

# TRANSNATIONAL RELIGION, RELIGIOUS SCHOOLS, AND THE DILEMMA OF PUBLIC FUNDING FOR JEWISH EDUCATION: THE CASE OF ONTARIO<sup>1</sup>

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*The search for public funding for Ontario Jewish day schools is examined in the context of the increasing role of transnational networks as aspects of religious life. Various scholars (Barber, 1993; Huntington, 1996; Kepel, 1994; Lawrence, 1996 [1989]) have interpreted the recent revival of transnational religious movements as indications of a shift towards a communal identification which challenges identification with the nation-state. In some versions, religious communalism is seen as a movement towards a non-Western (or anti-Western) form of modernization. In others, the emphasis is on the fragmented experience of capitalist culture at the end of the twentieth century and the use of religious communalism as a strategy to re-impose coherence onto the subjectively perceived world.*

*A local dimension of the revival of transnational religion may be seen in the politics of education in Ontario. Ontario, like other Canadian provinces, has never had a philosophic commitment to the separation of religion from public education. The province maintains two publicly supported schools systems — “public” schools and “separate” (Catholic) schools. The efforts of Jewish schools, in association with other private schools, to have the*

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*courts impose public funding as a matter of legal equity have been rejected. However, a "multi-faith coalition" now proposes to extend public support to non-Catholic, religiously-based schools, either by funding "independent" schools as is done in other provinces or through the introduction of "charter schools" — public schools in which parents influence hiring, curricula and budget. The proposal of the multi-faith coalition is more closely identified with self-consciously transnational religious networks than previous proposals to bring private schools into some funding relationship with the provincial government. The extent to which Jewish organizations have associated themselves with this proposal indicates dilemmas over the long-term future of Jewish education in a multi-faith society.*

This essay examines the search for public funding for Ontario Jewish day schools in the context of the increasing role of transnational networks as aspects of religious life. Various scholars have interpreted the recent revival of transnational religious movements as indications of a shift towards a communal identification which challenges identification with the nation-state. In some versions, religious communalism is seen as a movement towards a non-Western (or anti-Western) form of modernization (Huntington, 1996). In others, the emphasis is on the fragmented experience of capitalist culture at the end of the twentieth century and the use of religious communalism as a strategy to reimpose coherence onto the subjectively perceived world (Lawrence, 1995; Barber, 1995). Another approach (Kepel, 1994) highlights religious communities as frameworks of mutual assistance. Religious communities of the same faith dispersed around the world are not only linked by common beliefs and practices. Globalization facilitates financial support and access to expertise. These in turn support the extension of local religious activities beyond worship to such communal services as education and social welfare.

A local dimension of the revival of transnational religion may be seen in the politics of education in Ontario. Since Confederation in 1867, the Protestant and Catholic division has been reflected in two publicly supported school systems. Large-scale migration in the 1960s and 1970s from Catholic countries enlarged the Catholic population of Ontario, increased enrolment in the minority Catholic system, and led to the extension of government funding from elementary to high schools. Over the past forty years, Jewish and conservative Protestant private schools have expanded. Supporters of these schools have turned to the courts to argue for equal rights to public support for religious education.

Recently Moslem, Sikh and Hindu groups, representing growing immigrant groups, have organized to seek government support for religious schooling. The current lobbying over public support for religious education may be usefully seen in the transnational, as well as the local, dimension of these activities.

### **Religion, the Structure of Education, and Education Policy**

The British North America Act of 1867, which established the Canadian confederation, assigned education to provincial jurisdiction. The BNA Act, however, also gave legal protection to the established educational rights of religious minorities. In the new Canadian federation, Protestants were the religious minority in Quebec and Catholics the religious minority elsewhere. Quebec continued to organize its public education into Catholic and Protestant systems. Ontario, the other populous partner in confederation, maintained "public" and "separate" (Catholic) school systems at the elementary level.

