

## **FAITH-BASED SCHOOLING AND THE POLITICS OF EDUCATION: A CASE STUDY OF ONTARIO, CANADA**

### **Abstract**

This paper examines the political intersection of religion and education in Ontario, Canada, from 1840 to 2011. Currently, Ontario is Canada's most ethno culturally diverse province, and Toronto, its capital city, is one of the most multicultural cities in the world. The issue of public funding of religious education in Ontario has emerged at varying times in the province's history. In particular, selective Ontario provincial election campaigns are discussed in relation to exploring the degree to which public funding of religious education and religious accommodation emerged as political issues. Social mobilization theory provides a rich and varied conceptual lens through which to examine decisions that have led to the current place of state funding of religious education in Ontario.

**Keywords:** Ontario, Elections, Canada, Political Process, Roman Catholic, Political, Social Movements, and Public Schools.

### **Introduction**

This paper explores the intersection of religion and politics in relation to public education in Ontario, Canada. To accomplish this goal, the paper will focus on historical and contemporary literature related to funding faith-based schools in Ontario. Next, it will then trace how the Ontario Conservative Party's promise of funding faith-based education unfolded during the 2007 provincial election campaign, and the degree to which the issue factored into the recent 2011 Ontario election campaign. Then, possible options related to responding to the issue of faith-based schools in Ontario will be considered. Integrated within these sections are observations that draw from social movement writings to help to explain and analyze the factors that have shaped the place of state-funded religious education in Ontario.

Ontario has long been Canada's most prosperous province, which is one reason why it is ranked highly as a place of residence for international immigrants. According to the 2006 Statistics Canada survey, from 2001 until 2006,

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Canada received 1,109,980 international immigrants. Approximately half of this number (554, 990) settled in Ontario, and a further 50% of this number, about 267,855 settled in Toronto, Ontario's capital city. Close to half (47%) of Toronto's population of 2.6 million people reported themselves as visible minority, up from 42% in 2001 (Statistics Canada, 2007). Toronto has residents from over 200 ethno cultural groups, making it one of the most multicultural cities in the world. In terms of how Toronto's diverse population is served by its public education system, the Toronto District School Board (TDSB) is Canada's largest school board, enrolling approximately 260,000 pupils from a wide variety of ethno cultural and religious backgrounds (Toronto District School Board, 2011). The Toronto Catholic District School Board (TCDSB) serves more than 91,000 students, and the TCDSB's mission is to make student academic development integral to every part of Catholic education (Toronto Catholic District School Board, 2010).

For reasons that are described in this paper, the issue of funding religious schools has been well tested in Ontario. The methodology of this paper is based on a comprehensive collection of literature related to education and religion in Canada, particularly with respect to Ontario. In addition, this work draws on interviews carried out with elected political officials who discuss the complexities related to Ontario's educational system in the 21<sup>st</sup> century.

### **Creating the Common School in Upper Canada**

The issue of whether schools would be denominational can be traced back to Pre-Confederation Canada,<sup>2</sup> particularly Upper Canada (Ontario). A mix of non-denominational common schools, grammar schools, and religious schools existed in Upper Canada (Axelrod, 1997). Passage of *The School Act 1841*, signaled the emergence of a state school system to promote mass education in Upper Canada. The "school question" was deeply divisive, especially in Upper Canada, because political and religious factions emerged that wanted to control education. In particular, Roman Catholic and Anglican conservatives opposed liberals who supported only a non-denominational common school. The middle was occupied by groups of conservative liberals and liberal conservatives who wanted common public schools with non-sectarian religious education, but they recognized the need for some element of separate provision for Roman Catholics (Fleming, 1972; Manzer 2003).

Egerton Ryerson, Chief Superintendent of Schools in Upper Canada, from 1847-1876. By holding firm control over common schools, while securing and clarifying the role of Roman Catholic schools, Ryerson built a highly centralized school administrative structure that recognized both the non-denominational character of common schools and minority denominational rights to Roman

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2 Quebec (Lower Canada), Nova Scotia, New Brunswick, and Prince Edward Island were also part of Pre-Confederation Canada.

Catholic schools. Notwithstanding opposition from some political officials in Upper Canada, Ryerson continued to provide Roman Catholic schools with an equal share of provincial school grants, based on their average student enrollments (Althouse, 1967; Fleming, 1972). What evolved under Egerton Ryerson's leadership in Upper Canada was a centralized educational system that he believed was important for the maintenance of both the common (public) and separate (Roman Catholic) school systems across Upper Canada (Althouse, 1967). Buechler (2000) and James (2010) attribute the origin of social movements as part of the state building and the rise of capitalism resulting in a distinctly modern form of collective action that supported the existing social order but, in some cases, recognized a possible alternative. In this case, the leaders of the Roman Catholic community in Upper Canada lobbied Ryerson to grant them status to protect their religion. Jevtic (2007) notes that what is important in relation to religion and politics is that religion contributed significantly to State creation in many countries around the world.

### **The British North America Act: Expanding Education and the Onset of Legal Challenges**

Section 93 of the *British North America Act, 1867* gave provincial legislatures exclusive jurisdiction to make laws in relation to education, subject to the provision that:

"[n]othing in any such Law shall prejudicially affect any Right or Privilege with respect to Denominational Schools which any Class or Person have by Law in the Province or the Union:" (Dyck, 2008, p. 692). Where denominational schools existed in law at the time of a province's entry into Confederation, they would be protected. For this reason, Roman Catholic schools were maintained in Ontario (Manzer, 1994). In addition, the *BNA Act* also protected language rights of English and French speaking minorities within Canada; however, the degree to which religious and language rights were protected was mostly determined provincially. Ontario created four school systems to meet language and religious rights. Ontario's two larger school systems are the English Public and English Roman Catholic and the two smaller school systems are the French Public and French Roman Catholic (Ontario Ministry of Education, 2011). This paper will focus on Ontario's English Public and English Catholic educational systems.

