

# Children's Rights at the Crossroads: The Challenge of Anti-Trans Legislation in Alberta Schools

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## ABSTRACT

Significant barriers to inclusion persist for 2SLGBTQIA+ children in Alberta, with legislation limiting school support for 2SLGBTQIA+ students taking effect in the province in 2025. Transgender and non-binary identities are specifically targeted by this legislation, with the government restricting the ability for youth to use different names or pronouns at school without prior parental permission. Tensions between parental rights claims and children's rights have a long history in Alberta discourses, but there is a growing movement in education policymaking across Canada and the United States that seeks to elevate parental rights into law. Parental

rights movements refute the rights of children as enumerated in the United Nations Convention on the Rights of the Child and seek control over their sexual orientation and gender identity. Through a narrative literature review and Critical Discourse analysis, we examine the key values concerning children's rights and parental rights that underpin anti-trans policymaking in the Alberta context and explore pedagogical possibilities that center children's rights in anti-trans school contexts.

## Setting the Scene

Moral panics that construct childhood innocence and queerness as mutually exclusive (Cavanagh, 2008; Connell, 2014; Edelman, 2004; Ferfolja, 2008; Lundin, 2016; Russell, 2010) remain influential in education policymaking across North America, as evident in the wave of anti-trans education legislation passed in Saskatchewan, Alberta, Florida, Utah, Idaho, Montana, and other jurisdictions since 2023 (Khonina, 2024; Trans Legislation Tracker, 2025). Movements in support of this legislation have become increasingly visible, including the #1 Million March 4 Children, with organizations like Hands Off Our Kids, Action4Canada, and similar groups positioning themselves as coalitions of concerned parents advocating for their children (Mason & Hamilton, 2023). These groups have more pernicious agendas as they fall under “a big tent that attracts a wide range of right-wing extremists, religious conservatives and conspiracy theorists” that use the banner of “protecting children” to perpetuate anti-2SLGBTQIA+<sup>1</sup> and other forms of hate (Mason & Hamilton, 2023, para. 22). Corredor (2019) describes the alliance shaped by the convergence of religious fundamentalism and populism as the *Global Right*, which includes the “Catholic Church, Evangelical Christians, conservative Muslims, right-wing politicians, as well as politically and socially conservative think tanks and organizations” around the world (p. 615). Gender ideology is constructed as a common enemy, thus uniting “concerned parents” worldwide to protest issues such as inclusive sexual

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<sup>1</sup> Two Spirit, lesbian, gay, bisexual, transgender, queer, intersex, asexual, and other identities within queer and trans communities



health education, 2SLGBTQIA+ policies and educational initiatives, access to washrooms for transgender individuals, gender-affirming care, and more (Carnac, 2020; Corredor; 2019; Korolczuk & Graff, 2018).

These modern conceptualizations of parental rights can be traced to conservative activism in the United States, including Anita Bryant's well-publicized anti-gay advocacy in the 1970s through the Save Our Children organization (Mason & Hamilton, 2024). In Alberta, parental rights arguments previously emerged in the 1970s in protest of birth control centres in Calgary, Edmonton, and Lethbridge (Patton, 2014; Patton & Janovicek, 2024), in the 1980s with advocacy in support of the conservative Christian homeschool movement (Riep, 2021), and in the 1990s during Ralph Klein's decade-long refusal to sign on to the United Nations Convention on the Rights of the Child or UNCRC (Arnold, 1999). Invocations of parental rights tend to rise in moments of conservative backlash to progressive policies, such as school desegregation, comprehensive sexual health education, and equity-focused curricula and pedagogies that are contemporaneously labelled as "woke" (Gambino, 2023). In recent years, they have re-emerged with fervour and gained traction in educational legislation across Canada and the United States, with students requiring parental permission to use different pronouns, learn portions of government-mandated health curricula, and access 2SLGBTQIA+ inclusive content in their classroom and school libraries (Anderson et al., 2025). Regressive policies are being adopted more widely (Lambda Legal, n.d.; Pauly, 2023) as conservative political rhetoric fuels moral panics about 2SLGBTQIA+ inclusive education through misinformation and disinformation tactics (JusticeTrans, 2024).