Religious minority rights were equivocal in provinces which entered Canada after 1867. The legislation that brought Manitoba into Canada in 1870 established parallel confessional schools. In 1890, the Manitoba government, in one act of a complex English/French, Protestant/Catholic, federal/provincial struggle, withdrew public funding for Catholic schools. The 1896 compromise resolution which was negotiated between the Canadian and Manitoba governments gave only limited rights to Catholics within Manitoba public schools. British Columbia, which entered Canada in 1871, established a public school system the following year. In 1905, the new provinces of Saskatchewan and Alberta followed the Ontario model (cf., Orlikow and Peters, 1997).

Provincial public school systems vested considerable autonomy in local school boards. A close alliance between religion and schools, and particularly between Protestant Christianity and public schools, was taken for granted. Protestant clergymen of various denominations were often among local educational leaders. While specific denominations established Sunday schools for their own children, they expected public schools to continue to have a non-denominational Christian character. In some local jurisdictions, Christian denominational schools were part of the public system (Orlikow and Peters, 1997).

Religious affiliation was also characteristic of Canadian private schools. In those provinces which did not establish publicly-

funded Catholic schools, Catholic education took place in private schools. Schools founded before free public education, usually under some kind of religious sponsorship, remained as elite institutions (Barman and Edwards, 1997). Religious communities, Jews among them, set up their own schools. Often these school initially supplemented public instruction but later became privately-financed alternatives to public education.

### **Jewish Immigration, Religion, and Public Education**

The turn of the century immigration of Jews brought a new religious group into Canada in substantial numbers. In both Quebec and Ontario, public opinion was widely anti-Semitic and discrimination was normal (Davies, 1992). Both provinces, however, had to make some arrangement for the education of Jewish children.

In Quebec, Jewish students were reluctantly admitted to the Protestant schools. As Jewish students increased to almost 45 percent of enrolment in the Montreal Protestant schools in 1916 (Rosenberg, 1962:2), this awkward relationship turned into a continuing resentment on both sides (see M. Brown, 1998 for details; see also Elazar and Waller, 1990:86-7). A campaign in the 1920s to establish a Jewish school system as a third publicly supported confessional system came close to implementation but failed (Rome, 1975, 1977). The substantial group of Montreal Jews interested in intensive Jewish education turned their energies to developing Jewish schools which met after public school hours, often for ten hours of classes a week. These schools, representing a range of Jewish ideological movements, were financed by tuition and fund-raising.

In Ontario, particularly in Toronto, which became by far the largest Jewish community in the province, the situation was somewhat different. Ontario public schools in the early decades of this century were characterized by a Protestant orientation. Opening exercises included readings from Scripture and the Lord's Prayer. Local boards of education welcomed classes given by Protestant clergy before or after school hours. The assumption of superiority of Christian (particularly, Protestant) civilization pervaded the teaching of literature, history and the arts. Jewish children were exposed to Protestantism not only in the schools, but also through missionary work in Jewish immigrant neighborhoods (Speisman, 1979:131-143; Pennachio, 1985).

The active mobilization against missionaries and the manifest prejudices of the larger society minimized the effects of these religious practices on Jewish children. The ideological ferment within the community likely played an even larger role. The issue of the day was not one of whether to stay in the Jewish community or to leave, but whether to identify with the Orthodox who supported Zionism, the Orthodox who opposed Zionism, the religiously liberal, the secular Zionists, or one or another group of socialists. As the Jewish community grew, afternoon schools and congregational schools representing this range of choices were established. Until the 1950s the Ontario Jewish leadership, even in the large community of Toronto, expected that Jewish children would receive their education in public schools.<sup>2</sup>

Smaller numbers of Jewish immigrants settled in the Maritimes, the prairie provinces, and British Columbia. Early in the twentieth century, Jewish day schools in Canada were established in Alberta, where some distinctive ethno-religious groups, including those recently arrived from Europe, were highly self-conscious about their uniqueness.

