<http://www.thecharterrules.ca/index.php?main=concepts&concept=2>

**Constitutional Law**

**R v Keegstra, [1990] 3 SCR 697** ([Link](http://scc.lexum.org/decisia-scc-csc/scc-csc/scc-csc/en/item/695/index.do))

***Facts:***

K was a teacher over 10 year period in Alberta. He told his students that the Holocaust was a tool to bring about sympathy for the Jews. He was accused of being anti-Semitic and charged under hate propaganda legislation (section 319(2) of the Criminal Code). He brought a Charter challenge under section 2(b).

***Ratio:***

The term expression embraces all content of expression irrespective of the particular meaning or message sought to be conveyed and no matter how invidious and obnoxious the message.

***Analysis:***

Hate Speech causes harm to: (1) Target group; (2) Society at large.

Hate is a marginal form of expression; it does not facilitate debate -- rather, it silences it.

***Holding:***

Legislation upheld under section 1 of the Charter.