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Ethics Alive! Anti-Woke Laws and Social Work Ethics

by [Allan Barsky](#)

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by Allan Barsky, JD, MSW, PhD

What is “woke”? [Merriam Dictionary](#) (2017) defines “woke” as being “aware of and actively attentive to important issues (especially issues of racial and social justice).” Derived from “awake,” the term has its roots in African American Vernacular English. One of its earliest documented uses is from the 1938 poem, “[Scottsboro Boys](#),” by Lead Belly. In recent years, wokeness has been used to inspire social activism. This term has been embraced by various anti-racism and social justice movements, including Black Lives Matter.

For social work, wokeness relates to one of the core values of the profession, social justice. Part 6 of the [National Association of Social Workers \(2021\) Code of Ethics](#) includes several standards articulating social workers’ ethical duty to promote social justice and take steps to redress racism, sexism, homophobia, transphobia, and other forms of oppression and discrimination. Further, Standard 1.05(c) states that social workers should engage in critical-self-reflection, “understanding their own bias and engaging in self-correction.”

Although the NASW *Code of Ethics* does not use the term “woke,” these provisions suggest that being woke is a key aspect of ethical social work.

Backlash Against Woke

In recent years, there has been backlash against the term *woke*, particularly by various individuals and organizations that identify with conservative ideologies. Some people use woke as a pejorative term for anyone with liberal or progressive ideologies. They associate wokeness with being moralizing, intolerant, and condescending. They may believe that people who ascribe to wokeness are oversensitive and obsessed with racism, oppression, and political correctness.

Some politicians have seized on the backlash against being woke by incorporating negative connotations of this term into state law. On July 1, 2022, Florida enacted the Individual Freedom Act, commonly known as the “Stop WOKE Act” ([Florida House Bill 7 \[HB-7\], 2022](#)). The term “Stop WOKE,” as used in regard to this law, stands for “Stop Wrongs to Our Kids and Employees.” In supporting HB-7, Florida Governor Ron DeSantis suggested this law was needed to support individual freedom and protect people from being indoctrinated with oppressive ideologies (Saunders, 2022).

The law prohibits certain topics from being taught in public schools (kindergarten to 12th grade, college, and universities). HB-7 also prohibits these topics from being taught to employees in trainings required as a condition of employment. HB-7 specifically prohibits discussion of the following topics:

- Members of one race, color, national origin, or sex are morally superior to members of another race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

- A person's moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race, color, national origin, or sex (HB-7, 2022).

In 2022, anti-woke laws have been proposed in the legislatures of at least 17 states ([Schroeder, 2022](#)). Some bills placing restrictions on topics related to racism and other forms of injustice do not necessarily use the term woke; still, they may be related to the backlash against the notion of being woke. For instance, Florida House Bill 1557 ([HB-1557, 2022](#)), the Parental Rights in Education Act, restricts whether and how public school teachers and other school employees may engage students in discussions related to the topics of gender and sexuality. Critics of HB-1557 suggest that it targets LGBTQ+ students and students with LGBTQ+ parents. They suggest that this law puts LGBTQ+ students at greater risk of depression and other mental health issues ([Goldstein, 2022](#)).

In addition to state laws restricting what can be taught about race, gender, and sexuality, some schools have banned books dealing with these topics. Banning such books means that students will have fewer opportunities to be aware of and develop a better understanding of people who are LGBTQ+, including how they may be affected by sexism, homophobia, transphobia, and other forms of discrimination.

Social Work Concerns

For social workers, anti-woke laws and book banning raise a number of concerns. Social work has a historic alliance with communities and groups who have experienced discrimination and oppression. By restricting education about discrimination and oppression, HB-7 and similar laws make it more difficult for social workers to address these issues. Social work educators may be risking their jobs if they teach about privilege, oppression, and anti-oppressive social work practice. Social workers who conduct trainings for schools or businesses may also be at risk if they engage students or employees in discussions related to these subjects.