The Alberta government, led by the United Conservative Party, passed legislation between 2024 and 2025 that has rolled back the rights of trans and non-binary individuals in health, education, and sport. In the K-12 education context, The *Education Amendment Act* (2024) limits the ability for trans and non-binary students to use the "gender identity-related" name and pronouns of their choice in the school environment without parent permission and notification. The moral panics fuelling these policy changes are rooted in misconceptions about the socialization and development of sexual orientation and gender identity and the discourses of childhood innocence that are constructed as both incompatible with,



and in need of protection from queer and trans identities (Canadian Anti-Hate Network, 2023; Chapman, 2022; Robinson, 2008; Smith & Tait, 2024; Woodrow, 2023). As policymaking in Canadian education systems continues to lend credence to the notion of parental rights, the rights of children, including those who are 2SLGBTQIA+, are undermined. Edelman (2004) argues that such “sacralization of the Child...necessitates the sacrifice of the queer,” not only marking the two as irreconcilable, but acknowledging how queerness is often “sacrificed” to preserve the innocence of the child (p. 28).

This study examines education policy discourses in Alberta as situated in a broader landscape of anti-trans policymaking that is tied to resurgent political movements that position children as parental property (Woodrow, 2023). Through a narrative literature review and critical discourse analysis of the Alberta government’s policy announcements and early responses, we consider the ways in which parental rights-based legislation contradicts and contravenes the rights of children in Alberta and offer strategic pedagogical interventions for educators seeking to center the rights of children in their classroom practice.

## **Literature Review**

### **On 2SLGBTQIA+ Experiences in School**

A significant body of research has shown that marginalization, including harassment and physical violence, is common among lesbian, gay, bisexual, transgender, intersex, and queer (LGBTIQ+) children and youth in school settings (Kosciw et al., 2018; Marshall et al., 2015; Taylor et al., 2011). Entrenched heteronormative values contribute to unsafe school environments that put gender and sexually diverse students at risk of lower self-esteem, weakened school attachment and connectedness, reduced academic achievement, and negative health outcomes (Dessell et al., 2017; Diaz et al., 2010; Espelage & Swearer, 2008; Peter & Taylor, 2014; Swanson & Gettinger, 2017; Taylor et al., 2011; 2016). Russell and Fish (2016) note that “the lack of support in the fabric of the many institutions that guide the lives of 2SLGBTQIA+ youth (e.g., their schools, families, faith communities) limits their rights and protections and leaves them more vulnerable to experiences that may compromise their mental health” (p. 472). In 2011 and



2021, Egale conducted surveys of 2SLGBTQIA+ secondary students in Canada to highlight the prevalence of discrimination in schools. In both surveys, students reported experiencing frequent homophobic and transphobic comments, verbal and physical harassment, and even sexual harassment from peers (Peter et al., 2021). The presence of homophobic, bi-phobic, and transphobic (HBT) harassment in schools also has a profoundly negative impact on students whose parents are 2SLGBTQIA+ as well as non-2SLGBTQIA+ students who are targeted with HBT slurs (Swanson & Gettinger, 2016; Taylor et al., 2011). Many students reported the failure of school staff to effectively intervene or address harassment and bullying (Peter et al., 2021) which can be attributed to gaps in accurate, authentic, and practical teacher education around gender and sexual identity development. Because of this, many teachers enter the workforce believing that gender is not a significant factor in early childhood development and not a significant factor in their roles as educators, something researchers Warin and Price (2020) refer to as “gender blind[ness]” (p. 147).

## **Gender and Sexual Orientation Development**

Despite misconceptions that gender is too complex or inappropriate for young children, gender identity is one of the earliest and most influential facets of our identity to emerge (Derman-Sparks et al., 2020; Fast & Olson, 2018, Ryan, 2014). By 12 months of age, children begin to categorize individuals by binary gender. There is no biological reason for this; rather it is a product of socialization. If children are raised in environments that are inclusive of gender diversity, they will learn from an early age that gender is not restricted to a binary. By age two, children are aware of the most common gender labels used in our society, such as “girl,” “boy,” “man,” “woman,” and begin to use these labels to describe themselves and others (Derman-Sparks et al., 2020; Fast & Olson, 2018; Kennedy, 2021). When children are exposed to more diverse and inclusive language, they are also able to use those terms. By age three, an internal sense of gender identity is typically in place for most children who express themselves verbally, aesthetically, and behaviourally. This means that gender diverse children who live or learn in unsupportive environments are socialized from an early age to hide their authentic selves.



Throughout the preschool years, many of the choices children make are highly influenced by gender, including the way they exhibit preferences for people, clothing, toys, objects, and even behaviours and activities. Fast and Olson (2018) refer to this as an emerging sense of “gender stereotyping” (p. 621). By the time children reach a kindergarten classroom, their knowledge of binary gender stereotypes contributes not only to their own choices and behaviours, but also to the regulation of others around them. We see gender policing among children who say things like *that’s a girl colour* or *these toys are only for boys*. They have internalized these ideas in the most formative years of their lives and thus actively reinforce them.