After World War II, public education became more complex, professionalized, and secular. In the mid-1960s, as Quebec's "quiet revolution" was moving public institutions in the direction of secularization, Jews received the right to sit on the Protestant school board. In Ontario, social trends and legislation diverged. Since the turn of the twentieth century, church membership, regular worship, after school religious instruction, and Sunday school attendance have declined. The Depression depleted church budgets, leading to reductions in programs and building maintenance. In response, an Ontario government sympathetic to mainstream Protestantism in 1944 mandated two and a half hours per week of religious instruction in public school classes, with dissenting students permitted to exempt themselves from the class. This regulation, which was valued particularly in rural parts of the province with homogeneous, fundamentalist populations, was on the books until 1990.<sup>3</sup>

The impact of this regulation on the public school experience of Jewish children is indicated by two studies. A study of socialization in the early 1950s in an emerging wealthy suburb of Toronto shared by Christians and Jews noted the subordination of the quest for "salvation" to the use of religion as a support to the personal quest for "happiness," success, peace of mind and mental health. The public schools in this jurisdiction took special care not to espouse a particular religion, but to teach that religion "embodies vague recommendations against aggression, and in fa-

vor of love and sympathy” (Seeley et. al., 1965:239-241; Schoenfeld, 1988). Religious instruction was more traditionally Protestant in North York — the suburban destination of most Jews moving from downtown Toronto. In 1970, as a consequence of Jewish resistance to religious instruction in public schools, North York received an exemption from the provincial regulation (Sable, 1998:126-140).

In 1990, religious instruction in Ontario public schools was held to violate the 1982 incorporation of the Charter of Rights and Freedoms into the Canadian Constitution (Sable, 1998:286-314). By then, enthusiasm for Protestant teaching in the urban school boards of Ontario was no longer present. For several decades, school boards in metropolitan areas had been responding to their changing clientele by focusing on educational philosophies based on cultivating students’ abilities to choose values for themselves, and were promoting a non-judgmental ethic by giving attention to toleration, multiculturalism, and anti-racism.

This change of attitude was not found in all parts of rural Ontario, leading to an appeal to the Ontario courts to allow a Mennonite school to continue its affiliation as an alternative school within a public board. This case is discussed after reviewing the changing relationship of private schools with Canadian provincial governments and the form that this question took in Ontario as first a political and then a judicial issue.

### **Public Financing of Independent Schools**

The 1960s onward saw private schools brought into a different relationship with many provincial governments. Established private schools, joined by such denominational groups as Dutch Calvinists, who had immigrated in the postwar period and established private “Christian” schools, lobbied for financial assistance. This broader coalition preferred using the more inclusive language of “independent” schools to the elitist connotations of “private” schools. Limited government support was extended to private schools in Alberta, Manitoba, Quebec and British Columbia in the 1960s and 1970s (Barman and Edwards, 1997). By the late 1990s, 4.8 percent of Canadian students attended an independent school, compared to 2.5 percent in 1971 (Peters, 1997).

The trend toward private schools was also found in Canadian Jewish education. By the time Montreal Jews received rights in the Protestant school board, the downtown afternoon schools founded by the immigrant generation had become suburban Jew-

ish day schools (Rosenberg, 1956). The government of Quebec brought these schools into the framework of its financial support for private schools, subsidizing a considerable proportion of the cost of the “secular studies” curriculum of Jewish day schools.<sup>4</sup> Most Jewish education in Montreal now takes place in day schools. In Manitoba, Alberta, and British Columbia, Jewish day schools were also receiving public funding of some kind by the 1970s.

Ontario continued to exclude any alternatives to the public and separate schools from public funding.<sup>5</sup> By the 1960s Ontario had the largest Jewish population of any province. As in Montreal, the Jewish afternoon schools of the early twentieth century had moved to the suburbs and become day schools. New day schools representing a range of ideologies — including Zionist, Conservative, Reform, and various shades of Orthodoxy — were organized in Toronto. Jewish day schools were established in Ottawa, London and Hamilton.

