 16 per cent think it’s usually a good thing” (Wherry, 2023). While the majority of study participants had mixed feelings about the word, due to the cooptation and weaponization of wokeness, this statistic demonstrates the shift in public opinion. To further illustrate, this negative perception mainly surrounds the term woke because other topics which could be related to wokeness such as Black Lives Matter, feminism, pride flags, and #MeToo were viewed positively as “usually good” in the survey (Pollara Strategic Insights, 2023). The impact of the rise in anti-wokeness in recent years has highly influenced public perceptions away from the term’s original justice-oriented meaning.

Critical Race Theory

Critical race theory provides an important lens for understanding the rise in anti-wokeness and the importance of reaffirming this sentiment as a form of violence itself. With an emergence in legal studies, critical race theory enables an understanding of white supremacy, racist discourses, and how counter movements co-opt wokeness to maintain the status quo (Yosso & Solórzano, 2005). Critical race theory “offers a lens through which to interrogate how racist ideologies, colorblindness, and [w]hite supremacy have shaped social structures, practices, and discourses in society” (Lin, 2022, p. 1086). Although critical race theory emerged from the law and radical feminism, this theory is considered interdisciplinary and has distinct connections to education (Ladson-Billings & Tate, 1995). Importantly, critical race theory does not aim to solely describe the racial hierarchies that permeate social structures and everyday encounters; rather, it emphasizes change (Delgado & Stefancic, 2023).

Much work of critical race theorists has been based in the United States (Delgado & Stefancic, 2023). However, in addition to these analyses being applicable to the settler colonial state of Canada, there have also been critical discussions focusing specifically on the Canadian context. Indigenous women were the “first to powerfully critique Canada as a white settler society” (Razack et al., 2010, p. 17). Additionally, Carol A. Aylward (1999) describes how critical race theory in Canada grew alongside its American counterpart in legal studies and analysis recognizing racial inequity and discrimination within the legal system. Referring back to our discussion on the myth of Canadian exceptionalism, Aylward (1999) asserts that racism posed even more serious problems at times compared to the United States due to Canada’s denial of racism, implementation of the 1985 *Multiculturalism Act*, and the public image of an “egalitarian” society.

White supremacy has long turned to co-optation as a method of delegitimizing and devaluing critical movements that challenge and resist oppressive systems (Liu et al., 2021). Structurally and institutionally, this has been demonstrated through co-optation of equity policy (Lewis-Durham, 2020), co-optation of intersectionality (Liu, 2018), and co-optation of decolonization (Tuck & Yang, 2012). On individual levels, this tactic can also be demonstrated through the weaponization and victimization of white womanhood (Armstrong, 2021; Phipps, 2021). In this article, we extend this devious tactic of co-optation to wokeness. If we consider the roots of wokeness to include anti-oppression and the subsequent shift in meaning through anti-woke discourse, there are clear examples of how the meaning of woke has been co-opted and manipulated. Specifically, commentary around identity politics and the stifling of free speech in

Canadian news media articles such as Derek H. Burney (2024) and Jamie Sarkonak (2024) demonstrate how the rise against wokeness – and against critical race theory itself – are significant barriers to critical thinking, learning, and acting for social justice (Watson, 2023). While these comments argue against “wokeness,” they also obscure how the status quo in K-12 and higher education is characterised by the violence of settler colonialism, capitalism, and racism (Dei, 2005; Grande, 2018; Henry, 2015). Social justice, transformation, and ending multiple forms of subordination are a core commitment of critical race theory (Solórzano, 1997). Co-optation ultimately functions to uphold white cis male supremacy at the expense of already marginalized groups. Critical race theory teaches us how co-optation is a serious function of racism and how wokeness has become twisted and manipulated to this end.

