

INTRODUCTION

Catholic Education in the Province of Ontario was written by **Mark G. McGowan, PhD**, of the **University of Toronto** and **St. Michael's College**. He has written numerous articles on the history of the **Catholic Church in Canada** and is a past president of the **Canadian Catholic Historical Association**.

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Catholic Education in the Province of Ontario

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The Enduring Gift Catholic Education in the Province of Ontario

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Published by: Ontario Catholic School

Trustees' Association, Toronto, Ontario

The Struggle Begins

The creation of a state-supported, universally accessible, and comprehensive Catholic education system in Ontario was never anticipated by the first pioneers in what was then called Upper Canada. In the 1830's, Catholic education — for that matter, any education — was considered to be within the realm of the few young men training for the Church, public service, or the professions. Bishop Alexander Macdonell of Kingston secured some financial support from the Crown for schoolmasters, some of whom were his priests.

Small groups of children undertook a classical and catechetical education in their parish rectory, in a local home, or in log school houses often shared between Catholics and their non-Catholic neighbours.

In 1841, Macdonell's dream of more permanent funding for Catholic schools by the State was partially realized, when the new School Act for the United Province of Canada (a union of Upper and Lower Canada, today's Ontario and Quebec) included a clause that permitted Catholics and others to establish denominational schools. The growth of Catholic schools over the next twenty-five years was punctuated by sectarian violence, linguistic conflict, and political maneuvering within the poorly conceived and constitutionally flawed legislature of Canada. These schools also emerged at a time in the 1840's and 1850's when Egerton Ryerson, the school superintendent of Canada West, pushed for a free, universal, and academically progressive public school system in Upper Canada. He believed such schools would promote loyalty to the Crown, solid citizenship, a sound curriculum, and a generic Christianity.

The latter point was troubling to many Catholics, who believed that the nonsectarian

Christianity promoted in public schools, and fostered by the large numbers of Protestant schoolmasters, amounted to little more than Protestant proselytization. Bishop Armand de Charbonnel of Toronto (1850-1860) went so far as to call public schools an "insult" to the Catholic population and he urged his flock to establish and support distinctively Catholic schools. All of this squabbling over education came at a time of troubled relations between Catholics and Protestants in Canada. Although these were caused, in part, by sectarian bitterness imported from Europe, Upper Canadian Christians created their own reasons to prey upon one another; the arrival of thousands of Irish Catholic refugees from the potato famine was regarded as a scourge upon the land, while French-Canadian Catholic legislators were accused of furthering the interests of Catholicism by means of their strong presence in the Canadian Assembly. In the 1850's, expressions of sectarian bitterness varied from hateful rhetorical exchanges between Protestants and Catholics in the public press, to full-fledged riots in the towns and cities of Ontario.

The Taché Act and the Scott Act

The extension of Catholic schools in Upper Canada was often at the heart of the bitterness and bloodshed. In 1855, by the weight of French-Canadian Catholic votes, the Assembly passed the Taché Act, which extended the rights of Upper Canada's Catholic minority to create and manage their own schools. Similarly, in 1863, the votes of French-Canadian Catholic legislators and their moderate Anglophone allies passed the Scott Act, which, among other things, confirmed that Catholic school trustees possessed the same rights and privileges as their counterparts in the public schools, and allowed Catholic schools a share of the Common School Fund provided by the Canadian Government. What infuriated English-speaking Protestants in Upper Canada was that they did not want these schools in their section of Canada, but were forced to accept them because of the preponderance of French-Canadian Catholic legislators (from the Lower Canadian section of the Assembly) who were determined to secure educational rights for their Catholic brothers and sisters who were a minority in Upper Canada.