In 1962 the director of the Toronto Board of Jewish Education noted the rapid increase in Jewish day school enrolment — from a modest 337 students in 1950 to 1,765 in 1962. Foreseeing continuing expansion, he argued that Jewish schools should turn to the provincial government for assistance (Sable, 1998:207). Groups of Jewish parents organized to work for this objective. In the early 1970s, following the decision of the Quebec government to extend public support to Jewish day schools, discussions were held which led to a proposal to bring one or more Jewish day schools into association with the North York public system (Educational Consultants of Canada, 1974). This proposal foundered on the issue of control over admissions (cf., Sable, 1998:206-220 for a detailed discussion).

The issue was revived following the 1984 decision of the government of Ontario to extend public financing for Catholic education beyond elementary school to high school. The Ontario Jewish Association for Equity in Education (OJAE) was created by the Ontario region of Canadian Jewish Congress as a new body to lobby for government funding of Jewish day schools. The Ontario government appointed Bernard Shapiro, former head of the Ontario Institute for Studies in Education (the graduate level institution established to support educational research), to report on the funding of independent schools. Shapiro’s report noted the inequity of public funding for only the Catholic alternative to public schools. It recommended a form of associate status which would provide government assistance for independent schools within the public system. Despite Shapiro’s subsequent appoint-

ment as Deputy Minister of Education (the senior civil service position in the ministry), there was no political will to act on this recommendation (Sable, 1998:306).

The extension of full financing to Ontario Separate Schools was challenged in the Ontario courts on the grounds that giving public support to one religiously based school system discriminated against other religious groups. The court case was based on the guarantee of equal rights under the Charter of Rights and Freedoms, which was incorporated into the Canadian Constitution in 1982. The Ontario Court of Appeals held by a 3–2 decision in 1986 that Ontario’s legislation was constitutional and that establishing a right of private schools to public financing would require a constitutional amendment. The Ontario court decision was appealed to the Supreme Court of Canada, which ruled by a 7–0 decision in 1987 that the full funding of Catholic schools was constitutional. The court held that the right to publicly supported Catholic schools was part of the historic compromise which led to Confederation and that the provisions of the Charter of Rights and Freedoms do not override this original constitutional arrangement. The Supreme Court, however, did not refer to funding arrangements for other religious groups, apparently leaving the issue of their rights unresolved.

With no progress on the political track, in 1991 the OJAEE, in association with the Ontario Alliance of Christian Schools, sought to have the courts impose, in accordance with the Charter of Rights and Freedoms, public funding for non-Catholic religious schools. The court case was known as the Adler case, after the name of one of the parents. In 1992 Justice William Anderson ruled that the parents’ rights under the Charter were being violated. However, he concluded that charter rights are subject to limits and that in this case “the impairment is within reasonable limits” (*Canadian Jewish News*, 1996:11). The appeal of this ruling to the Ontario Court of Appeal was unanimously rejected in 1994, with the judges ruling that Charter rights were not violated. The appeal proceeded to the Supreme Court of Canada. In 1996, seven of nine judges of the Supreme Court ruled that although the Canadian Constitution Act guarantees the funding of Roman Catholic schools in Ontario, the province is not thereby required to fund other religiously based schools. The court also noted “there is nothing in law to prevent Ontario from extending public funding to independent religious schools” (*Catholic New Times*, 1996:5).

The Ontario Separate School Trustees’ Association issued a press release after the failure of the appeal to the Supreme Court.

The president of the association said, "I want to repeat the long-held belief of our association that funding should be available for all properly accredited independent religious schools operating in the province. We have said before that, in striving to achieve justice for ourselves, we do not deem it proper to stand mute in the face of the just needs of others" (*Catholic New Times*, 1996:5).