Ontario "moved up" to a system of government-funded secondary<sup>3</sup> public schools in 1871, but this did not include secondary schools for Roman Catholic students. Secondary public boards were created to operate non-denominational high schools for teaching subjects in grade 9 through 13. This meant Catholic school boards were limited to offering instruction in grades 1 through 8. If Catho-

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3 Secondary schools are also referred to as high schools.

lic parents wanted to establish secondary schools, they needed to fund these privately (Fleming, 1972; MacLellan, 2002). Permitting Roman Catholic school boards to use public grants and taxes to establish secondary schools was the key issue in this controversy.

In 1925, the Ontario government agreed with Catholic leaders to submit, to provincial court, a test case known as *Township of Tiny and Others v. The King*, to resolve this matter (Coulter, 1995). Ontario government lawyers argued that while some students in Roman Catholic schools were doing advanced work beyond grade 8, this was a practice, but not a legal right that required government funding to establish publicly-funded Roman Catholic high schools. The fact that some urban Catholic boards were operating private high schools was an example of a voluntary practice, not evidence of a right. In his decision, Justice Rose agreed with the Ontario government lawyers, and he wrote that Roman Catholic school trustees had to obey the provincial government's regulation that fixed the point beyond which a publicly-funded Catholic school education system could not proceed. In addition, Justice Rose noted that even though Roman Catholic high schools were not eligible for public funds, Roman Catholics still had to pay public high school taxes. The case was appealed by Catholic leaders to the Supreme Court of Canada and then to Britain's Judicial Committee of the Privy Council (JCPC), both courts agreed with Justice Rose's ruling (Dixon, 1994; MacLellan, 1995). An important outcome of *Tiny* was that it established the core area of the BNA's section 93(1), related to the constitutional guarantee of public funding to Roman Catholic schools. In the decades following the Depression and World War Two, the issue of extending public funding for Roman Catholic students stayed on the backburner; however, what did begin to emerge in the early 1950s, was growing ethno cultural diversity in Canada, especially in Ontario.

### **Immigration, Multiculturalism, and Education**

From 1941 to 1971, Ontario's population increased from 3.7 million to 7.6 million. During this period, Canada's immigration policy divided immigrants into two classes: preferred and non-preferred groups. Most preferred immigrants came from the United States and northern and western Europe. Immigrants from central, eastern, and southern Europe were often in the non-preferred category, and they faced stricter regulations. For example, in some cases, immigrants from these regions were admitted, only if sponsored by a relative already legally admitted to Canada (Cameron, 1972; Green and Green, 1999; Royal Commission on Education, 1950). Canada's population boom was due, in part, to the influx of immigrants from places in Europe and Asia where Christianity was not the sole religion practiced. Germans, Scandinavians, Jewish, Chinese, and Ukrainians immigrants were some of the largest groups that settled in Ontario. Assimilating these immigrants into mainstream society was a key goal, and the educational

system was used to facilitate this end; however, some non-Christian groups, particularly Jewish parents, enrolled their children in public school but created privately-funded Jewish education programs to enrich their children's cultural and religious identity (Axelrod, 1997). In summary, the treatment of non-Catholics groups during this period demonstrated a closed structure where power was concentrated and governments did not respond, as opposed to open structures where governments are responsive to the needs of their citizens (Ramos, 2008).

In 1967, the federal government abandoned its long-standing two-tiered immigration policy in favor of a point system that admitted individuals, based education, age, language, and other skills and qualifications, rather than nationality. This new system enabled immigrants from a greater number of countries to settle in Canada (Green and Green, 1999). As Canada moved into the 1970s, new values of pluralism and renewed definitions of democracy emerged that challenged the historic prominence of French and English cultures above all other. In 1971, Canada established a national multiculturalism policy that included broader definitions of race, ethnicity, language, and religion. The federal multicultural policy helped set the stage for equality considerations in economic, social, cultural, and political spheres (Chan, 2007). In 1977, Ontario introduced a provincial multicultural policy that enabled its expanding racially and ethnically diverse population to be recognized in relation to provincial government employment and service opportunities. Following this, the Ontario Ministry of Education created an Advisory Committee on Race Relations to promote multiculturalism by supporting antiracism and ethno cultural equity programs within its Ministry. During this same period, the Toronto School Board became the first board in Canada to develop an official policy on race relations (Chan, 2007; Dixon, 1994).

### **The Charter of Rights and Freedoms and Education**

Canada's legal landscape shifted with passage of the *Constitution Act*, 1982, which included a *Charter of Rights and Freedoms*. The *Charter* guarantees "freedom of conscience and religion" and "equality under the law without discrimination based on religion" (Dyck, 2008, p. 695). The *Charter* empowers groups to use its clauses to challenge laws and practices deemed to be unconstitutional and/or infringe on another's rights. Several of the first cases that "tested" the *Charter* centered on the right to religious freedom and equality. In some instances, the courts struck down selected faith-based practices that violated the freedom of individuals, who did not belong to one of the two dominant religious groups (Chan 2007; Gidney, 1999). Ontario's public school system, which still maintained some Protestant religious practices, shifted its focus to become more secular, due to its increasingly diverse student population, and to successful legal and human rights cases that challenged religious aspects of Ontario's public educational system (Seljak, 2005).