Sexual identity development tends to develop later in life than gender identity. As is the case with gender, many misconceptions exist around the development of sexual orientation or sexuality. Many people believe that sexual orientation is “only about sex” (Ryan, 2014, p. 344) and that it does not consolidate until the late teens or early adulthood. In fact, “sexual orientation is about human relationships and connectedness, including social and emotional relatedness” (Ryan, 2014, p. 355). Research shows that children are generally aware of their own attraction to others by about age 10, regardless of who it is they find themselves attracted to (Ryan, 2014). In fact, many children are aware of their attractions anywhere from seven to 16 years old, with the average age of self-identification as non-heterosexual at around 13 years (Ryan, 2014, p. 344). Something important to note here is that because of the nature of cultural norms and socialization, researchers have found that “one of the major developmental tasks for [queer] youth is the deconstruction of previously internalized heterosexual expectations and the construction of a new set of future expectations” (Institute of Medicine, 2011, p. 143). This is the result of heteronormativity, which describes how children are socialized with the expectation of being heterosexual and that social and relational punishments can result from not adhering to that norm.

## **Schools as Supportive Environments**

Childhood is constructed as a time of innocence, with children positioned as at risk of influence, and needing protection from the outside world (Warin & Price, 2020).



This is commonly cited as a reason for sheltering young children from learning about various social injustices that exist in our world, such as racism, poverty, residential schools, homophobia, transphobia, and more. Yet, schools are critically important environments for the prevention of and intervention in HBT discrimination, as well as the development of sexual orientation and gender identity (SOGI) inclusive attitudes and competencies. Many protective factors help to buffer the effects of oppression for 2SLGBTQIA+ young people, including the existence of 2SLGBTQIA+ specific policies in schools and communities. Students in schools that had SOGI-focused policies were more likely to have flourishing mental health and less likely to experience harassment or suicidal ideation (Peter et al., 2021; Russell & Fish, 2016; Saewyc et al., 2014). Inclusive curricula that explicitly include representation of 2SLGBTQIA+ communities and issues are also associated with positive mental health outcomes for students (Russell & Fish, 2016). The literature is clear that identity exploration in young children is developmentally appropriate, and that early education offers opportunities to disrupt heteronormativity and arbitrary gender norms so that children really can be free to explore who they are.

By sanctifying parental rights in education policymaking, the Alberta government is elevating discrimination against queer and trans identities into the letter of the law by eradicating key institutional protective factors and creating a culture of fear around SOGI-inclusion in schools. Schools will be unable to teach and prepare students for the actual world that they live within, where queer and trans people do exist, live, flourish, and are protected from discrimination.

## **Parental Rights Movements**

Religious and social conservatism have a long history within the province of Alberta and have normalized anti-2SLGBTQIA+ sentiments within provincial politics and institutions (Filax, 2006). Established narratives of an overreaching state generate false controversies about legislative measures that are intended to protect marginalized youth but are read as intrusions on the family (defined as a “traditional” family with heterosexual parents). Over time, these narratives have evolved from explicit homophobic and transphobic sentiments to now take shape





as advocacy for the protection of family and of “free” society (Banack, 2015; Filax, 2006). Conservative parenthood has emerged across the globe as a new “site of social solidarity” that views the family as “the last frontier” (Korolczuk & Graff, 2018, p. 816). Foucault (2006) argued that the Western nuclear family functions not merely as an extension of disciplinary power, but rather as one of the central nodes through which individuals are inserted into the disciplinary apparatus (p. 28). To that end, parental rights discourses assert that parents should have primary authority over their child’s education because of their natural biological ties (Banack, 2015).

Parental rights advocates have claimed the Universal Declaration of Human Rights (UNDHR) Article 26(3) for their cause, arguing that “parents have the prior right to choose the kind of education that shall be given to their children,” (United Nations, 1948) as it relates to gender and sexuality. This prior right has been established in the education context of school choice as the ability for parents to seek public, private, charter, or religious education for their children. As a legal concept, notions of parental rights and its limits have been adjudicated at the Supreme Court level with concern to corporal punishment, government custody of children, and religious beliefs at the intersection of medical care for children (Carter, 2008). The extent to which a parent has rights over their child’s gender or sexual orientation remains at the crux of parental rights advocacy in Canada (Ashley, 2024). Although the Criminal Code of Canada states that it is unlawful to cause another person to undergo conversion therapy (*Criminal Code*, 1985), parental rights organizations remain steadfast in their belief that parents are entitled to impose beliefs, values, and identities on their children (Ashley, 2024) as an extension of their prior right.