While the case brought by the Ontario Jewish Association for Equity in Education and the Ontario Alliance of Christian Schools was working its way through the courts, another religious coalition was in the courts pursuing a different tactic. The Multi-faith Coalition for Equity in Education, with representatives from Evangelical Christian, Hindu, Moslem, and Sikh communities, was formed to advance a court challenge which would, had their argument been successful, have permitted local school boards to give religious schools associate status, thus getting around the 1990 court decision that appeared to prohibit religious instruction in public schools.

The composition of this coalition reflects the immigration from Asia and the Middle East that has come to Ontario in significant numbers from the 1970s on. Since the mid-1970s, Asia and Africa have become important sources of immigration to Canada, multiplying the Canadian adherents of the Moslem, Buddhist, Hindu, and Sikh religions. In the ten-year period from 1981 to 1991, the number of Moslems, Hindus, Buddhists, and Sikhs in Canada increased 2½ times, from 287,500 to 720,000.<sup>6</sup> In 1991, Ontario was the home of over half of the adherents of these religions, about 368,000, accounting for about 3.7 percent of the province's population. These increases were matched by a large increase in those reporting no religion, the stability of the Jewish percentage of the Ontario population (at about 1.75 percent), stability in the Catholic population, a falling off of the numbers identifying with mainline Protestant denominations and a growth in the number of more conservative sectarian Protestants (Statistics Canada, 1998a, 1998b). The greater Toronto area has been the most common destination for new immigrants. This metropolitan area is now not only multi-ethnic and multi-racial but increasingly multi-religious.

The Multi-faith Coalition for Equity in Education used as its test case the affiliation of a Mennonite Christian school as an alternative school within a rural school district. The affiliation had taken place with the support of the local community in 1977, but it was jeopardized by the strong stand taken on secularism by the 1990 court ruling against religious instruction in Ontario schools. Again the argument for equity with Catholic schools was rejected,

as was the argument, used in the United States, that “secular humanism” replaces religion in public schools and is itself a form of religion. The Ontario District Court in 1994 and the Ontario Court of Appeals in 1997 ruled against arrangements which would incorporate religiously identified schools as alternative schools inside public boards (Sable, 1998:320-326).

### **Education Reform in Ontario**

The Conservative government elected in 1995 based its platform on lowering taxes by cutting government spending. Education reform has been one of the main activities of the current Conservative provincial government. It reduced its expenditures on public education by \$400 million, reduced school boards from 168 to 66, cut the salaries of trustees up to 90 percent, and moved the power to set education tax rates from the local to provincial level (Dwyer, 1997). By moving control of funding to the provincial level, the government substantially removed the power of school boards to decide whether to spend more or less per capita than other boards. The City of Toronto Board of Education, for example, had made significant investments in programs beyond provincial requirements. On the other hand, the Catholic school boards, in order to maintain their clientele, had kept their level of school taxation lower than public schools.<sup>7</sup>

The government’s changes in education financing and structure met significant opposition. School boards objected to consolidation. Teachers went on a lengthy strike across the province, with the support of parents going much more heavily to the educators than to the government. The government, nevertheless, did not change its proposals and the reforms proceeded.

In July 1998, opponents of these reforms had success in the courts. An Ontario court held that the legislation removing the power to set education taxes from the Catholic school boards violated the Canadian Constitution. The Catholic school boards were willing to give up this power in exchange for an increase in per capita funding to the same level as public schools. The court held, however, that the Catholic boards could not constitutionally agree to such a bargain. The government announced that it intended to appeal this decision and would continue in the meantime to operate under the new rules.

The court’s objection to the education reforms did not highlight the changing balance between Catholic and public schools, but this is also relevant. In 1901, the population of Ontario was

almost 80 percent Protestant and just over 20 percent Catholic. By 1951, the population reporting their religion as Catholic on the census was over one third that of those reporting themselves as Protestant. In 1991, the numbers were even closer, with 4.4 million of Ontario's 10 million people reporting themselves as Protestant and 3.5 million reporting themselves as Catholic. In the four years from 1993 to 1997, enrolment in public schools decreased while enrolment in separate schools increased, with corresponding decreases and increases in spending. Public schools in 1997 accounted for over 1,300,000 pupils and separate schools for almost 575,000 (*Toronto Star*, 1998).