The *Charter of Rights and Freedoms*, introduced as part of the 1982 *Constitution Act*, enabled both Roman Catholic educators and non-Catholic religious organizations to have their grievances heard in within the judicial system. This constitutional shift coincides with the observation regarding “formal changes in rules and policies affecting political opportunities” (Meyer and Mink off, quoted in Ramos, 2008, p.797). In particular, “the opportunities that indicate changes in the political environment that encourages mobilization or policy reform (Ramos, 2008). This observation is supported by Walder (2009) who noted that it was not until the early 1980s that researchers in the field of political sociology began to ask the question: “given certain motives (or grievances) in a subpopulation, under what conditions and through what processes are these motives translated into effective group action (p. 394)? Answering this question shines a light on the subpopulation’s organizational capacity and the resources commanded.

### **Extending State Funding to Ontario’s Roman Catholic Secondary Schools**

In June 1984, to the surprise of many, Progressive Conservative Premier William Davis announced that his government planned to extend public funding to the end of high school for Ontario’s Roman Catholic schools. Known as the *Act to Amend the Education Act* (Bill 30), the proposed legislation was challenged by supporters of the public education system that included: The Ontario Secondary School Teachers’ Federation, (OSSTF), the Association of Large School Boards of Ontario (ALSBO), and the Metropolitan Toronto School Board (MTSB). These groups joined together and used the *Tiny* decision to make their case against extending funding to Ontario’s Roman Catholic high schools. Interestingly, this issue attracted a lot of public and media attention; however, in the lead-up to the 1985 Ontario election campaign, Conservative, Liberal, and New Democratic Party leaders all agreed not to debate this issue during the provincial election. Clearly, the decision to not have this issue on the election campaign demonstrated that Ontario’s political system was a closed model. Instead, the three leaders agreed that Roman Catholics should get full funding for historical and constitutional reasons, and that no other religious groups were entitled to public support for their schools (Gidney, 1999; Hickcox, 1993).

After David Peterson’s Liberal Party won the 1985 Ontario election, Sean Conway was appointed Ontario’s Minister of Education. One of Minister Conway’s first decisions was to ask for a Constitutional Reference on Bill 30, in response to the challenge launched by OSSTF, ALSBO, and MTSB. The Ontario Court of Appeal ruled that the financing of Roman Catholic schools to the end of high school was constitutional. The decision was appealed to the Supreme Court, which ruled that Bill 30 was constitutional; furthermore, the Supreme Court noted that the rights of Roman Catholic school supporters to have their children receive in-



struction at the secondary level was too restrictive in *Tiny* (Dixon, 1994; MacLellan, 2002; Manzer, 1994).

### **School Funding in Ontario's Increasingly Diverse Society**

The Ontario government's decision to extend funding to the end of high school for the Roman Catholic school system was viewed by some Jewish, Protestant, Muslim, and Hindu groups as an entitlement that was not afforded to their religious organizations. Despite feeling sidelined by Bill 30, these groups were determined to organize their interests more strategically. In the late 1980s, the Multi-Faith Coalition for Equity in Education (MFC), emerged, which included Hindu, Sikh, Muslim, Mennonite, and Reform Protestant parents, who joined informally with the Canadian Jewish Congress (CJC), and the Ontario Alliance of Christian Schools (OACS) to lobby for the expansion of public funding to non-Catholic, faith-based, private schools. These faith-based groups noted that, in the past few decades, Ontario had moved from a predominately White Anglo-Saxon Protestant population, to a multicultural mosaic that promoted diversity and the inclusion of new immigrants into many aspects of society. So why, faith-based groups argued, should public education be different? MFC's arguments noted that Ontario was no longer the province of yesteryears. In fact, over the past 50 years more than 5 million immigrants arrived from around the globe, making Canada, and particularly Ontario, one of its most diverse provinces (Harper, 1997).

The three tables that follow provide data regarding immigration from selected religious groups to Canada from 1981-2001. Table One provides an overview of immigrants to Canada, based on religious affiliation, over two periods, 1981-1990 and 1991-2001. The bracketed numbers show the percentage change in immigration, based on religion, from 1991-2001. From these data, we are able to observe a steady increase in all immigrant groups to Canada from 1991-2001. In particular the percentage of Catholic, Protestant, Christian Orthodox, Muslim, Hindu, Easter Religions, and Sikh, immigrants rose above 24% when comparing 1981-1990 to 1991-2001.

**Table One: Immigration to Canada from 1981-2001 by Religious Groups**

Immigration Based on Religion From 1981-1990	Canada	Immigration Based on Religion From 1991-2001	Canada	Increase or Decrease and Percentage Change from 1991-2001
Catholic	347,620	Catholic	431,740	84,120 (24.19%)
Protestant	151,235	Protestant	196,740	45,505 (30.01%)
Christian Orthodox	31,170	Christian Orthodox	114,930	83,760 (26.87%)
Muslim	78,040	Muslim	275,860	197,820 (25.34%)
Jewish	19,585	Jewish	22,365	2,780 (14.19%)

Buddhist	77,655	Buddhist	84,510	6,855 (8.82%)
Hindu	51,145	Hindu	118,560	67,415 (131.8%)
Sikh	44,490	Sikh	85,345	40,855 (91.8%)
Eastern religions	5,975	Eastern religions	8,035	2,060 (34.4%)

(Source: Statistics Canada, 2002). National religious data are collected each decade.

