

National academic council unanimously condemns Alberta government's use of Notwithstanding Clause

It's not just an Alberta issue anymore. Now, the Alberta government's egregious use of Section 33 – the Notwithstanding Clause of the Canadian Charter of Rights and Freedoms – has gained Canada-wide attention, winning unanimous condemnation by the nation's pre-eminent post-secondary academic organization.

On November 29, 2025, the Canadian Association of University Teachers' (CAUT) Council – representing over 72,000 academic faculty, librarians, researchers and professional staff across Canada – unanimously passed two motions condemning the Alberta government's use of Section 33, the Notwithstanding Clause of the Canadian Charter of Rights and Freedoms.

Motion 11B: The Council opposed the government's use of Section 33 to force a settlement on 50,000 Alberta Teachers Association (ATA) members, overriding their basic Charter rights

outlined in Sections 2, 7-14, and 24. The Council also articulated its full support for the ATA and its opposition to the government's actions.



As shown here, Motion 11B was proposed by the Confederation of Alberta Faculty Associations (CAFA) and seconded by the Academic Staff Association at the University of Alberta (AASUA), Alberta Colleges and Institutes Faculties Association (ACIFA) and The University of Calgary Faculty Association (TUCFA).

Motion 11C: The Council also endorsed another motion from CAFA seconded by the Mount Royal Faculty Association (MRFA) to condemn the Alberta government invoking Section 33 again, this time preventing any Canadian court challenges of the three different laws affecting trans people for five years. Motion 11C targets the *Fairness and Safety in Sport Act* which requires women and girls over to be able to prove they were “female at birth.” Post-secondary institutions (PSIs) were included in this legislation; the Alberta government directed all PSIs to finalize policies reflecting the *Fairness and Safety in Sport Act* by September 1, 2025 essentially nullifying the foundational academic standards of institutional autonomy and bicameral governance.

In collaboration with CAUT and other allies, CAFA is working to build awareness of why all Canadians – whether in or outside Alberta – should be deeply concerned about this government's reckless and continued use of Section 33 to justify its discriminatory legislation.