SCHOOL QUESTION.

Debate in the House of Commons.

Sir John Thompson, resuming the debate on Mr. Tarte's motion for papers on the Manitoba and North West Territories school question, said it was due to the House that he should express himself briefly upon the points under discussion, because it was reasonable that hon. gentlemen should want to know the views of the Government on questions of great importance like this. At the same time, he begged to say that, in his judgment, it was better that at the present time the subject should be sparingly discussed. He, therefore, did not intend to enter upon any exhaustive discussion, nor even to make what he considered a full indication of the position of the Government upon the question. The reason for this was that, to a great extent, or, at all events, so far as it related to the North-West Territories, the question was under consideration, and what was said in the House might seriously affect the result of the consideration it was receiving. As the House had become aware, the Executive had requested the Lieutenant-Governor of the Territories to convey to the Legislature the great desire of his Excellency's advisers that the Legislature would reconsider the whole subject, with a view to giving redress to any grievances which might exist, and to give any safeguards which might be necessary to make any portion of the people feel that their rights were properly safeguarded. If, therefore, the members of the Government should declare there were no grievances, or to take the opposite course, they might raise a feeling of resentment in the Territories which would defeat the object they had in view. For this reason, he trusted the House would make allowance for the want of a full and elaborate statement, and that the public would recognize the fact that he might not say what under other circumstances he would desire to say. What he wished to say in regard to the question was not by the way of a direct discussion of the alleged grievances, but in the direction of laying before the House the reasons which had influenced the Government in coming to the conclusion not to disallow the educational ordinance of the Territories of 1892. Before discussing the matter as regards the Territories he desired to say a few words on the educational question in Manitoba, because when the hon. gentleman who moved the resolution (Mr. Tarte) introduced the subject, his remarks challenged the position of the Government and that of the Premier with regard to the question. This subject was discussed last year at the time when the Government was assailed by Mr. Tarte and Mr. McCarthy from very opposite standpoints as to what should have been done.

Coming now to the consideration of the North-West school law, he would call the attention of the House briefly to the object. The minority asked for redress against the ordinance passed on the last day of December, 1892. It was late in October, 1893, before the first complaint came to his knowledge, or that of his colleagues. The first petition on the subject did not reach Ottawa till the month of November, 1893, so that when the subject came up for investigation the time at the disposal of the Government when disallowance would be possible was very brief indeed, but not on account of anything the Government had done. The complaints were of two kinds. They were, first, that harm had been done by the ordinance of 1892, and the regulations under it. So far the complaint related to the past, and there was afterwards a strongly urged complaint that the safeguards for the future, which the supporters of Separate Roman Catholic schools in the Territories had, were removed by the provisions of the ordinance itself. So that there was alleged to be a grievance as to what had already been done and apprehensions as regards the future. He desired now to call the attention of the House to this principle, that as regards what had already been done by way of regulations, whether before or after the ordinance of 1892, it was absolutely beyond the power of the Executive to give redress by way of disallowance. When he came to state the principal complaints of the petition, the House would see that several arose from the educational regulations made in the Territories before the ordinance of 1892 was thought of. What he wished to impress upon the House was that as regards those matters the disallowance of the ordinance of 1892 would have no effect whatever, and that the grievances, would remain precisely the same if disallowance had taken place. Also as regards the regulations made under the ordinance of 1892, if they inflicted grievances, they would not have been removed by the disallowance of the Act. It was a well established principle as regards disallowance that it takes effect from the moment it is proclaimed or announced in the Legislature, and, therefore, it followed that what had been done under it remains in full force and vigour. On the other hand, if an ordinance was declared ultra vires, everything done under it was void from the beginning. In regard to the statement that complaints were made, and grievances existed, the House had the assertions made by the hon. gentlemen representing the people of the Territories that not only did grievances not exist, but that they had never heard complaints until they listened to the debaters in the House during the present session, or until they had read the statements in the press of other provinces. The gentlemen who made these statements enjoyed the confidence of the constituents they represented, and would have to answer for any misstatements they might make.

It was asserted that no person was qualified under the ordinance of 1892 to teach in the Territories unless, besides educational qualifications, they had passed a somewhat protracted term at the Normal schools in the Territories and that persons whose profession was religion and who were engaged in communities were not able to conform to this regulation. If the regulation had that scope, it would indeed be severe and a disaster to the children, at least to the female children attending Separate schools in the Territories, because it would prevent the best qualified teachers who teach Catholic girls from being possessed on authority to teach. But let them see before going further what the exact scope of the regulation was. In the first place, the regulation did not apply to the teachers at present authorized to teach, and as regarded those who sought to teach hereafter in the Territories, there were certain limitations to the rule. One was a limitation to this effect—and it was alleged to have been inserted out of consideration to the position of those who were not able from their calling or engagements in life to attend the session of the Normal school—that if they possessed equivalent qualifications, certificates that showed that they were not only persons of education up to the standard established in the Territories, but that they had likewise acquired the art of teaching, the certificates would be accepted as equivalent, and they would not only be exempted from attendance at the Normal school, but would likewise be exempted even from an examination there and would receive certificates forthwith. There was a further exemption in favour of those who had obtained certificates in the Provinces of Ontario and Manitoba, and he understood the Board of Education and the Council of Public Instruction had under consideration as to whether some reciprocity should not be established with regard to the Province of Quebec. But he desired to say that while this complaint had been made the subject of strong animadvertion in those quarters where the policy had been discussed and had been made the subject of very strong animadversion in the House against the Government for refusing to disallow the ordinance of 1892, that regulation was by no means made in, or by, or under the ordinance of 1892.