Table Two provides additional data that enables us to first, examine more closely, the total number of immigrants arriving in Canada from 1981-1990; second the number of immigrants from the religious groups listed in this table, who then settled in Ontario; and third, the number from these same groups who moved to Toronto. These data demonstrate that Ontario, during this period, became home to a significant number of immigrants from a variety of religious affiliations. Close to 50 % of immigrants from the religious groups listed in table two settled in Ontario. Even more noticeable, is the high percentage of these same immigrants who made Toronto their home. Most noticeably, Muslim, Jewish, Hindu, and Sikh immigrants, who moved to Toronto, had the highest percentages in terms of choosing to reside in Toronto.

**Table Two: Immigration to Canada, Ontario, and Toronto by Religious Groups 1981-1990**

Immigration Based on Religion From 1981-1990	Canada	Ontario	Toronto
Catholic	347,620	202,455 (58.24%)*	142,480 (70.37%) **
Protestant	151,235	83,215 (55.02%)	50,297 (60.44%)
Christian Orthodox	31,170	17,775 (57.02%)	12,175 (68.49%)
Muslim	78,040	47,170 (60.44%)	34,745 (73.65%)
Jewish	19,585	12,710 (64.89%)	11,800 (92.84%)
Buddhist	77,655	36,100 (46.48%)	26,895 (74.50%)
Hindu	51,145	38,960 (76.17%)	34,740 (89.16%)
Sikh	44,490	19,505 (43.84%)	17,190 (88.13%)
Eastern religions	5,975	3,170 (53.05%)	2,205 (69.55%)

(Source: Statistics Canada, 2002) National religious data are collected each decade). \*Also displayed is the percentage that settled in Ontario for each group, based on religion from 1981-1990. \*\* Also displayed is the percentage that settled in Toronto for each group based on religion from 1981-1990.

Table Three provides additional data that enables us to first, examine more closely, the total number of immigrants arriving in Canada from 1991-2001; second the number of immigrants from the religious groups listed in this table, who then settled in Ontario; and third, the number from these same groups who moved to Toronto. Table Three confirms that immigration to Canada from religious remained steady from 1991-2001. Ontario was again the location of choice



for a minimum of 41.63% of Buddhist immigrants to a maximum of 78.47 of Hindu immigrants. Toronto remained a popular destination for the vast majority of immigrants listed in Table Three.

**Table Three: Immigration to Canada, Ontario, and Toronto by Religious Groups 1991-2001**

Immigration Based on Religion From 1991-2001	Canada	Ontario	Toronto
Catholic	431,740	239,680 (55.51%)*	181,765 (75.83%)**
Protestant	196,740	104,160 (52.94%)	70,825 (67.99%)
Christian Orthodox	114,930	73,845 (64.25%)	51,175 (69.30%)
Muslim	275,860	175,220 (63.51%)	128,670 (73.43%)
Jewish	22,365	15,025 (67.18%)	12,935 (86.08%)
Buddhist	84,510	35,185 (41.63%)	28,530 (81.0%)
Hindu	118,560	93,050 (78.48%)	84,495 (90.80%)
Sikh	85,345	36,625 (42.91%)	32,465 (88.64%)
Eastern religions	8,035	4,485 (55.81%)	3,505 (78.14%)

(Source: Statistics Canada, 2002). National religious data are collected each decade). \* Also displayed is the percentage that settled in Ontario for each group, based on religion from 1991-2001. \*\* Also displayed is the percentage that settled in Toronto for each group based on religion from 1991-2001.

Based on data from these tables, it is apparent that Canada, but particularly Ontario and, more specifically, Toronto has become home to an increasingly diverse and growing religious-based population. The Multi-Faith Coalition for Equity in Education (MFC), aware of the growing diversity of Ontario, recognized that the time had come to challenge the status quo and be more vocal in expressing its concerns about the Ontario government continuing to fund the Roman Catholic educational system. In the mid-1990s, MFC challenged the absence of public funding for private religious schools in Ontario. The case, known as *Adler v. Ontario* rested, in part, on section 2(a) "the freedom of conscience and religion" section of the *Charter of Rights and Freedoms*. MFC parents asserted that, based on section 2(a), their rights were being contravened. The Ontario Court of Appeal in *Adler v. Ontario* ruled that it was constitutional for the Ontario government to refuse to fund non-Catholic religious schools. Two years later, the decision was upheld by the Supreme Court of Canada (Davies, 1999; Dolmage and Dickinson, 1996). Interestingly, in its decision, the Supreme Court noted that while not required to fund non-Roman Catholic religious schools, government has the legal power to reverse this decision by changing its laws. This Supreme Court's comment opened the door MFC to begin applying pressure to Ontario's political parties to change the law to meet MFC's goal (MacLellan, 1995).

MFC's emergence was a response to the macro-level changes associ-

ated with state power and demographic changes that were becoming a reality for political leaders. These shifts signaled a move away from older forms of collective action, while creating new opportunities. These changes came together into a complex process of social change that had the potential to create significant reorientation of citizenship with respect to recognizing religious diversity within state structures, such as education. The overall logic of collective action shifted moved from individualized-micro lobbying to one based on collective action that brought together like-minded organizations pursuing the same goal (Buechler, 2000).