The British North America Act

The sectionalism that helped to create Catholic schools also prompted Upper Canadian Protestants to demand the end to the farcical union between Upper and Lower Canada. In 1867, the British North America Act (BNA) created Canada, with both federal and provincial governments, the latter of which were solely responsible for education. Catholics in the new Province of Ontario now faced a hostile Protestant majority, without the security of their old French-Canadian allies from the new Province of Quebec. In advance of Confederation, with their fragile minority rights to Catholic schools in mind, Archbishop John Joseph Lynch of Toronto (1860-88) and politician Thomas D'Arcy McGee initiated a process to secure the rights of Catholic schools. Under section 93 of the BNA Act, all the educational rights held by religious minorities at the time of Confederation would be secured constitutionally thereafter. For Catholics in Ontario this meant the right to establish, manage and control their own schools, and to share proportionally in the government funds allotted to education. In time, this Section 93 would become the touchstone for most constitutional and legal debates regarding Ontario's Catholic schools.

Ryerson never thought denominational schools would survive. In the late nineteenth century,

Catholic schools were chronically under-funded because of their small tax base, their inability to share in the business tax assessment, and their securing of only a tiny share of government school funds. Moreover, after Confederation, Ontario grew rapidly and emerged as Canada's industrial and urban heartland. The population increased dramatically and new strains were placed on the education system. Ontarians demanded progressive, high-quality education commensurate with the commercial and industrial advances of their society. Catholic schools survived the stresses of the new Ontario because of the dogged dedication of Catholic leaders to fight for legislative changes favouring their schools and, because of the generosity of Catholic religious orders whose members dominated the teaching ranks in these schools, adapted to the new curricular changes, and donated much of their salaries back into the schools. Women in religious orders were notable in their ability to attain provincial teaching certification, despite the popular belief (particularly among Catholics themselves) that "nuns" would never expose themselves to the dangers of "Protestant" teacher's colleges (Normal Schools).

The Tiny Township Case

In no other instance was the self-sacrifice of Catholic school supporters more evident than in the case of high schools. Created by an act of the Ontario Legislature in 1871, Ontario's high schools would emerge as one way in which young Ontarians could be moulded to meet the demands of their burgeoning urban industrial society. Because they had not existed as such at the time of Confederation, Catholic high schools were not eligible for provincial grants. Before Confederation, however, some Catholic schools offered instruction to older students under the auspices of the common school. Later, several Catholic schools offered fifth book classes (closely resembling grades 9 and 10) and were in a legal position to do so after 1899, when the government broadened its regulations regarding schools that offered a "continuation" of the curriculum beyond what is now grade eight. In reality, however, Catholics could direct their taxes only to public high schools and, if they so desired, could pay tuition fees to have their children receive a full high school education in "private" Catholic schools, usually run by religious orders. After decades of Catholic lobbying and sectarian fighting over this injustice, the Catholic bishops and the Ontario Government agreed that a test case be brought before the courts to establish whether or not Catholic high schools were entitled to government funding under the terms of the BNA Act.

In 1925, Catholics in the Township of Tiny (Simcoe County) launched the legal challenge poetically named "Tiny vs. The King." By 1928, the highest court of appeal in the British Empire — the Judicial Committee of the Privy Council — offered a bittersweet decision on the Catholic high school issue: Catholics, due to the pre-Confederation precedents and the subsequent development of the "fifth book" continuation classes had just claims to funding for grades nine and ten; but Catholics had no constitutional right to funding beyond that, although the Provincial Government was at liberty to grant it, if it desired.

The disappointing result of the Tiny Township case came at a time of financial crisis and faltering morale within Ontario's Catholic schools. Since 1912, English-speaking and French-speaking Catholics had been torn apart by the Ontario Government's attempt to eliminate "bilingual schools," the majority of which came under the jurisdiction of Catholic school boards. Regulation 17 restricted French-language education to grades one and two, and Regulation 18 threatened to withdraw provincial

