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Queers,

*Are You Ready
for the Backlash?*



**Preparing for a
Poilievre Government**

I've always liked connecting with other queer people and talking politics, comparing notes on how we see society and what is affecting us. But lately, this has been feeling quite urgent. The countdown is on until we end up with a reactionary federal government -- there will be a federal election no later than October 2025, and if current trends hold, there will be a Conservative landslide that brings Pierre Poilievre to power.

This is soon, but we can still do a lot in 17 months. It feels important to me that queers and their friends use this time wisely, to try to get organized and prepare for a backlash against our social gains of the last few years.

But what makes Poilievre so special? He's been in government a long time -- isn't he just a regular politician? Poilievre has said a couple of things that would make for a departure from typical governance in Canada, but I want to focus on two: using the notwithstanding clause to bypass charter protections and rolling back transgender inclusion policies.

The notwithstanding clause (also known as Section 33) is particular to the Canadian political system and basically acts to limit the Charter framework of individual rights (and

politicians, business owners, or bureaucrats just as much as far-right jerks. Spiritual defence means taking care of yourself while also looking out for those most targeted and helping them to live with strength and dignity. Because the reaction isn't going to come for everyone at the same time, even if it will sooner or later get around to all queers if left unchecked.

The rallies about these issues have started -- we all come as isolated individuals to feel strong together for an hour. But we need to stop going home alone. It is time for us to talk to our friends and set a meeting to talk about the situation, about our strengths and desires, what we can bring to the table. Once we've gotten talking, we can reach out to friends of friends and extend the conversation. Let's form crews of 3-5 people and practice going demos together. Let's get on the same page about our analysis and about what kinds of actions we are excited to take.

We still have some time to get ready before the attacks intensify, but the coming months will pass quickly. We can't trust politicians, but I have nothing but faith in our collective strength. We will weather the coming storm as we always have and might even come out stronger for it.

as queers around issues that affect us -- not to lobby politicians, but to build a context in which queer liberation cannot be legislated away.

We need to continue changing the culture and building equality and inclusion in practice (and I realize these fall short of liberation). This can happen on a social level by creating more spaces where people can be out and proud. It can happen on the institutional level -- remember that many spaces (social services, workplaces, schools) were trans inclusive long before the law required them to be. We can continue that work, going block by block, regardless of which way the political wind blows.

We also need to organize for collective self-defence. Fortunately, we are used to having to defend ourselves. This might occasionally mean physical defence, like at Pride in Hamilton in 2019 or the drag defence actions that happened across the country. It's worth repeating that without the ability to be violent, the choice to be peaceful is meaningless.

But just as important is social and spiritual defence. Social defence might look like identifying reactionaries in order to undermine and isolate them. This could be local

the courts that enforce it) when a government sees this as going against the public good. It can be used to make laws immune to court challenge for five years, which guarantees there will be an election before it expires, but it can just be applied again. The idea is that governments should be more powerful than the courts, so by invoking the notwithstanding clause, a government can pass laws that they know would be successfully challenged in court based on Charter rights.

Although historically very rare, the context for using the notwithstanding clause has been built up by conservative provincial governments over the past few years. The Coalition Avenir Québec party has used it to go after anglophones and religious minorities, the Ontario Progressive Conservatives used it to force striking workers back to work and limit electoral donations by unions, and the government of Saskatchewan used it to attack trans kids. All this since 2021. Poilievre has promised to use it to bring back criminal sentencing that was struck down as cruel and unusual, but there is no reason to think he will stop there.

The use in Saskatchewan is interesting, since Saskatchewan isn't

the only province that has passed so-called "parental rights" legislation. Alberta and New Brunswick are also bringing in laws restricting the ability of young people to transition, but Saskatchewan's was the first to be delayed by the courts. So Scott Moe reconvened the legislature in order to break out the notwithstanding clause.

This brings us to what Pierre Poilievre thinks about trans people. He loudly supports the provincial legislation restricting transitions for young people, including access to puberty blockers and even using chosen names. And, as we've seen in the US, governments that start out restricting trans youth tend to move on to trans adults. So naturally, Poilievre also opposes the rights of transgender adults. Just this past February, he said he believes washrooms and changerooms should be restricted based on sex at birth, although he added it's not clear that would be in federal jurisdiction.

Whether or not it has the ability to regulate the washrooms in the public library, a reactionary federal government won't restrain the provinces or municipalities, leaving an open path for other levels of government to go after trans rights. As a trans person, I'm aware that in

two years time, it might be illegal for me to use the washroom in public spaces.

A reactionary federal government probably won't come right out and take gender identity and expression out as a protected ground in the Human Rights Act and the Criminal Code (at least not immediately). Instead, it will allow those rights to atrophy, to get picked apart by reactionary laws passed at all levels of government that are shielded by the notwithstanding clause when necessary. We will end up with a patchwork of restrictions on our ability to live openly and authentically rather than a blanket ban.

What stands in the way of this happening? Politicians will try to have you believe that electoralism is the only way, that the NDP or the Liberals are the only ones who can stop the Conservatives. But the fact that we are even talking about rights being rolled back shows how fragile legislative victories are. Laws come and go. They are (unfortunately) an indispensable part of political and social equality, but they are not the most important piece.

The most important piece is self-organizing. We need to get organized