

The Catholic Weekly Review.

A JOURNAL DEVOTED TO THE INTERESTS OF THE CATHOLIC CHURCH IN CANADA

Reddite quæ sunt Cæsaris, Cæsari; et quæ sunt Dei, Deo.—Matt 22: 21.

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Notes.

A moment's reflection will show in regard to the agitation in progress for the abolition of Separate Schools in Manitoba, that to interfere with those schools is *ultra vires* of either the Provincial Legislature, or, for that matter, of the Parliament of the Dominion. The simple fact, as was made clear in these columns at the time the storm broke out against the Separate School system in Ontario, is that Separate Schools are guaranteed to Catholics under the British North America Act, and that Act is an Imperial statute. Section 93 of the B.N.A. Act provides that in and for each Province the Legislature may exclusively make laws in relation to education subject to certain important provisions. The first of these is that

Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the Province at the Union.

At the time of the Union of Manitoba with Canada under the Act of 1867 and subsequent Imperial Acts, the French-speaking and Catholic inhabitants of that province had, under the Manitoba Act, a constitutional guarantee against prejudicial legislation affecting the rights or privileges with respect to denominational schools possessed by them at the Union. It has been urged that the Manitoba Act of 1870 being a Dominion Statute is not so binding as the B. N. A. Act, and that the Manitoba Legislature, under the clause allowing it to amend the Constitution of the Province, may alter that section of the Manitoba Act. But, as the Hon Wm. McDougall, whose opinions had been asked, has said if the Attorney-General of Manitoba, Mr. Martin, is basing his proposed legislation to abolish Separate Schools and the use of the French language on that assumption, he must have overlooked the Imperial Act of 1871, which confirms the Manitoba Act of 1870, thereby giving it the force and effect of an Imperial measure which can neither be repealed or amended by Provincial or Dominion legislation.

It is plain therefore that under these conditions the

agitation against the Manitoba Separate Schools, must prove futile. In Manitoba, as in Ontario two years ago, the party of fanaticism appear to have fallen into the error of supposing that the Provincial Legislatures stand in the same relation to the Separate School Legislation as they do to the Public School Law of the Provinces, and can alter, or amend, or abrogate it at will. It is in this that they are mistaken. Only the Public School Laws come within the absolute control of the Local Legislatures. The Public School Laws are of their especial creation; the Separate School Laws are *not* of their creation. The first Separate School Legislation was obtained in 1868, four years before Confederation; and when Confederation came, the rights and privileges so conferred were secured in the section of the B. N. A. Act, one of the clauses of which we have above quoted.

The Commissioners appointed by the Minister of Education to enquire into the teaching of English in the French schools of the Province, have made their Report, the contents of which are now public. The Commissioners appear to have performed their task with care and thoroughness; and the state of things revealed is not nearly so alarming as the frenzied utterances of the anti-French press had led the public to think would be. Although the French population in Prescott, Russell and Essex has increased within recent years greatly, and although much difficulty is experienced in procuring for the French schools teachers who are proficient in English, yet the Commissioners were able to report (1) that some English is taught in every school; (2) that the Ontario readers have been introduced into every school; (3) that the pupils are usually well supplied with English reading books; (4) that in at least 12 schools the work done in English is much beyond the amount prescribed; (5) that in 24 schools more time is given to English than that prescribed in the circular; in 6 the time prescribed is given, and in 28 less than the time prescribed is given; and (6) that in very few schools has sufficient attention been given to colloquial exercises.

The Commissioners add that it does not appear that the continued use of French text books arises from a desire on the part of the French to exclude the English language from the schools. They conversed with all classes of the French people, and they invariably expressed themselves not only as willing, but as desirous that their children should learn the English language. They are desirous also that they shall learn to read and write in French—their mother tongue. We fear that it is quite true, as *La Minerve* claimed sometime ago, that the French have always proved themselves more ready to learn English than have the English to learn French, and we have only ourselves to blame, if to that extent they have the advantage of us. And while it is scarcely likely that the French will ever supercede English as the language of this Province, yet we must expect that it will come naturally to the lips of the children of French-Canadian parents, even though they do happen to have been born on this side of the Ottawa. In language, as in all else, there is such a thing as "natural selection," and the survival of the fittest, and in it, as in all things else in nature, we unconsciously conform to the elementary natural law of following, what the biologists term, "the line of the least resistance."