The push for extending funding to non-Catholic religious organization, fuelled by the Supreme Court's comment, opened the door for MFC to mobilize for greater effectiveness. This, coupled with Ontario's increasing ethno cultural population, led to MFC questioning openly the rationale for funding a Catholic education system to the exclusion of other religious groups. These shifts would coincide with Meyer's further assertion that there are two types of movement actors: consistent champions, who ignore political context in their decision to act, and strategic respondents, who weigh opportunities and act when optimum success is perceived. Therefore, each actor responds to political opportunities differently (Ramos, 2008). MFC fits the social movement definition of "rational attempts by excluded groups to mobilize sufficient political leverage to advance collective interests..." (Armstrong and Bernstein, 2008, p.77). Yet, as is noted, these newer movements are no longer based exclusively in class structures but can include: environmental, gender, sexual orientation, ethnicity, religion, age, or citizenship (Armstrong and Bernstein, 2008). The social foundation of these movements is presumed to be more complex than in older and more conventional class-based activism. Related to this is the idea that what was once a private aspect of social life, for example, religion, becomes politicized, resulting in identity politics as a key component of these social movements (Buechler, 2000; Orta, 2008). The target of identity-based politics is often viewed as the state, which can be seen to refer to the most conventional type of power struggle in which social activism is directed toward influencing state policy and leaders. In this situation, social activism is directed toward influencing state policy and challenging the political order. While power is often viewed as hierarchical, it can be challenged under the right circumstances (Buechler, 2000).

### **The Ontario Progressive Conservative Government and Private School Tax Credits**

Elected to govern Ontario in 1995, the Progressive Conservative Party, led by Mike Harris, initiated a series of major changes within Ontario. In particular, emphasis was placed on restructuring what the Harris government perceived to

be the province's underachieving educational sector.<sup>4</sup> In 2000, the Ontario Progressive Conservative Government was re-elected to office, and it introduced the *Equity in Education Tax Credit* (Bill 45), to enable parents who enrolled their children in private schools to qualify for a partial tax credit related to tuition. Parents became eligible to claim 50% of private school tuition up to a maximum of \$3,500 per child. The plan was to be phased in at \$700 per year over five years. Bill 45 was viewed as a significant step forward by the Multi-Faith Coalition for Equity in Education (MFC), the Canadian Jewish Congress (CJC), and the Ontario Alliance of Christian Schools (OACS). While Bill 45 did not fund private schools directly, through the tax system, it did support them indirectly (Lewington, 2001).

Concerns were expressed by public school supporters that, if passed, Bill 45 would encourage Ontario families to opt out of the public school system. As a result, money would be eroded from the public system because funding for public schools, relies on student enrollment. The Conservative government estimated the cost of Bill 45 would be approximately \$300 million per year; however, New Democratic and the Liberal Members of the Ontario Legislature assessed the annual cost at closer to \$500 million (Canada News Wire 2001). Although both Liberal and New Democratic MPPs voted against the *Equity in Education Act*, the Bill was passed on 28<sup>th</sup> June 2001 (Canada News Wire, 2001). This particular policy decision by the Conservative government could be viewed as a filter in terms of filtering demands and selecting those that can be dealt with through the decision-making process. In this way, the state co-opts those elements that can be made consistent with prevailing government interests (Buechler, 2000).

In the lead-up to the 2003 Ontario provincial election, Premier Harris resigned and Ernie Eves became Premier of Ontario. The Eves government released a pre-election document titled, *The Road Ahead*, which reaffirmed support for the Equity in Education Tax Credit (EETC). The Ontario Liberal Party also released a pre-election document titled, *The Ontario Liberal Plan For Education: Excellence For All*, in which, Liberal Leader, Dalton McGuinty, promised to repeal the EETC (Canada News Wire, 2003). Having won the 2003 Ontario provincial election, Dalton McGuinty's government then terminated the EETC tax credit (Canada News Wire, 2003).

Shortly after the EETC was eliminated, Ariel Waldman filed a grievance with the United Nations Human Rights Commission (UNHRC). Waldman's brief was based on the fact that Roman Catholic children in Ontario are entitled to attend Catholic schools at public expense, yet children of other minority religions do not have the same right. In 2005, the UNHRC stated that Canada, in particular Ontario, must eliminate discrimination on the basis of religion in the funding of Ontario schools. Denying other religious groups this right is a violation of the

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4 For a detailed examination of the Harris government's restructuring of the educational sector, refer to MacLellan, Duncan. (2002). Two teachers' associations and the Ontario College of Teachers: A study of teacher and state relations. Unpublished doctoral dissertation, University of Toronto, Ontario.

International Covenant on Civil and Political Rights. After the UNHRC decision was released, representatives of the Multi-Faith Coalition (MFC) for Equity in Education presented a proposal to Ontario's Minister of Education, Gerard Kennedy, that recommended politically and financially viable ways to extend equal funding to all qualifying faith-based schools. No action was taken by the Ontario government to the UNHRC report or to MFC's proposal (Canada News Wire, 2005; Chan, 2007).

### **The 2007 and 2011 Ontario Provincial Elections: Faith-Based Funding and Religious Accommodation**

Some senior members of the Ontario Progressive Conservative Party wanted to reintroduce tax credits for private schools. However, in June 2007, newly elected Ontario Progressive Conservative Leader, John Tory, announced publicly his support for a faith-based model for education in Ontario. Tory favored enabling faith-based schools to receive direct public funding rather than an indirect tax credit; because one of EETF's shortcomings was its availability to wealthy parents, who did not need a tax credit as a motivator to enable them to send their children to private schools. To circumvent this problem, Tory suggested restricting funding to faith-based schools only because this would make wealthy, non-religious private schools ineligible for a tax credit (Tory, 2003). In August 2007, John Tory commented that Ontario is the only province that pays the entire cost for students to attend Roman Catholic schools and none of the cost for students who attend other faith-based schools (Howlett, 2007). For an overview of which Canadian provinces and territories provide faith-based funding to schools refer to Table Four.