The Normalization of Hatred and Violence

Importantly, hate does not emerge spontaneously, and there has been growth in hate speech and hate crimes in Canada which align with the rise of anti-wokeness (Perry & Scrivens, 2018). Scholars have written extensively about how hate can only grow in an enabling environment and is embedded in broader systems of oppression (Burnett, 2017; Perry, 2001; Perry & Scrivens, 2018; Poynting, 2006). Across Western nations, a “climate of hate” has been historically created by state actions and omissions, which creates an environment in which hateful groups, including right-wing extremists, emerge (Perry & Scrivens, 2018). Specifically, the state, through rhetoric, legislation, and policies – or discourse – stigmatizes, demonizes, and marginalizes oppressed groups, which fuels and legitimizes hateful sentiments that align with white, cis heterosexual male dominance (Perry & Scrivens, 2018). This is what we continually refer to as the status quo in this paper.

For example, there is extensive documentation demonstrating how the Canadian government’s Islamophobic discourse legitimizes hateful sentiments and has materially violent impacts for Muslims in Canada (Kellogg, 2018). In the 2015 federal election campaign, Stephen Harper conservatives intensified their appeals to base anti-Islamic sentiments (Kellogg, 2018). This included promising an RCMP tip line enabling and encouraging Canadians to report ‘barbaric cultural practices’ and stating that a re-elected conservative government would consider legislation banning the Muslim face covering for anyone interacting with or working for the federal government (Kellogg, 2018). At the same time, in October 2015, there was a spike in Islamophobic hate across multiple Canadian cities. Muslims were unwarrantedly attacked in public, aggressors attempted to remove Muslim women’s head coverings, there were incidents of racist graffiti, and there was a significant increase in people sharing anti-Muslim sentiments on the internet (Dinshaw, 2015; Kellogg, 2018; National Council of Canadian Muslims, 2015). The increase in hate incited by the conservative government’s violent, Orientalist, and Islamophobic discourse was justified with a thinly veiled appeal to Muslim women’s rights (Kellogg, 2018).

Hateful and violent discourse, and the ways in which it is normalized and legitimized by powerful state actors, has impacts on the national level. Islamophobic discourse in Canada has been dressed in liberal language, including through the misguided and disingenuous promotion of women’s rights. In this way, Canada contributes both ideologically to hateful rhetoric and materially to the corresponding violence, while touting Canadian liberal rights language of human dignity, peace, and security. On a micro level, anti-woke proponents assert that they should be able to exercise their freedom of speech, although this freedom has been judicially interpreted to exclude hateful representations, which has materially violent impacts.

Judicial Interpretation of Section 2(b)

Section 2(b) of the *Canadian Charter of Rights and Freedoms* guarantees the freedom of thought, belief, opinion, and expression. Given the link between hate speech and anti-wokeness, and the use of rights discourse amongst the anti-woke movement, it is important to understand that the right to freely express oneself is not absolute; all *Charter* rights are subject to reasonable limitations that can be demonstrably justified in a free and democratic society as set out in Section 1 of the *Charter*. One such limitation is the restriction on the public dissemination of hate. This was articulated in 1990 by the Supreme Court of Canada in *Canada (Human Rights Commission) v. Taylor*, a case which concerned the prohibition of hate speech under the *Canadian Human Rights Act*. In the majority's judgement, the court articulated the need to balance the freedom of expression with other principles of a free and democratic society, including the protection of minority groups from the intolerance and psychological pain caused by expressions of hate. When the 'right to offend' is invoked by people who express hate towards minority groups, the judgment by the majority in *Taylor* indicates that this expression would not be protected by the law (*Canada (Human Rights Commission) v. Taylor*, 1990).

The dissent in *Canada (Human Rights Commission) v. Taylor* (1990), however, garnered public attention and served to propel the movement against hate speech legislation (From, 2014). In it, Justice McLachlin outlines reasons why hate speech prohibition functions as a proxy for the political and personal views of the judiciary and is inherently subjective and overbroad. Included in her reasons is the possibility that someone may be punished under this provision for acts that were not intended to be discriminatory and did not cause any harm or actual discrimination. Jurists, fueled by this dissent, advocated that hate speech legislation should be repealed, so that values of personal liberty and freedom of speech could be upheld. For example, in 2008, Alan Borovoy, the founder of the Canadian Civil Liberties Association was quoted in the *Edmonton Journal* saying, "[g]roups that bash gays, women or religious organizations may be repugnant, but democracies must allow them to speak freely" (From, 2014, p. 662).