Parental rights movements (PRM) continue to exist at the forefront of policy making in Alberta and Saskatchewan, with both governing parties enshrining parental rights into legislation (Bellefontaine, 2019; Heidenreich, 2019). Carter (2008) argues that the expansion of such rights should be restricted given that they are “other-determining” (Dwyer, 1994; Carter, 2008) meaning that they argue for the diminished rights of others—children—when exercised (Carter, 2008). According to Dwyer (1994), other-determining rights claims are tied to legal ideologies that position persons as property that one has the right to control





without state interference. This position elicits Canada's dark histories with slavery and marital rape laws and underlines the dangers of eroding the individual rights of children.

While some parental rights advocacy groups describe themselves as non-secular, religious conservatism and the desire for increased faith-based schooling rooted in biblical principles are closely tied to these movements (Banack, 2015; Mason & Hamilton, 2024). The idea of a natural bond between parents and their children, by way of heterosexual procreation, serves as the basis for Christian lobbyists and faith-based organizations (like the Alberta Catholic School Trustees Association) to advocate for parental rights and wield their influence to shape Alberta's education system (Banack, 2015). Gender ideology, as it is commonly referred to in parental rights circles, is constructed as a common enemy to the emergent Global Right (Corredor, 2019). "Concerned parents" worldwide unite under this banner, protesting inclusive sexual health education, 2SLGBTQIA+ policies and educational initiatives, marriage equality, access to washrooms for transgender individuals, and more (Carnac, 2020; Corredor, 2019; Korolczuk & Graff, 2018). Other aspects of public education that parental rights movements are seeking control over include sexual orientation and gender identity (SOGI) inclusion vis-à-vis library resources, gay-straight alliances (GSAs), sport participation for transgender individuals, and the ability for students to make decisions about their name and pronouns in the school context (Cyca, 2023). Parental rights movements assert that parents should have control over what information their children have access to and what information their children share, and that anything otherwise is a violation of their freedoms.

Individuals without personal connections to the 2SLGBTQIA+ community tend to misunderstand what sexual orientation and gender identity means, leading them to conflate 2SLGBTQIA+ inclusive education with explicit instruction about sexual acts and activity (Kennedy, 2021). These misconceptions, combined with cultural, political, and religious biases, frame queerness and transness as adult topics that are inappropriate and will confuse, harm, or traumatize children because they are not developmentally ready to learn about them. Research confirms that "it is actually of [far] greater concern when [these topics] are ignored" (Kennedy, 2021,



p. 6) because avoidance and ignorance serve to reinforce myths, stereotypes, and misinformation about gender and sexual orientation.

Moral panics about queer teachers “converting” their students also continue to be granted credibility in the school context (Cavanagh, 2008; King, 2004), although this panic has since widened the target to any teacher who supports SOGI-inclusion (Cyca, 2024). Oftentimes these myths frame queer people as predators (King, 2004), call on tropes about queer and trans identities as contagions that may be spread through knowledge of or interactions with queer people or ideas, and frame queer identities as ideological and unnatural. Age appropriateness is deployed by parental rights advocates to suggest that gender and sexual orientation are not appropriate in the elementary or middle school contexts, let alone at school, but are rather a concern of parenting and the home. For that reason, the language of “age appropriate” is concerned more with morality and paternalism than with evidence-informed child and youth development.

## **Social Contagion Theories**

Social contagion theories suggest that inclusive gender and sexuality education causes children and youth to question their identities or take on queer and trans identities (Turban et al., 2022). In recent years, right-wing conservative movements have lamented about “rapid onset gender dysphoria” using language like “trans trender” (GLAAD, 2025) to describe what they perceive to be peer influence and social status causing youth to identify as trans or non-binary (Ashley, 2020, p. 779). A 2018 study of the phenomenon of rapid onset gender dysphoria (ROGD) has since been debunked but continues to be cited as a reason to pursue anti-trans legislation (Broderick & Parshall, 2023). A study by Turban et al. (2022) refuted the hypothesis of rapid onset gender dysphoria by examining the frequency of trans identity realizations post-puberty alongside the time between one’s first knowledge of their trans or gender diverse (TGD) identity and when they shared it with someone else. Of the 27,495 responses, 40% of trans adults indicated TGD realizations after childhood, and those with realizations in childhood indicated an average 14-year time between their realizations and disclosures to someone else.