Although HB-7 does not completely ban discussions on racism, sexism, and other forms of discrimination, it has a chilling effect on discussions that are even remotely related to these issues. Many social workers and other professionals are afraid to engage people in discussions about these issues, not wanting to run afoul of the laws. Some people are self-censoring beyond what these laws prohibit, in part because it is difficult to tell what forms of speech may or may not result in a violation—or even an allegation of a violation.

Social Work Responses

So, what can social workers do if we live in a state that has or is considering anti-woke laws? One of the most basic actions that we can take is to help people understand what woke means and what it does not mean. Being woke does mean being aware and attentive to issues of racism and other forms of injustice. Learning about current and historic examples of racism and other forms of oppression is crucial. If we are not aware or do not understand these issues, then how can we address them?

Educating about racism and other forms of oppression does not mean “indoctrination.” Indoctrination means coercing people into accepting particular beliefs as facts without any effort to support those beliefs through relevant evidence, rational arguments, or critical thinking. Education involves a search for facts and truth. It entails exploration and discussion of various

viewpoints, as well as critical thinking to deepen our knowledge and understanding. We can use research and historical evidence to engage people in meaningful discussions. Teaching people about privilege and oppression does not mean that we are teaching that one race, gender, or diversity group is better than (or less than) another. It does mean raising people's awareness about their social situation and how different people may have different opportunities (and challenges) depending on the social groups to which they belong.

As noted earlier, critics of being woke suggest that people who identify as woke come across as condescending and intolerant. Social workers value respect for the dignity and worth of all people ([NASW, 2021](#)). We do not ascribe to putting down people when they do not share our values or perspectives. Thus, when engaging people in discussions about racism and oppression, we can use language that educates without denigrating.

We can show empathy, reflecting back what others say in a nonjudgmental language. "I understand that you feel that critical race theory (CRT) is racist." We can share differing views without implying ignorance or superiority. "My understanding of CRT is that it is an approach to studying why racism exists and persists, and what we can do to try to address systemic racism. I'd like to hear more about your understanding of CRT." We may not come to a common understanding of CRT, but we can discuss it in a way that demonstrates respect and allows us to engage in a learning conversation. If we want to help other people reconsider their views, we first need to build a trusting relationship. The conversation may be uncomfortable at times, but it can remain honest, open, and respectful.

Court Challenges

HB-7 and other laws restricting what can be taught are currently being challenged in the courts. The cases allege that these laws are unconstitutional, violating First Amendment rights regarding free speech (e.g., [Pernell et al. v. Florida Board of Governors of the State University System et al, 2022.](#)). These

cases may take many years to work their way through trial courts and courts of appeal, and the issues may eventually reach the Supreme Court of the United States.

People who believe these laws are unconstitutional may offer support to various civil rights organizations that are taking the lead in challenging these laws. They may also advocate with state legislators to rescind these laws and support laws that address racism and other forms of injustice more effectively.

In the meantime, social workers practicing in fields governed by these laws may require ethical and legal advice about how to manage conflicting ethical and legal responsibilities. Ethically, social workers are supposed to promote social justice and engage in social action to redress social injustice. Legally, however, they need to be aware of certain forms of speech that could violate anti-woke laws. Different schools, organizations, and businesses may have different ways of approaching these issues, so it is also important for social workers to understand the policies and procedures of their practice settings.

Not Alone

The application and impacts of anti-woke laws can be confusing. Remember, when in doubt, consult. If you are working in an organization that offers ethical consultations or legal advice, make use of these supports. Find out specifically what your state laws prohibit you from saying or doing. In addition, find out what you are allowed to say and do under these laws. If you require support from outside your practice setting, contact civil rights organizations, professional associations, or others who specialize in issues related to free speech, professional regulation, and social work ethics. If you are an NASW member, you may call NASW's free consultation service at 800-742-4089.

The profession of social work values human relationships, interprofessional practice, and collaboration ([NASW, 2021](#)). There are many individuals, professions, and organizations affected by anti-woke laws. They all have a vested interest in determining the best way to respond. Social work can play

vital roles in addressing these issues by bringing people and organizations together, determining the best way to cope in the short term, and striving for systemic changes in the longer term.

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