**Table Four: Faith-Based School Funding Across Canada**

British Columbia	Partial public funding of religious school boards.
Alberta	Full public funding to faith-based and charter public schools, and 60 per cent funding to private schools delivering provincial curriculum.
Saskatchewan	Full public funding to historical schools associated with school districts; partial for others.
Manitoba	Fifty per cent of the funding provided to public schools for operating costs, if religious schools comply with provincial standards.
Ontario	Full public funding to Roman Catholic schools but none to other faith-based schools.
Quebec	Partial public funding to established religious schools that follow Quebec curriculum.

New Brunswick, Nova Scotia, Prince Edward Island, and New- foundland	No public funding to faith-based schools.
Yukon, Nunavut, and Northwest Territories	No public funding to faith-based schools.

(Source: Delaney, Joan. 2007).

Critics charged that Tory's plans would ghettoize children and unravel Ontario's public education system. Tory noted his government would require faith-based schools to: teach the Ontario curriculum; employ fully credentialed teachers; and participate in accountability measures, including standardized tests and provincial inspections. In addition, faith-based schools would be attached to existing school boards rather than setting up faith-based school boards (Agrell, 2007). The Progressive Conservative Party estimated its faith-based plan would take three years to implement and cost up to \$400 million; however, the Ontario Liberal Party put the figure at closer to \$500 million. Of the 53,000 students attending Ontario's private faith-based schools, estimates were that about 10,000 would move to non-Catholic, publicly funded, faith-based schools. Some of the more conservative private Christian schools opposed any direct government intervention, including public funding, because they would then be required to follow Ontario curriculum regulations to teach subjects related to evolution and sex education in their schools (Sullivan, 2007).

The issue of cost and what would be taught if non-Catholic religious schools received public funding became even more contentious. This appeared to be most evident in multicultural Toronto, where public funding of Catholic schools was juxtaposed against an array of religious schools that receive no public funding. A number of political leaders interviewed for this study discussed how the Toronto District School Board (TDSB) has responded to ethno cultural diversity in its student population. Interviewee D surmised, "...we don't have a choice of who comes to our schools...what we have to do is make sure these kids have the same opportunities in the long run." Interviewee F noted, "Toronto's very diverse, very eclectic. Following on this, Interviewee G offered the following, "you begin to develop the curriculum, you learn how to write a non-Eurocentric curriculum and then you start to be able to develop a more multicultural curriculum."

A few weeks before Ontario electors were to choose a political party to govern them, a poll was released showing that 71% of those surveyed opposed public funding of faith-based schools, while 26% supported funding faith-based schools. The main reasons respondents did not support funding faith-based schools were concerns over mixing religion and education, along with the opinion that the current public education system is not well funded. For those who

supported extending funding to faith-based schools, their opinions rested on fairness, given that the Roman Catholic system receives funds, and on the notion that education funds should be redistributed to more of Ontario's religious groups (The Strategic Counsel, 2007a). The poll also reported that Tory would also benefit from focusing more specifically on leadership and fiscal matters. In particular The Strategic Counsel noted:

The [Progressive Conservative's] PC's religious school plan is 'dead on arrival' for the large majority of Ontarians.... Moreover, it is the big factor holding John Tory back; more Ontarians say he would make a better premier than McGuinty, and he doesn't seem to carry the stigma of Harris. This [religious school plan] could turn out to be his deal breaker. (2007a, p. 17)

In early September, in preparation for the upcoming Ontario provincial election, the Canadian Jewish Congress (CJC) launched television, radio, and internet advertisement campaigns to boost citizen support for extending public funding to non-Roman Catholic religious schools. The CJC advertisements called for citizens to show their support by voting for the political party that favored the extension of public funding to all religious schools, saying that otherwise these religious groups are being unfairly "shut out" of the public school funding system (Alphonso, 2007).

That same month, the Canadian Civil Liberties Association (CCLA) released, *The Public Funding of Religious Schools*, which recommended that "at a minimum, there should be no new funding of any religious schools and, a constitutional amendment should be enacted to terminate public funding of Catholic schools" (Canadian Civil Liberties Association, p. 20). CCLA expressed concern that funding any religious-based schools would erode public education, making it more difficult to integrate children from diverse backgrounds into society. To coincide with its report, CCLA issued "A joint statement against the funding of religious schools" that was published in a variety of Ontario's media outlets. The statement outlined CCLA's opposition to any form of funding faith-based schools; CCLA stressed the need to support public schools as vehicles for bringing diverse children together, regardless of wealth, status, religion, or ethnicity. The CCLA also submitted a copy of its report to Ontario's Minister of Education, Kathleen Wynne (Canadian Civil Liberties Association, 2007; Lewington, 2007). The CJC media campaign and the CCLA's initiatives put Ontario's Roman Catholic community on high alert. In particular, the CCLA campaign focused on the need to eliminate the historic funding of Roman Catholic schools because, in a province where public schools are viewed as secular, the presence of a religious-based publicly funded system appears unfair to Ontario's many religious groups (Brown, 2007).



A few days before the Ontario election, Strategic Counsel released findings from a survey it conducted in early October. Overall, the issue of faith-based school funding was viewed as having serious implications for the Ontario Progressive Conservative Party and its leader John Tory, whose popularity declined from 37% to 30%. However, Liberal Leader Dalton McGuinty's support increased from 31% to 37%, while NDP Leader Hampton's support remained at 17%. This same survey showed the Liberal Party positioned to win a majority government with 43% of the popular vote, the Progressive Conservative Party at 32%, and 18% for the New Democratic Party. Many observers cited John Tory's support for extending public funds to non-Catholic, faith-based schools for his recent decrease in support (The Strategic Counsel, 2007). The outcome of the Ontario election on 10<sup>th</sup> October 2007, led to the Liberal Party forming the next provincial government.