Despite this, and several other studies debunking ROGD and other examinations of trans social contagion (Kuper et al., 2019; Kennedy, 2020; Bauer et al., 2021; Sorbara et al., 2021; Puckett et al., 2022) conservative right-wing politicians continue to pursue legislation that solves the “trans problem” as defined through social contagion theories. In the Alberta context, this legislation limits the ability of trans and gender diverse youth to access gender-affirming medical care (Yurcaba, 2022), prevents trans athletes from playing on the team of their gender (Quinlan, 2022), and bans classroom instruction on gender or sexuality (Diaz, 2022). Through legal means, the Alberta government is enforcing systems of oppression that harm young trans and gender diverse people. As rationalized through narratives of common sense and fear tactics that portray trans people as dangerous, these discourses create divisiveness and impact attitudes toward transgender people both in North America and internationally (Airton, 2018; Jones, 2018; Martino et al., 2019; Persinger et al., 2020).

## **Children’s Rights and SOGI-Inclusion**

In addition to a breadth of evidence-based research and best practices concerning 2SLGBTQIA+ inclusive education, various human rights legislation, policy, and reporting also call upon educational systems and professionals to recognize and uphold the rights and dignity of queer, trans, and gender diverse children and youth in schools. The United Nations Convention on the Rights of the Child (UNCRC) (UNICEF, 1989) was ratified by Canada in 1991, although the province of Alberta did not sign on for almost a decade because of a commitment to parental rights (Arnold, 1999). The UNCRC recognizes that children occupy a uniquely vulnerable social position and, therefore “childhood is entitled to special care and assistance” (UNICEF, 1989, p. 3) including the rights to life, health, education, identity, and expression, to name a few. Four key principles that are at tension with the construction of parental rights include: the right to non-discrimination (article 2); decisions must be made in the best interests of the child (article 3); the right to life, survival, and healthy development (article 6); and the right to participation in decisions that impact their lives and to have their views respected in accordance with their age and maturity (article 12) (UNICEF, 1989).



Other United Nations human rights frameworks also recognize the concept of intersectionality and the reality that factors including sexual orientation and gender identity influence how children experience these rights in action. The United Nations recognizes that affirming educational environments themselves act as a protective factor for 2SLGBTQIA+ children and that creating inclusive school spaces includes resisting political pressure “based on child protection arguments to block access to information on [2SLGBTQIA+] issues, or to provide negatively biased information” (UNDP, 2022, p. 48). Furthermore, without proper training regarding SOGI topics, educators have been found to perpetuate discriminatory actions and “ineffective or biased responses” (Palmer & Greytak, 2017) to queer and trans students for violating dress codes, experiencing harassment, or even trying to defend themselves from victimization (Snapp et al., 2015). It is well established that both accurate teacher training and SOGI-inclusive curricula in schools are necessary to meet human rights standards regarding safety, health, education, and non-discrimination, and to keep queer and gender diverse students safe. Implementing such practices can decrease rates of school dropouts, exclusionary discipline, involvement with the criminal justice system, and instances of bias-based bullying and violence, while increasing student feelings of school connectedness, mental health outcomes, academic achievement, and the achievement of social mobility (Day et al., 2019; Feijo et al., 2022; NASEM, 2020; Peter et al., 2021; Snapp et al., 2015; Taylor et al., 2019).

As broader social, emotional, educational, and medical research and understanding regarding development of SOGI has advanced, so too have reporting and policy recommendations in relation to human rights legislation. The United Nations Independent Expert on Protection Against Violence and Discrimination based on Sexual Orientation and Gender Identity (IESOGI) has released several reports about 2SLGBTQIA+ discrimination, stating that “the notion that there is a gender norm, from which certain gender identities ‘vary’ or ‘depart’ is based on a series of preconceptions that must be challenged if all humankind is to enjoy human rights” (IESOGI, 2018, p. 1). In another report, the IESOGI (2021) highlights that “the prevalence of the binary and the repression of gender diversity are also directly linked to the history of colonialism and oppression” (p. 3). These reports also directly address the fear-based misinformation of “alleged threat[s] to children”



(IESOGI, 2021, p. 3) and “protection of the ‘natural family’ [as] rhetoric increasingly used by conservative religious forces to advocate against [2SLGBTQIA+] human rights and for discriminatory laws” (UNDP, 2022, p. 77). They call for member states and their educational systems to stand firm in their commitment to creating safe, affirming school spaces for all children that includes accurate and respectful representation of diverse family structures and gender identities and expressions.