The *Canada (Human Rights Commission) v. Taylor* (1990) dissent provides us with insight and an important opportunity to address some of the arguments in favour of unrestricted freedom of expression. First, the dissent raised the concern that, without any requirement of intent on the part of the person making the expression, restrictions on hateful speech are too broad. This concern is disconnected from the reality that discrimination operates in insidious ways and is built into status-quo systems (Aylward, 1999). In this way, hateful ideas become societal norms and may be circulated without any intent to discriminate. Furthermore, a lack of intent does not change the impact that such expressions have, both on the receiver of the expression and within society more broadly (Utt, 2013). Allowing hateful expressions for lack of intent further reinforces the insidious normalization of hate.

Secondly, the *Taylor* dissent raised the concern that the use of the words "hatred" or "contempt," which are vague, subjective, and may encompass a wide range of meanings, extends the scope of legislative provisions to include expressions that present little threat of fostering hatred or discrimination (*Canada (Human Rights Commission) v. Taylor*, 1990). This is not a unique problem. All legislation requires crafting well-considered definitions for key words. Where that is insufficient, courts may provide guidance on legislative interpretation. This is not to minimize this concern but rather to point to the fact that it may actually signal a need for more legislative investment rather than foregoing protective legislation altogether. The framework

provided in this paper may provide some insight into how such terms may be defined. Specifically, given that discrimination and hate on an individual level are shaped by longstanding social and systemic forces, including but not limited to colonialism and racism, these forces may provide definitional aid in determining the lines along which legislative protections should extend. While this may not be an easy task, it is a necessary one.

Finally, the dissent was concerned that this limitation on freedom of expression may touch on expressions that are relevant to social and political issues and are thus regarded as being fundamental to a free democracy (*Canada (Human Rights Commission) v. Taylor*, 1990). For instance, political debates in the past have included slavery and Indigenous assimilation and genocide. However, debating the extent to which groups have or should be marginalized and whether they should live or die is inherently dehumanizing and hateful, although it has fallen into the realm of political decision-making in our settler-colonial state. What falls into the sphere of political debate should not necessarily be protected. In fact, this definition of democracy, while outside the scope of our paper, should be and is disrupted (Giroux, 1992).

Importantly, the personal and societal impacts of hateful expressions are misrepresented and understated by anti-woke proponents. Hateful expressions do not simply “offend” those people and groups at whom they are directed; they have serious material impacts, including inflicting violence upon communities that are being targeted. This is supported by Foucauldian discourse theory, which states that power is constituted through accepted forms of knowledge (Rabinow, 1984). Discourse is a way of organizing knowledge that structures the constitution of social relations through the acceptance of discourse as social fact or truth (Rabinow, 1984). Discourse is thus material in effect, producing not only social relations, but practices that “systematically form the objects of which they speak” (Foucault, 1972, p. 49). The circulation of hate speech, disguised through rights discourse, thus plays a role in creating social relations and societal practices.

The 2017 Quebec City Mosque shooting demonstrates how public dissemination of hate targeting marginalized groups can lead to disastrous, and even fatal, consequences. The shooter, who killed six people and seriously injured five, was immersed in far-right political discourse, and conducted this Islamophobic crime just two days after the “Muslim ban” was implemented in the United States (Montpetit, 2023). This is one example of a larger phenomenon. A study which analyzed the location and linguistic features of 532 million tweets found that cities with a higher incidence of racist tweets see more hate crimes related to race, ethnicity, and national origin (Relia et al., 2019). Another study found that anti-refugee sentiment on Facebook predicts crimes against refugees in otherwise similar municipalities with higher social media usage in Germany (Müller & Schwarz, 2020). Increasing violence towards minorities attributed to online hate speech has been reported worldwide (Council on Foreign Relations, 2021). Hateful discourse evidently has harmful material impacts and cannot be justified as constitutionally protected under the freedom of expression.