funding from any boards that violated the new restrictions on French-language education in the upper grades. Fearful of the maelstrom of linguistic and religious politics that swirled about the bilingual schools issue, the Government of Premier James P. Whitney terminated its negotiations with the Ontario Catholic bishops on issues of financial relief for separate schools. The bishops were shocked that the intensity of the language issue scuttled what they thought was an imminent agreement with the Government. The Catholic community was frustrated, divided and angry; on the one side, Francophone Catholics desperately tried to preserve their distinctive schools while, on the other, their Anglophone co-religionists appeared more supportive of the Department of Education's effort to anglicize and "improve the quality of education" in the bilingual schools. In 1927, after nearly fifteen years of litigation, appeals, protest and even the suspension of the Ottawa Catholic School Board, the Ontario Government relaxed Regulation 17, and limited funding for French--language education was preserved. Few at the time would have imagined that, within sixty years, Francophone children would enjoy state-supported Catholic education from junior kindergarten to grade 13. In the 1920's, however, Catholic bishops, particularly Neil McNeil of Toronto, and leading laypersons endeavoured to ease the strained relations and the lingering bitterness between English-speaking and French-speaking Catholics.

Amidst these heightened linguistic tensions and the failed appeals to the courts, it became increasingly clear that the financial pressures on Catholic schools threatened the survival of the system itself. In 1900, there were 42,397 students in the system; twenty-five years later, the Catholic school population had more than doubled to 95,300 students. A low municipal tax base, a minute share of the business tax (from only those Catholic businessmen who wished to direct their taxes to separate schools), slim government grants, and a caution to keep their tax rates competitive with the affluent public school boards collectively spelled financial hardship for Catholic schools. Facilities were old, classrooms generally were crowded, the growing ranks of lay teachers were paid less, and programmes of study were limited in both breadth and variety. Despite the fact that Catholic schools matriculated students who were competitive with their peers in the public system, and although Catholic youth moved on to university in greater numbers by the 1930's, Catholic schools were still saddled with the label of "inferiority." The onset of the Great Depression in the 1930's threatened the very existence of the system.

The Catholic Taxpayers' Association

As it had so many times in its history, the Catholic community rallied to save its schools. By the 1930's, the mantle of leadership in the fight for Catholic education was passed from the clergy to the laity. Martin J. Quinn, a Toronto businessman, organized the Catholic Taxpayers' Association to lobby the Provincial Government to secure the equitable distribution of corporate and business taxes to Catholic school boards. With chapters in over 400 parishes across the province, the CTA helped to elect Mitchell Hepburn's Liberals in 1934, and subsequently his government passed the much-sought legislation in 1936. The victory on the corporate tax issue, however, was short-lived. In December 1936, a wild by-election fight in East Hastings, reminiscent of the sectarian explosions of the 1850's, spelled disaster for the Liberals and convinced Premier Hepburn that the fair distribution of business taxes to Catholics would defeat his government in the next general election. The bill was withdrawn and the Catholic community's hope for economic justice was dashed.

Canada's involvement in World War II (1939-45) effectively ended the Great Depression. The post-war situation, however, merely heightened the crisis facing Catholic schools. Renewed migration

from Europe, particularly from the Catholic communities of southern and central Europe, and the natural increase in population that came as a result of the "baby boom" placed increased demands on Ontario's Catholic schools. More spaces were needed for the increasing number of students in Ontario's cities, particularly in Hamilton, Ottawa, and Toronto. The suburbanization of Ontario in the 1950's necessitated new Catholic schools in rural areas. A decline in religious orders and the increase in the numbers of lay teachers placed additional financial burdens on school boards that were already trying desperately to keep their school facilities and programmes up to provincial standards.