## Method: Critical Discourse Analysis

In his work on anti-oppressive theorizing, Kumashiro (2000) wrote that schools “serve two functions: they privilege certain groups and identities in society while marginalizing others, and they legitimize this order by couching it in the language of ‘normalcy’ and ‘commonsense’” (p. 36). In that way, sex/gender were made to be an apparatus of schooling, with the goal of adjudicating proper sex/gender/sexuality and shaping bodies in compliance with normative ways of being. According to Foucault (1990), states first became interested in knowing about the sexuality of their citizens and created means of monitoring sex through legislation, moralization, documentation, and other regulatory regimes. Assignment and alignment of sex was made a matter of public concern, not only to maintain “the strict economy of reproduction” that was necessary to reproduce the labour force, but to discipline and control bodies through imperatives of restrictive kinship structures, appropriate social relations, and other conservative values (Foucault, 1990, p. 36). This discipline was embedded within state institutions, particularly through military and education structures, where it still functions today through administrative and discursive means (Foucault, 1990). Although sex was an issue that concerned the public domain, states did not necessarily want sexuality to become a matter of public conversation. Control was thereby enacted through the policing of language, deeming sexuality to be private and an inappropriate topic of discussion, especially where fiduciary obligations are concerned (i.e., teacher–student) (Foucault, 1990; Smith, 2015). This power has long functioned through silencing and secrecy, especially in the withholding of information about sexuality from children and youth (Rubin, 1984). Despite children being a product of the state-sanctioned deployment of “reprosexuality,” or sex for the express purpose of reproduction (Warner, 1991, p. 9), discourses



continue to position sexuality as corruptive and harmful to children, thereby mandating its censorship and control (Foucault, 1990; Rubin, 1984).

Critical Discourse Analysis (CDA) uncovers how discourses function to create patterns of social relations (Gee, 2011; Machin & Mayr, 2012). As a research method, CDA provides tools for textual analysis that make visible how parental rights discourses underpin anti-trans policymaking in Alberta. We employ CDA to examine how parental rights and children's rights are positioned in the context of anti-trans policymaking in Alberta. One strategy employed in CDA is lexical analysis, or analysis of word choice (Machin & Mayr, 2012). By examining language for repeating patterns, exaggeration, false dichotomies, structural oppositions, and absences, one can begin to piece together both the implicit and explicit discourses underpinning an author's word choices (Machin & Mayr, 2012). Another discursive practice that is common within educational policy is "lexical cohesion," or the creation and repetition of specific terms and phrases that are imbued with authority and a particular "of courseness" that leads us to accept them without question (Rogers, 2011, p. 163). In the next section, we examine two policy announcements from the Alberta government regarding the anti-trans legislation using CDA, with attention to the discourses concerning reproductivity, normative gender, childhood innocence, and parental rights that underpin them.

## **Discussion: Whose Rights? Analysis of Alberta's Anti-Trans Policy Announcement**

On January 31, 2024, the Premier of Alberta announced a suite of anti-trans policies via social media with a pre-recorded video entitled "Preserving Choice for Children and Youth" (Smith, 2024). She introduced the video with the caption: "Gender identity can be a hard thing to talk about, especially when you (sp) are involved. But this conversation is extremely important and parental involvement is critical. Kids need to know we love and support them" (Smith, 2024). This announcement outlined forthcoming changes across health, education, and sport ministries that could affect most transgender and non-binary Albertans, including adults. In this section, we examine the underlying discourses and rhetorical choices in this



announcement and related interviews and how they position the rights of parents versus the rights of children and youth.

In her introduction, Smith (2024) states that she is addressing a sensitive issue involving “our children and gender diversity” (0:05). The word “sensitive” is often used to describe topics of gender and sexual orientation in school contexts (Anderson, 2020). This language operates as a normalizing gesture to soften intolerance of 2SLGBTQIA+ identities stemming from religious doctrine, couching them within reasonability. Although gender identity, expression, and sexual orientation are protected grounds in provincial and federal human rights legislation, they are still discursively constructed as unsettled issues that are up for debate. Smith reinforces this notion again at the end of her message, stating “how controversial and divisive discussions on topics of sexuality and gender can be” (6:25). Here, controversy and division invoke the same sense of unsettledness. Furthermore, Smith’s use of the word “topics” to describe queer and trans identities has a dehumanizing effect, as though it’s a “thing” to talk about instead of real people with material experiences.