While the *Taylor* decision was polarizing amongst jurists, the *Saskatchewan (Human Rights Commission) v. Whatcott* (2013) decision provided clarity about the legitimacy of limiting the freedom of expression in Canada. In this case, the prohibition of hate speech in section 14(1) of the *Saskatchewan Human Rights Code* was challenged for infringing the accused’s freedom of expression. In the judgment, the court articulates that hate speech rises beyond causing distress to individual group members, having a societal effect wherein members of that group are less accepted. In line with discourse theory, the court states that hate speech lays the groundwork for attacks on vulnerable groups, including discrimination, segregation, deportation, violence, and

even genocide. While proponents of hate speech may explain that their representations contribute to moral or political debates, the court asserts that this “does not cleanse it of its harmful effects.” The court unanimously concluded that Saskatchewan’s civil restriction on hateful speech represented a justifiable limitation on free expression in Canada’s free and democratic society. This reinforces the limitations to freedom of expression that were articulated in *Taylor* and effectively redacts the dissenting opinion by Justice McLachlin.

Recommendations

Having examined how anti-woke sentiments are connected to the oppression of marginalized groups across temporal and spatial scales, we direct our attention to three concrete ways in which we may address this growing issue. The following recommendations are not meant to be implemented in isolation of broader systemic change. As examined in this paper, it is not uncommon for reforms to be obscured in progressive language while still having materially harmful impacts (Tuck & Yang, 2012). Accordingly, there must be a critical examination of the ways in which law and education operate and are instrumentalized in Canada and a recognition that collective and transnational solidarity is paramount in the face of the current status quo.

Law and Rights Discourse

Legally, there are multiple recommendations for Canada to protect against the rise of hate. First, Canada must stop enabling hateful rhetoric through its policies and legislation. For example, there has been a recent wave of anti-trans legislation and policy across Canada in Saskatchewan, New Brunswick, and Alberta (Dalwood, 2024). In Alberta, the legal changes include banning puberty blockers and hormone therapies for people aged 15 and under; requiring parents to “opt-in” their children to receive education about gender identity, sexual orientation, or sexuality; and banning transgender women from competing in women’s sports leagues (Dalwood, 2024; French, 2024). These changes exacerbate the vulnerability of and violence against trans people. Transgender and gender-diverse youth across Canada are already at a higher risk of reporting psychological stress, self-harm, major depressive episodes, suicide ideation, and suicide attempts related to experiences of stigma, prejudice, and discrimination (Veale et al., 2017). This legislation contributes to this hateful and violent climate which puts already vulnerable youth at greater risk of violence and harm. This is just one example of legislation reflecting and promoting hateful discourse, which must be addressed and stopped to counteract the growing climate of hate in Canada.

While this is phrased as a seemingly straightforward recommendation, harmful laws are often buried in rights discourse. For example, arguments centred on parental rights can be used to remove inclusive education from schools and block access to gender-affirming care for youth, just as arguments centred around freedom of speech can be used to spread hate. This often results in a decontextualized rights-balancing exercise which fails to account for historical and ongoing power asymmetries in social relations and the unequal and disproportionate ways in which harm is experienced. Taking the example of freedom of speech, the harm that may be experienced by someone whose expression of hateful ideas is limited should not be considered equal to the harm experienced by the individual or groups that are targeted by these harmful ideas. In fact, the law and rights discourse can be used to further entrench violent power asymmetries. This necessitates

historical contextualization and critical analysis of rights discourse and the ways in which laws are interpreted and applied.

Implicit in this recommendation is a need to ensure that the law is sensitive to and reflective of the realities and experiences of oppressed groups. These realities must be understood by practitioners, lawmakers and judges who should be trained to think critically about how their work on discrete cases and legislative provisions contribute to a larger legal and social landscape which has its roots in a colonial agenda. Given that Canadian law itself is a product and tool of the settler colonial project, there is an inherent tension in relying on it to address and dismantle the systemic harms which it continues to reproduce. However, it is within this tension that lawmakers, judges, and legal practitioners must navigate their responsibility to critically examine how legal principles are applied to maintain power asymmetries, challenge the assumptions that sustain colonial structures, and actively work to reshape legal processes and outcomes towards substantive social justice. This work requires not only interrogating the existing colonial legal system but also affirming the sovereignty of Indigenous legal orders and refraining from ongoing practices that seek to override and delegitimize them.