In the first place, as long ago as September 2nd, 1891, at a meeting of the whole Board of Education of the Territories, comprising the Catholic School Board and the Public School Board, five of one and three of the other, it was established that their should be Normal schools, and that teachers in order to be qualified to teach in the Territories should show that they had passed a portion of their time there. Teachers were required to possess scholarship and professional skill. First of all, with regard to the training of teachers, he might say that the regulations did not compel any teacher who possessed equivalent qualifications to attend the Normal sessions. Proceeding, he quoted from the reply of the Executive of the North West Territories, dated January 4th, 1894, defining at length the requirements which teachers shall possess. When they looked back they found that the Normal system of training was established in the ordinance of 1888. The regulations which made it compulsory were passed in 1891, fifteen months before the ordinance of 1892. It was curious to look back to the history of the establishment of the Normal school system in the Territories. It would be found that it began first by requests to the Governor-in Council to ask Parliament for a grant to establish a Normal school, which would sit at certain places, varying from place to place, and then when the grant was obtained the system was established and adopted, tentatively, it was true, but unanimously, by the Board of Education, by its Protestant and Roman Catholic members, and that the strongest resolution connected with it was adopted on motion of one of the Roman Catholic members of the board, no doubt out of a full recognition of the great advantage, especially in a country of that kind, of having teachers not only qualified as regarded the possession of education, but qualified as regarded the art of instruction itself. Proceeding, he quoted from the proceedings of the United Board of Education under the old system, of September, 1891, to show (1) what was the scope of the regulation, and (2) that the regulations existed before the ordinance of 1892 was passed. Another complaint was that there was imposed a uniform course of instruction and that uniform grades of text-books were used in all schools, Public, Protestant, and Catholic. Under the ordinance of 1888 the Board of Education, which had control of education generally in the Territories, divided itself into two wings, and thereafter one of the things entrusted to each branch was the selection of school books, which should be prescribed for the one section by the Catholic Separate schools, and for the other section by the Public schools of the Territories. He wished to show that the matter of school books to be prescribed was first and finally settled by the Roman Catholic section of the Board of Education before the Act of 1892 was passed, and had not been disturbed since, except in two particulars, which he would mention, and which the House would see would not affect the point he was now making.

It could not be said with any degree of accuracy, as one hon. gentleman had asserted the night before, that the present Council of Instruction had thrust Protestant books on Catholic schools, nor could it be said that the Council of Instruction had withdrawn in the sense of making a grievance any Catholic book previously in use except in a case where it was withdrawn to meet the wishes and views of the Catholic minority. The Council of Public Instruction had held a meeting after the passage of the ordinance of 1892 and had carefully considered what should be done regarding the school books, and a syllabus was laid down with regard to the prescription of books. The House would readily understand that there were only two or three subjects at the utmost upon which there could be a disagreement between the Separate schools and the Public schools as regarded the books to be used, viz., history, literature, and science. No other subject occurred to him at present. On September 30, 1893, a circular was issued by the secretary of the Council of Public Instruction, and in that circular was to be found the only change which had been made as regarded school books prescribed for the Roman Catholic Separate schools. He asked the attention of the House to that as the only action taken after the ordinance of 1892 which affected the question, and when he read it the House would perceive that it did not thrust upon the Separate schools Protestant books and that it had not withdrawn any Roman Catholic book formerly in use. He would read the statement of the Executive of the Territories to the effect that the changes then made were made with the entire approval of the Roman Catholic advisory members of the board, and that they were made in the direction of what was believed to be the interests and desires of the Roman Catholic minority of the Territories. By the regulations of the Council of Public Instruction made for all the schools on or about August 16th, the following readers were authorized for use in the Roman Catholic schools in standards one and two, and became compulsory after January 1st, 1894, viz., the Dominion series Sadlier's Catholic readers, parts 1 and 2, and the Second readers, or Ontario readers, parts 1 and 2, and the Second reader. Mr. Haultain, in a communication, had stated that the only change in the text-books of the schools since 1888 was made at the last general meeting of the Council of Public Instruction in June, 1893. At that meeting, and with the approval of the Rev. Father Caron, a Roman Catholic member, a uniform series of books was prescribed. At the request of Father Caron, Roman Catholic schools were allowed to use Roman Catholic readers in the primary classes. The only change made since 1888 were set forth in the explanatory circular of 1893. The effect was to strike from the list the Metropolitan series of readers, to prescribe for all standards above standard 2 the Ontario readers, to continue for standards 1 and 2 the Dominion series of readers and text-books already in use in Roman Catholic schools, the Ontario readers being only made optional in these standards, and to allow the Ontario bi-lingual readers to be used in French speaking districts under the directions set forth in the circular.