Several discursive strategies are employed to undermine the credibility and agency of transgender children and youth. First, Smith uses the word “child” or “children” on 18 different occasions in the seven-minute video, “youth” five times, and “teen” or “teenager” on only three occasions. The repeated use of “children” serves to reinforce the notion of childhood innocence and establish the child-adult binary that underpins their argument. Furthermore, “child” invokes an implicit parental relationship in ways that “teen” might not. Although she uses children in place of “teens,” she also uses the term “minor” on five different occasions when referring to youth aged 15–17. This serves as yet another reminder that the youth in question are not adults and are still positioned under the authority of a parent or guardian. Throughout the announcement, Smith’s aim is to position gender identity and sexual orientation as “adult choices” that are not meant for children. In reference to children and youth identifying as 2SLGBTQIA+, Smith refers to “change” or “changing” on four separate occasions, citing adolescence as a time of changing emotions, feelings, or beliefs (0:42). This operates to sow doubt about expressions of gender identity or sexual orientation that emerge during those times





as temporary or as a result of the general tumult of pubescence. It also alludes to the myth of rapid onset gender dysphoria, where peer pressure and social influence are cited as the cause for expressions of gender diversity. The paternalistic nature of anti-trans discourse emerges as a refusal to take self-identification seriously, especially in youth. Whether it is dismissed as a phase, attention-seeking, or otherwise, youth are not considered to be reliable authorities of their own experiences and identities, thus necessitating parental oversight and control.

The terms “biology,” “biological,” and “biologically” appear nine times in the video, with five instances referencing the body or one’s biological sex, and the other four uses employed to reinforce misinformation about trans girls and women having inherent advantages in strength over their cisgender peers. Both arguments have ontological roots in biological essentialism (Byrd, 2020) which theorizes that our body, specifically our reproductive physiology, predetermines other aspects of our identities. Biological essentialism has long been used to argue against SOGI-inclusion, positioning queer and trans identities as abnormal or pathological. Smith’s message is also laden with pro-natalist undertones, suggesting it is in the state’s interest to preserve one’s sex at birth for future reproduction (Rasmussen, 2023).

Natalism and pro-natalist policies have emerged from right-wing movements globally as a strategy to address racial grievances, specifically targeting immigrants and refugees (Rasmussen, 2023). Rasmussen (2023) refers to this kind of natalism as “heteroactivism,” which is tied broadly to secular and religious movements that concern the traditional family, parental rights, free speech, and what is colloquially labelled as “anti-woke.” In the video message, Smith (2024) says that “prematurely encouraging or enabling children to alter their very biology or natural growth, no matter how well intentioned and sincere, poses a risk to that child’s future that I, as Premier, am not comfortable with permitting in our province” (1:45). Although reproductivity is not explicitly stated here, the word “future” serves as a gesture to that end, in line with the video’s title: “preserving future choices.” Smith confirmed this interpretation in a press conference the following day: “I am confident that Albertans do not want children to make irreversible decisions that impact their reproductive health” (French, 2024, para.



3). She went on to state that “issues involving kids’ reproductive health are not a political stunt” and that it is her government’s responsibility to “show leadership in preserving kids’ choices...so if they choose to at some future point ... they want to have kids, that they haven’t prematurely made a decision they can’t live with” (Derworiz & Bennett, 2024, para. 5–6). Smith repeatedly reinforces the pro-natalist position that the state has a vested interest in the reproductive futures of youth and that transness is a threat to that interest. To that end, the word “alter” is used four times in the video, twice in the context of physical change—altering one’s biology—and twice in the context of name and pronoun changes. It operates with pernicious connotations in this context, because “alter” is used as a polite euphemism to describe castration (Collins, n.d.). Taken altogether, the lexical choices in this announcement indicate a foundational commitment to the same values of reprosexuality that guide parental rights movements.

Another area for analysis is how the Premier positions the rights of children and parents in the context of these policies. Rights are only referred to twice in the video message, with one direct consideration of children’s rights. “In my view,” she states, “one of the greatest responsibilities we as parents, teachers, and community leaders have is to preserve for our children the right to grow and develop into mature adults (Smith, 2024, 1:02). On its own, this could be argued as support of UNCRC article 6 regarding the right to life and maximum survival and development (UNICEF, 1989). However, in the context of the Premier’s broader message, it reads more as a deferral of rights, including some aspects of agency and bodily autonomy, until adulthood. In the discursive context of parental rights, children are *not yet* rights bearers and this is made evident throughout the Premier’s statement.

Finally, how the Premier positions herself in relation to specific kinds of parenting is of note, stating that “prematurely encouraging or enabling children to alter their very biology...no matter how well intentioned...poses a risk to that child’s future that I, as Premier, am not comfortable permitting (1:45). Her opposition to gender affirming care is made evident here as she positions herself, vis-à-vis the state, as needing to intervene in the “problem” of gender affirmation. At this point, it becomes evident *which* parents have rights in relationships to decisions they make



with their families. Smith goes on to minimize the issue of family rejection of 2SLGBTQIA+ children and youth, stating “nearly all parents...will love and care for their children no matter what choices they make” (4:30) and that child protection laws can address the “handful of rare situations” concerning parental rejections (4:39). The evidence bears out that family rejection is common among 2SLGBTQIA+ youth, leading to homelessness, adverse mental health outcomes, and increased suicidality (Mason & Hamilton, 2024). Here, Smith uses disinformation to dismiss a key rights-based issue facing 2SLGBTQIA+ children and youth, thereby subjugating their rights in favour of parental authority.