Higher Education Policy

Within higher education, we must also critically examine current strategies and policies. One of these major policy endeavours is the promotion of equity, diversity, and inclusion (EDI) within institutional spaces. EDI has been touted as an integral aspect of socially just practices. However, it is crucial to recognize how EDI is tolerable under the status quo when it does not demand concrete, actionable change towards anti-oppression, an activist-oriented factor that critical race theory demands (Delgado & Stefancic, 2023). Because EDI practices in education often rely on politics of representation and identity, its strategies can be regarded as a way to maintain existing power structures without considering material anti-oppression and transnational solidarity, which we suggest is required for systemic transformation.

In alignment with the cooptation of wokeness, the cooptation of equity-based language in institutional spaces through representation and identity politics is similarly troubling. As neoliberal, corporatized policies permeate educational institutions, the underlying goals and motives of EDI practices shift (Henry et al., 2016). Specifically, EDI becomes synonymous with performativity, tokenism, and checking completion boxes rather than material change. Representation is not synonymous with liberation. When representation becomes the focus of social justice practice, these shallow efforts can become about aesthetics rather than addressing deeply rooted issues (Gerges, 2023; Grewal, 2021). This can also mean queer folks, women, racialized people, and others with marginalized identities uphold violent systems in leadership positions, which is often acceptable under EDI policies. Representation as an isolated practice accounts for individual bodies, which deters efforts for structural change and accountability in implementation (Henry et al., 2016). Therefore, because EDI can function as a distraction, it is imperative to look beyond these tools. As Angela Davis explained in her keynote address at Whitman College in 2020, “there can be no diversity and inclusion without transformation and justice” (Tranchell, 2020). To understand how anti-wokeness thrives, we must also fill in the gaps of how current, supposed attempts at justice can be transformed into more critical material change at the individual and systems level.

However, while we reaffirm that EDI policy in education itself will not lead to meaningful, structural change, we must also contend with the fact that there have been troubling recent attacks on EDI in Canada similar to the sentiments against wokeness. The attacks against EDI in multiple spheres have come not only from social media and anti-woke internet personalities but also from politicians and university administrators, including the University of Alberta President (Liddle, 2025). As an example, the University of Alberta has chosen to shift from EDI to “access, community and belonging,” which critics have noted may be influenced by the political climate and Alberta’s current political party in power, the United Conservative Party (Liddle, 2025). Attacks against EDI often mirror attacks against wokeness (Rahman & Nichols, 2025). While policy alone does not always lead to structural change, we must also recognize how some negative reactions to EDI are implications of the broader anti-woke movement and movement against social justice.

Pedagogy and Higher Education

Education also has an important role to play in counteracting the growing culture of hate in Canada. At all levels, education has the possibility to radically transform students’ and teachers’ lives. Specifically, higher education in Canada provides an important setting for examining and challenging hate. Firstly, applicable to a multitude of fields and academic disciplines, incorporating theories and knowledge beyond the Western, Eurocentric canon is crucial for diversifying student learning and encouraging critical thought. For example, this can be done in law school courses offering students the opportunity to learn about non-Western legal systems or critically analyzing how violent power structures are maintained through law. In media studies, programs can take a critical approach to the influence and spread of hateful ideologies online. Education programs can inspire pre-service teachers to view their students as agent subjects because education is one of the keys to shifting the culture of hate. The development of critical consciousness through learning is an important first step towards action for social justice; as Paulo Freire (2005) describes, *conscientização* refers to first learning social, economic, and political contradictions in the world to begin acting against these contradictions and oppressive barriers. Learning and acting must function in tandem for change.