**Table Five: 2007 and 2011 Election Results Based on 107 Ontario Ridings**

Political Party	2007 Ridings Won	2011 Ridings Won
Liberal	71	53
Progressive Conservative	26	37
New Democratic Party	10	17

(Elections Ontario, 2011).

In looking back at the 2007 Ontario election, the following election issues were on the agenda: eliminating the health tax, limiting property tax increases, reducing greenhouse gases, building new nuclear power plants, increasing the minimum wage, increasing affordable housing, maintaining Ontario's Child Benefit, and accelerating primary health care reforms. Yet, as election day came closer, "...one issue overpowered them all: faith-based funding. It was death for the Conservatives and life for the Liberals" (McCluskey, 2007, p.2). Fund non-Catholic religious schools became the key issue in the 2007 Ontario election, and the Liberal Party, by winning a majority of ridings, confirmed that Ontario residents did not agree with the Conservative Party's election platform on this matter. Liberal Premier Dalton McGuinty interpreted the 2007 majority results as a demonstration of the continuation of the current funding model for public schools in Ontario.

During the 2011 Ontario provincial election, public funding for non-Catholic schools did not re-emerge as an issue formally; however, religious accommodation of Muslim students in some Toronto schools did become a topic for the three major political parties on the campaign trail. Some Toronto schools were providing space and prayer time for Muslim students, and one school, where an Imam led prayers, required Muslim girls who participated to be seated at the back of the room. Interestingly, the accommodation of Muslim students united



the Canadian Hindu Advocacy (CHA), the Christian Heritage Association, and the Jewish Defence League. These three groups charged that allowing prayers in public schools violated a Toronto District School Board (TDSB) policy banning religious instruction in public schools; furthermore, CHA claimed the TDSB was demonstrating religious favoritism rather than religious equality in the school system (Friesen and Hammer, 2011).

During the 2011 election campaign Premier McGuinty made the following comment with respect to Muslim prayers in public schools, "...schools and their communities should be responsible for deciding how to accommodate students' religious beliefs...school boards should make the call based on each school's individual situation and the community in which it is located" (CTV Toronto, 2011, p. 1). When asked a similar question on the 2011 campaign trail, Elizabeth Witmer, a candidate in the 2011 election, speaking on behalf of the Ontario Progressive Conservative Party noted "...we would not be bringing this (faith-based funding) forward again, we feel that the people did speak last time and our position is that this is an issue that the Toronto board needs to deal with" (Maurino, 2011, p.1). New Democratic Party (NDP) Leader Andrea Horwath stated that "it's a matter for the school boards and the kinds of diversity they want within their boards" (Maurino, 2011, p.1). This issue of accommodating religious beliefs in public schools had the potential to kick start the debate over religion in schools; however, the three political parties were aware that re-igniting this issue might be quite contentious. They were therefore quick to place responsibility for this matter at the feet of local school boards. For this reason, the issue did not get the traction that some hoped it would.

The next section of this paper will describe four possible options related to faith-based schools. While these approaches are not an exhaustive list, they do provide an overview of some possible benefits and costs of each choice.

## **1. Maintain the Status Quo**

This approach is the foundation of Ontario's current educational system and it dates back to the mid-1800s. Historically, Protestant and Roman Catholic schools were recognized as the only options available for parents wanting their children to attend a publicly-funded educational system. Over the years, the Protestant system (public) has become more secular; however, what distinguishes the Roman Catholic system from the public system is its focus on Catholic religious teachings. With this option, the two systems would continue and the current constitutional and funding arrangements for public education in Ontario would remain in place.

## **2. Extend Funding to Faith-Based Schools**

Roman Catholic schools would continue to be funded publicly, and so would an array of faith-based schools. All faith-based schools receiving public funds would be required to follow the *Education Act*, and other pieces of legislation that the Ministry of Education deems necessary to provide a positive learning environment for children attending publicly funded, faith-based schools. In essence, these schools would need to be open to allowing students who may not be from their faith to attend, as long as parents who chose this option abide by what is taught in these schools. Supporters of this proposal note that public funding for faith-based schools could be based on where sufficient numbers of students warrant. Faith-based schools not willing to participate in this approach would remain private and self-funded.

## **3. Eliminate Public Funding to All Religious Schools**

During the latter part of the 2007 Ontario provincial election campaign, the Canadian Civil Liberties Association (CCLA) recommended no new funding for any religious schools and the elimination of funding for Roman Catholic schools. These CCLA stressed that it is unfair and no longer historically necessary to publicly support the Roman Catholic school system, given Ontario's focus on promoting ethno cultural policies across a range of provincial programs and services. The CCLA noted that the public education system should strive to acknowledge, affirm, accommodate, and celebrate the diversity of faiths in Ontario's multicultural society. The CCLA option was opposed strongly by Ontario's Roman Catholic leaders and the Multi-Faith Coalition for Equity in Education. The CCLA report surmised that public schools are the vehicles through which we can build on diversity and incorporate ethno cultural programs into the social fabric of society (Canadian Civil Liberties Association, 2007).

## **4. Introduce Religious Culture into Public Schools**

Under this option, as Nobutaka (2007) notes, public schools would offer a variety of courses focused on religious culture to deepen students' comprehension of religion. More specifically, religious culture meets the following three points with respect to teaching religious matters in public schools.

- (i) Remain within the limit of constitutional and legal permission.
- (ii) Be supported by the majority of the population.
- (III) Should be possible to realize from the viewpoint of the infra-structures of the present public school system (Nobutaka, 2007)

Applying Nobutaka's work to Ontario's educational system, with respect to (i), funding for the Roman Catholic school system would remain in place.