In abolishing the Metropolitan series of readers the example of the Roman Catholic Committee of the Council of Public Instruction of the Province of Quebec was followed. As regarded the prescribing of text-books for teachers' examinations, this was dealt with to some extent under the ordinance of 1892. In 1891, although the Roman Catholic Board of Education had the right to select the books to be prescribed for teachers to be examined on, it was the opinion of the members of the board that it would be more satisfactory that there should be with regard to teachers a uniform adoption of books, and to this end the Rev. Father Leduc had moved on July 3rd, 1891, that a very clear programme of all subjects on which candidates were to pass their examinations be framed and distributed. At the next meeting of the board a programme was adopted which was a uniform system of text-books for the use of teachers of all classes, and text-books for the debatable subjects of history, literature, and science were agreed upon as unobjectionable to any classes, whether Protestant or Roman Catholic. He thought he had proved as regarded each complaint made that it was founded not on the ordinance of 1892 or anything done under it, but by virtue of the ordinance of 1888, and he begged to say to the House as regarded the ordinance of 1888 that they had never down to that moment received remonstrances or complaints as to its effect or anything done under it, but on the contrary, they had a statement contained in the petition of his Lordship Bishop Grandin, and endorsed by his Grace of St. Boniface, to the effect that the system established under the ordinance of 1888 worked with perfect harmony, so that the Government had no reason to suppose, and did not until this attack was made upon the ordinance of 1888, that anything objectionable existed in the ordinance or the regulations made under it. It was said that while disallowance would not have nullified the regulations which existed before 1892, it would have restored Separate School control by a Catholic section of the board and that they would thereafter be able to get redress against objectionable regulations. So strongly had that been pressed upon the Government that it seemed to him that it was carried to the length of admitting that there was no cause of complaint down to the time of the passage of the ordinance of 1892. So far had this point been pressed that he (Sir John Thompson) had telegraphed to the most eminent of the petitioners and asked him to send as soon as possible the text of the regulations complained of by the commissioners as made under the ordinance of 1892. In substance, the reply had been that what was principally complained of was that there was a want of safeguard for the future by the ordinance of 1892.

The letters received in reply indicated that no requests regarding complaints in the past could be produced, but the complaint or fear seemed to be as to what might happen in the future. His contention was that inasmuch as there was practically an admission that no complaint had been made regarding the text of the regulations adopted under the ordinance of 1892, and inasmuch as it was not a question of urgency, they should treat the Legislature of the North-West Territories precisely as they treated the Legislatures of the provinces. There should be no disallowance by the Government, even where apparent cause existed, until the Legislature had had an opportunity to repeal, amend, or modify the legislation objected to, and in practice the Government had always, he thought, except possibly under circumstances requiring exceptional expedition, first called the attention of the Legislature to any grave cause of complaint regarding their statutes and requested them to take action. Generally speaking, these representations had been concurred in, but when it was found that the principal cause of complaint against the ordinance of 1892 was as regarded safeguards for the future, not a contention that they had been violated, their duty obviously was, he thought, to treat the Legislature of the North West Territories as they would treat the Legislatures of the provinces, and call their attention to the whole subject and ask the Legislature to give redress if redress was fairly called for. At every step of the matter they were met by controversy. On one hand the assertion was made that they had practically abolished Separate schools, and on the other hand it was asserted that they had not, and that the Separate schools in the Territories were just as efficient as they ever were. It was asserted that regulations had been made under the ordinance of 1892 injurious to the Separate schools, and it was equally vigorously contended that the regulations had not been injurious. In answer to the request that the injurious regulations be produced, it was said that grievances might arise in the future which would require redress. It would be seen that on all these matters there was a positive disagreement on the question of fact, and he thought the onus lay on those who asserted the existence of objectionable legislation. (Hear, hear). Not until late in October last had the Government received a letter complaining in any way of the ordinance, and not until November was the first petition received. If a year was allowed to elapse without disallowance of a statute it became law, and was beyond the reach of everybody, but as regarded the ordinance of the North West Territories, this House was the Parliament of the Territories in a more absolute sense than it was in the provinces. They had limitations as regarded the provinces, but everything happening in the Territories was within the jurisdiction of the House. This House had power to remedy any substantial grievances existing there if the Legislature should turn a deaf ear, which he was sure it would not. He felt there was therefore no call for the exercise of the strong power of this House of disallowance with regard to the ordinance.

Regarding religious instruction in Catholic schools there, it seemed to him that, barring an apprehension which existed in the minds of the petitioners as to what might be done in the future, the ordinance had not made such a decided change as to call for the exercise of the power of disallowance. As regarded the complaint that morning prayer in schools had been abolished and the time for imparting religious instruction curtailed, there remained what he ventured to think was the pivotal point on which the whole system turned, the control by the trustees of the section or district. These trustees were selected, and no teacher could cross the threshold until under engagement by the trustees, and if any unqualified person should teach it was the fault of the trustees. As regards the use of the French language, while there might be sufficient in the ordinance to arouse opposition, he submitted there was not sufficient to warrant interference. There was the provision that instruction should be given in all classes in the