The Hope Commission

In 1950, the offer of the Hope Commission (Ontario's first Royal Commission on Education) to fund Catholic schools fully to the end of grade six, but not to subsequent grades, was indeed tempting. Such ideas posed an interesting dilemma for Catholic leaders: an abbreviated but equally and fully funded system at the primary-junior level or a complete system from kindergarten to Grade 13, only partially funded, and ever-struggling at the secondary level. The Catholic commissioners, after much deliberation with the Ontario bishops, decided to dissent from the Commission; they submitted a brief minority report, highlighted by historian Franklin Walker's readable and concise (less than 90 pages) outline of the history and constitutionality of Catholic schools. In contrast, the overdue and oversized (900 pages plus) majority report of the Hope Commission was generally ignored, as was its demand for a scaling back of government funding to separate schools. The system would survive but would continue to struggle, given the many demands placed upon it by a growing and increasingly upwardly-mobile Catholic population.

Working Together towards One Goal

Given the demographic, economic, and social pressures facing the Catholic schools, Catholics once again rallied for justice. The Ontario Separate School Trustees' Association (OSSTA), the fledgling Ontario English Catholic Teachers' Association (OECTA) and the English Catholic Education Association of Ontario (ECEAO) worked hard as individual groups and, at times, cooperatively, to better the situation of their schools. Cooperative lobbying efforts bore fruit in the late 1950's and early 1960's when the Ministry of Education initiated such programmes as "equalized assessment," the "growth-needs factor," and the Ontario Foundation Tax Plan (1963) to "have-not" boards. Many separate school boards gleaned additional funds by means of these programmes. In 1969, rural boards were amalgamated into larger county-based units with the hope that larger boards would have access to more funds, be more efficient, and provide improved programmes and facilities. Together, the funding provided by the Foundation Tax Plan, and the opportunities created by board restructuring, meant a new influx of cash into Catholic elementary schools.

The Blair Commission

Catholic high schools, however, continued to suffer, because their junior grades were funded only at an elementary level, and their senior grades were sustained principally by tuition fees. Catholics were forced to develop innovative ways to keep the high schools afloat. To make matters worse, the late 1960's and early 1970's witnessed a decline in vocations to religious life, and a slow

erosion through increased retirements within the existing cadre of priests, brothers, and sisters in the schools. High schools depended on lay teachers accepting lower salary levels, parents operating lotteries and bingos, and students helping to clean and maintain school facilities. In the election of 1971, the Progressive Conservative Government of William Davis won a healthy majority, sustained, in part, by its public refusal to extend funding to Catholic high schools. When this same government proposed changes to Ontario's tax laws that would see Catholic high school property subject to taxation, it appeared that Catholic high schools were about to sing their death song. In 1976, the Blair Commission traveled the province to assess the reaction to the tax plan and was greeted at each stop with formidable submissions by the Catholic "partners." Through the combined efforts of clergy, trustees, teachers, parents and students, the tax plan was scrapped and Catholic high schools dodged a bullet.

Ironically, in 1984, William Davis surprised his own caucus when he announced that there would be extended funding to grades eleven, twelve and thirteen in Ontario's Catholic schools. Davis regarded the decision as "justice" to Catholic schools; the cynical saw the Government fishing for Catholic votes. Within three years, having faced and survived constitutional challenges, Ontario's Catholic schools finally enjoyed extended funding from junior kindergarten to the end of grade thirteen. Funds poured into the Catholic system and the landscape of Ontario bore the imprint of new schools, complete with facilities, equipment, and comforts scarcely imagined in previous generations.

Bill 160

In our own time, both the Catholic and public education systems have witnessed an unprecedented "revolution" of institutional and curricular change. In 1995, school councils were instituted to bring parents and teachers together for the local management of their community schools. Shortly thereafter the Progressive Conservative Government reduced the number of school boards, in addition to cutting the number of school trustees, while placing a cap on their salaries. In 1997, in a move that may have startled Ryerson himself, the Provincial Government suspended the right of trustees to raise taxes for schools and placed educational funding exclusively in the hands of the Province for the first time.