Regarding (ii), electoral outcomes and legal decisions demonstrate significant support within the population for the current system. For the third point, there would not need to be major infrastructural changes, only the addition of religious cultural courses to the curriculum of Ontario's public schools. Furthermore, Nobutaka notes that as globalization continues to progress, and religious diversity becomes more evident in our society, adopting religious cultural education could help to reduce cultural conflicts as the world become more interconnected (2007).

## Conclusions

Historically, the issue of individual and collective identity formation is connected with the rise of modernity. As the modern age emerged, it promoted a new understanding of the social world as a relative and arbitrary social construction. Coincident with the modern age has been the rise of identity because it has become a necessary prerequisite to the accomplishment of an organization's goals. Some movements focus on collective identities that are structurally and historically grounded in the social organization of society; movements based on race, gender, class, religion are most evident (Buechler, 2000; Carroll and Ratner, 1996). As this paper has demonstrated, passage of the *Charter of Rights and Freedoms* in the early 1980s offered a baseline for religious groups, whose elementary and secondary school were not funded by the state, to view this as a grievance that needed to be corrected. Certainly in the case of MFC, its grievance was framed in relation to equality and social justice.

Buechler (2000) refers to three perceptual shifts as necessary preconditions for a grievance to lead to social activism. First, people must define a situation as unjust, and thus question its legitimacy in relation to the problems created for them. Second, people must believe that change that could lead to a different outcome is possible. Third, people must believe that their own actions will make a difference in changing the social arrangement. In the case of Ontario, the events leading to the 2007 election fit with these three pre-requisites. According to MFC, the unjustness of Ontario's educational system's meant, using state funds to privilege one religious group over others. As Ontario became more ethnically diverse, support grew for its educational system to reflect this change more formally. The launching of court cases to challenge the status quo of funding Ontario's Roman Catholic schools to the exclusion of other religious groups demonstrated the degree to which these groups believed their actions could make a difference. In early 2000, when the Ontario Progressive Conservative Government extended a tax credit program for private schools, MFC believed it had gained significant ground, then when the key issue of the 2007 Ontario provincial election became funding of religious school, MFC was buoyed by this position. Much to the disappointment of MFC, the 2007 Ontario election results did not support its efforts.

While the 2007 Ontario provincial election once again re-opened the divisive political, judicial, economic, and social issue of whether to extend public funding to non-Catholic, faith-based schools, it did bring to the forefront a long-standing grievance that had not previously been allowed by political leaders to become an election issue. Although funding religious schools did not make it onto the 2011 Ontario election platform, controversy was still generated when it was learned that some Ontario schools permitted Muslim prayers on school property and during school time. Building on Polikarpos (2009) and Smith's (2010) work in the field of social movements, the emergence of faith-based schooling in Ontario can be viewed as a transition from fundamentally class-based politics towards identity and issue politics.

In the decades leading up to the *Charter of Rights and Freedoms*, religious-based organizations were not working together formally; however, the *Charter* became the instrument that helped to create MFC's goal to promote equality and social justice within Ontario's educational system. MFC was a coalition that shared a political program to have public funding extended to private religious schools that emerged as society was moving away from class-based social movements toward identity and issue-based politics (Smith, 2010). As Buechler (2000) notes, linking cultural and political with respect to social activism can help to make power visible because these social movements can work to uncover power that may be hidden behind the anonymity of administrative and legal procedures. Movements can be opportunities for ordinary citizens to have an impact on their communities, for identifying problems, promoting vital learning opportunities, redistributing resources, broadening participation, and building solidarity in an ever changing world (Buechler, 2000).

Movements with a religious foundation that operate in the political world can help us to gain a greater comprehension of society because it is not possible to understand society without religion. Furthermore, different theories within political science can assist us in understanding the contributions of religious-based social movement organizations, and this enriches the fields of both religion and political science (Jevtic, 2007).

Funding faith-based schools in Ontario is not new issue; however, what has changed is the context within this topic is discussed. The concern for some faith-based groups is how the Ontario government can continue to fund one faith (Roman Catholic), while promoting multicultural policies and legislation. As Ontario's population becomes increasingly more ethno culturally diverse, the issue of extending funding to non-Catholic faith-based, private schools will likely emerge on a future political agenda; therefore, the four options offered in this paper begin to address the issue of how Ontario may deal with funding faith-based education. Education is a key socializing function within our society and schools are important transmitters of the values and beliefs that underpin our society.

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## ШКОЛСТВО ЗАСНОВАНО НА ВЕРИ И ПОЛИТИКА ОБРАЗОВАЊА: СТУДИЈА СЛУЧАЈА ОНТАРИО, КАНАДА

### Резиме

Овај рад испитује политичко укрштање религије и образовања у Онтарију (Канада) од 1840. до 2011. Онтарио је тренутно етнички и културно најразноликија канадска провинција, а њен главни град Торонто, један од најмултикултуралнијих градова на свету. Питање јавног финансирања религијског образовања у Онтарију јављало се у више наврата у историји провинције. Посебно је дискутовано о појединим случајевима провинцијских избора, а у циљу утврђивања у којој мери су јавно финансирање религијског образовања и религијске инфраструктуре политичка питања. Теорија друштвене мобилизације пружа богат и разноврстан концептуални објектив кроз који се испитују одлуке које су довеле до актуелне позиције државног финансирања верског образовања у Онтарију.

**Кључне речи:** Онтарио, избори, Канада, политички процес, римокатолички, политички, друштвени покрети, јавне школе.

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