Specifically, within education, looking towards alternative teaching practices and content have the unique ability to challenge the status quo. For example, understanding education as the practice of freedom, bell hooks (1994) encourages a variety of non-normative teaching practices that centre voice, dialogue, and self-reflection that are distinctly political and distinctly feminist. These practices empower students in their learning journeys. In addition to these specific practices, the content that teachers focus on must also be examined. Because Canadian academic institutions are greatly influenced by the oppressive forces, school curricula and university program requirements must be critically investigated and amended to include alternative perspectives that challenge the status quo (Thobani, 2022). For example, these perspectives and systems should include anti-capitalist, decolonial, and intersectional feminist ways of teaching and learning.

However, despite multiple efforts from faculty members to incorporate critical pedagogies and alternate ways of knowing into their teaching practices (Campbell & Eizadirad, 2022; Motta, 2013; Rangel, 2016), these pursuits can take place within a hostile environment. While the merits of academic freedom can grant faculty members great responsibility in designing courses and creating learning materials that do not uphold dominant systems, this has also been applied unevenly (Oleksiyenko & Jackson, 2020). Specifically, to reemphasize, these efforts take place

within institutions that consistently perpetuate forces of settler colonialism, racism, imperialism, capitalism, ableism, and cisheteropatriarchy (Henry, 2015; Thobani, 2022), which lead to often hostile and challenging work and learning environments for students, faculty, and staff from marginalized backgrounds.

There is also a key distinction to be made between university administrators and many faculty, students, and staff efforts to practice anti-oppression in higher education. While social movements and activism have historically been tied to university settings (Nørgård & Bengtsen, 2021), these are often not supported by institutional leadership and/or met with militarized responses (Katsi'tsakwas, 2024). One recent example that highlights this disconnect is the temporary suspension of admissions to 18 undergraduate programs at York University, including Indigenous Studies; the School of Gender, Sexuality & Women's Studies; and Global History and Justice (Raveendran, 2025). While these suspensions were cited to be due to financial constraints, consultations were not held prior to the decision and overlook the "the disproportionate impact these suspensions have on equity-focused programs" (The Centre for Feminist Research, 2025). While efforts to include anti-oppressive pedagogy have been welcomed at times, serious concerns remain about the institutional environments of higher education in Canada, including when profit is prioritized over education.

While these legal and educational recommendations are based in Canada due to the context of this article, we recognize the inherent limitations of addressing hate and systemic violence through state machinery in the context of ongoing settler colonialism. We must therefore also seriously consider the role of global, transnational solidarity. Specifically, without drawing on a universalized framework based in white, Western ideals, it is crucial to recognize the particular and build what Chandra Talpade Mohanty (2003) calls a "noncolonizing feminist solidarity across borders" (p. 503). By learning from each other's knowledge, histories, and struggles, we can build coalitions and feminist networks that challenge the Eurocentric and oppressive status quo. While much of this work can be done in law and education, it will also be important to consider how these connections can be built outside of neoliberal, corporatized academic structures.

Conclusion

In this article, we examined several specific examples that demonstrate the rise in and the interrelatedness of anti-wokeness, the co-optation of anti-oppressive language, and the prevalence of hateful ideologies in Canadian society. While the Supreme Court of Canada has determined that there is no "right to offend," the sociopolitical culture in Canada, rooted in a history of coloniality, continues to enable hate through discourse and corresponding national and transnational legal and educational institutions. In this way, the interconnectedness of oppression across time and space becomes evident. Individualized hate, thus, is a reflection of and is enabled by state violence. Our analysis demonstrates how the anti-woke movement upholds colonialism and white supremacy in dangerous ways. Simultaneously rejecting substantive protections for marginalized peoples and co-opting rights discourse, this movement must be examined and subsequently challenged. Anti-wokeness functions as an attempt to maintain the oppressive status quo. Accordingly, there are no quick fixes to resisting the observed rise in hateful anti-woke ideologies in Canada and globally. Recommendations stemming from our analysis require grappling with prevalent systems of oppression, upheld in part by our legal and education institutions, including through the superficial use and manipulation of language. In response, we must recreate a world that centers systemic transformation and relational solidarity.

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