## **Centering 2SLGBTQIA+ Children’s Rights in Pedagogy and Practices**

Even with the constraints created by anti-trans education policies, there still exist opportunities for teachers to create supportive environments for 2SLGBTQIA+ children and youth in their classrooms by implementing best practices. Positive school climates are built in every moment in every classroom (Fantus & Newman, 2021). Administrators and educators are regularly navigating district policyscapes as “active policy agents,” taking into consideration the application of policies alongside classroom complexity and the needs of their unique students (Heineke, 2015, p. 383). In the absence of district policies or administrative procedures, schools often have autonomy to set key policies and practices that apply to their staff, students, and families. These can include policies concerning extracurricular activities (such as GSAs), school climate and environment, school codes of conduct, progressive discipline supports, guest speakers, special events, and more. Including affirming language as part of a school’s mission statement or a list of classroom values can set the tone and culture of a school community (GLSEN, 2019). School-based policymaking processes will vary, and decision-making may occur at the administration level, through school-based committees or working groups, or emerge in response to student and staff concerns. Many schools maintain a student handbook that outlines key processes and practices that students and staff need to know. These are a great entry point for formalizing SOGI-inclusive practices into school policies.



First, teachers can unpack and examine their own assumptions about gender and sexuality and model this reflexivity through “think-aloud” exercises with their students. In the context of storybooks for young learners, this might look like stopping and reflecting on assumptions about the gender of a character based on hair length, name, occupation, or otherwise. Beyond assumptions, these think-aloud activities also invite conversations about if, how, and whether sex or gender matter in a given context or situation. Returning to the example of the storybook, this might entail an invitation to reflect on whether one’s gender is something that we must know to be able to understand the story or believe the events to be possible. We can model not knowing someone’s gender and that being okay, or we can show our students that we can ask more interesting questions to get to know a person or character because “is that a boy or a girl?” does not tell us much about one’s interests, likes, or dislikes. To that end, we can work to disentangle gender intelligibility from matter which is an essential skill in preventing gender discrimination.

Educators can use and model gender-neutral language in their classrooms. Given that legislation restricts student agency over their pronouns, the use of gender-neutral language and avoiding gendered assumptions can nonetheless contribute to a supportive classroom environment. Using third-person or singular “they” to refer to others in a non-gendered way might also serve as an opportunity for teacher activism in support of transgender and non-binary students. While students cannot request to change their pronouns, third person “they/them/theirs” is a widely used means of referencing other individuals when we don’t know their gendered identity and could serve as a practice of solidarity for students forced to use pronouns that they don’t identify with.

The school environment is a teacher, and educators can look closely at their physical environment to understand the implicit and explicit lessons they are teaching about gender. While direct instruction about gender identity and sexual orientation is restricted under the new legislation, classroom literature and resources that include diverse identities and representations can support an inclusive classroom environment. Stickers, posters, and other visual cues can also



alert students to teacher-allies that are working to foster a supportive environment.

Lastly, teachers can support SOGI-inclusion in anti-trans climates through a commitment to addressing stereotypes, bias, and discriminatory behaviours. Using teachable moments, educators can intervene in moments of inaccurate information or harm, guide student reflection, and offer opportunities to revisit and retry the interaction toward different outcomes. Teachable moments are relational investments that support the creation of safe spaces for all students (Airton, 2019; Peter et al., 2021). Instead of shaming or lecturing students, they position all parties as learners and invite reflection about our impact as we relate to others.

## Conclusion

Childhood is a time when children undergo crucial stages of identity development, and they do so amidst heavy gender socialization through their environments and caregivers. For that reason, schools are the ideal setting for what Warin and Price (2020) refer to as practising “gender democracy” (p. 140). In other words, despite the many misconceptions and objections to taking up this work with very young children, the conditions are perfect for doing the work of disrupting heteronormativity, cisnormativity, and the arbitrary norms of binary gender, and instead supporting children to explore and discover themselves in infinite ways (DePalma, 2016; Derman-Sparks et al., 2020; Fast & Olson, 2018; Kennedy, 2021; Martino & Cumming-Potvin, 2016; Ryan et al., 2013). To that end, ongoing resistance to parental rights movements and policies is necessary to protect the rights of children to freely learn, express themselves, have their voices heard, and be free from discrimination.

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