In Ontario's educational history, funding is no longer a shared responsibility between the local community and the central government. For Catholics, however, the new financing model means equality of funding for Catholic and public schools. Those who have reflected upon the history of their schools have realized that, finally, justice has been accorded to Catholics, under the terms of the Constitution (BNA) Act. Not all Catholics, however, have been in favour of the changes; teachers and others have seen this new centralization as jeopardizing the ability of Catholics to control and manage their own schools. There is some fear that the Provincial Government will take an increased role in dictating to Catholic schools, perhaps to the detriment of their distinct denominational character. In the current ideological climate dominated by the proverbial "bottom line" and secular values, it is believed by some that the taxpayers of Ontario will be loath to support two education systems. In addition, the demise of publicly-funded Catholic schools in Quebec and Newfoundland has contributed to a growing uneasiness about the future of Ontario's Catholic schools.

Catholic Education — A Gift not to be Squandered

Catholics in Ontario must be awake to the "signs of the times." With legislation supporting funding equity in hand, Catholics cannot afford to become complacent about their education system. In a secular and pluralistic society, denominational rights, particularly in the matter of schools, are not widely supported. Those who know the story of the development of Catholic schools in this province must realize that these schools are a gift that should not be squandered.

Ontario's Catholics have a responsibility to nourish, improve and defend their schools as a distinctive and valuable contribution to the vitality of their faith community and to Ontario society as a whole. As history has demonstrated, and as Vatican II has confirmed, the laity have a vital role to play in the development of Catholic education.

There is a need for schools that place Gospel values at the centre of an holistic education. In Ontario, our inheritance as Catholics has been considerable, but so are the challenges that, no doubt, the future will bring.

Highlights of Catholic Education in Ontario

1817 - Bishop Alex Macdonell promotes Catholic education in the Kingston area as early as 1817.

1841 - The Act of 1841 establishes the Common School System of Ontario which had three sectors - a non-denominational sector which would become known later as public schools, a Roman Catholic separate school sector and a Protestant school sector.

1843 - Legislation in Ontario retains the school rights granted in 1841. Subsequent amendments to the law, up until 1863, improve the conditions for both public and separate schools.

1863 - The Scott Act is passed, bringing all aspects of existing legislation on Protestant and Catholic schools into line with legislation governing common schools.

1867 - The British North America Act creates Canada. This legislation required that the rights granted in Ontario and Quebec to denominational schools are to be protected and retained.

1871 - The province of Ontario introduces district secondary school boards apart from the Common School System, which are to be responsible for the new high school system.

No provision was made for Catholic secondary schools, deviating from the spirit of the commitments made both before and at the time of Confederation.

1890 - The non-denominational common school system and the separate school system are both given the authority to offer continuation classes, i.e. grades nine and ten to students who graduated from elementary school.

1908 - Legislation allows common schools to operate continuation schools offering programs from grades nine to 13. These continuation schools could only exist where there is no district secondary school board.

1927 - The Privy Council decides that separate school supporters cannot assign their secondary school taxes to support certain schools. It also decides that the Provincial Government has the right to determine which kinds of schools will offer secondary school programs.

1964 - The Robarts Foundation Plan rectifies some of the financial difficulties for separate schools, as the funding of the kindergarten to grade eight program in separate schools is made equal to that of public schools. Grades nine and ten continue to be funded as elementary grades.

1969 - The Provincial Government requires that every county or city have one board of education to administer both elementary and secondary schools, meaning that common or public school trustees now govern secondary education. This authority, though, is not given to separate school trustees. This is a deviation from the practice of equal treatment for both sectors of the publicly-funded provincial education system.

1978 - The Provincial Government introduces a grant weighting factor for students in grades nine and ten of the separate school system.

1982 - The new Canadian Charter of Rights and Freedoms is enacted. It states that "nothing in this Charter abrogates or derogates from any rights or privileges guaranteed by or under the Constitution of Canada in respect of denominational, separate or dissentient schools."

1984 - Ontario Premier William Davis announces that the Provincial Government will grant separate schools the same rights and privileges that were granted to the non-denominational public school system in 1969, namely authority to govern secondary education.

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