The Conservative government elected in 1995 has strong support in religiously conservative areas of rural Ontario, but it chose not to introduce religious issues into its controversial first-term education reforms. Each of the last three provincial elections produced a turnover in governing parties — from the Conservatives to the Liberals to the New Democrats and then back to the Conservatives. If the present government is successful in winning a second term, it may turn again to education reform and at that time address a new policy on support for religious teaching with public support.

### **Ontario Educational Reform: Further Directions**

The controversial changes already legislated are not likely to be the end of the Ontario government's educational reform agenda. The government is rumored to be considering further changes in the structure of education to be introduced after the next election. It could eliminate school boards entirely, replacing them with other administrative structures. In tandem with this change, or as a separate initiative, charter schools could be permitted.

In charter schools, groups of parents with a common educational outlook form school councils. They may supplement public funding with their own resources, and they are able to significantly influence hiring and curriculum. Charter schools appeal in a pragmatic way to parents who want special curriculum emphases for their children — in the arts, in physical education, in the “basics,” or in special education. This type of school structure is seen by conservatives as an attractive alternative to centralized public school boards, which are seen as too expensive (too many administrators and “frills”) and too often liberal in educational ideology. In contrast, opponents see charter schools as opening the

door to a two-tier system in which those able to pay extra and invest time receive better public schools than those less advantaged (D. Brown, 1997).

With respect to its policy on independent schools, the election platform on which the current provincial premier ran promised "to examine the inclusion of denominational and other private schools" in the public system (Evangelical Fellowship of Canada, 1998). In 1998, the province listed over 600 private schools. Over two-thirds have some kind of religious affiliation. The list also includes 78 Montessori schools, 7 Waldorf schools, 28 First Nations (native North American) schools and assorted private learning centers, academies, and special population institutions which do not list a religious affiliation. The government lists 35 Jewish and 17 Islamic schools. The other hundreds of identifiable religious schools are Christian. Some of these are remaining elite private schools. Almost a hundred are identified in the list as Amish or Mennonite. A small number are identified as Seventh Day Adventist (11), Canadian Reformed (7), or Baptist (9). However, most of the identifiably Christian schools put the word "Christian" in their names. Many of these are identified with the Ontario Alliance of Christian Schools.<sup>8</sup> Another group is part of the network of Evangelical Christian schools.<sup>9</sup>

Ontario could follow the lead of Alberta, British Columbia, Manitoba, and Quebec by extending financial support to independent schools. Alternatively, it could set in place a system, like a voucher system, in which a basic educational grant would follow each student into any school which meets provincial standards.

In formulating its policy towards religious education, the government also has to consider whether it can somehow incorporate religious teachings within the public school structure. It could include denominational religious education within a charter school framework. A document prepared in 1993 by the Multi-faith Coalition for Equity in Education, which gives some details of various ways that public funding might be extended to teaching religion, is discussed below.

After the Supreme Court of Canada in 1996 rejected the argument to extend funding to non-Catholic religious schools on the basis of equity, the various groups with the same goal of receiving public support for their schools joined into the Working Group on Educational Equality. In August 1997 the executive assistant to the Minister of Education and the parliamentary assistant to the minister held a meeting with the Working Group. The representatives of the government announced that the government had

“philosophically accepted” funding for religious day schools. According to Manuel Prutschi of Canadian Jewish Congress, the government intends to let the public catch its breath from the recent significant changes in education before implementing its promise to fund independent schools (Rose, 1997).

The provincial government of Alberta, which has an outlook similar to the one presently in power in Ontario and has been in power longer, has moved further in the direction of provincial aid to independent schools. Enrolment in independent schools in Alberta increased by 50 percent in the decade from 1985/6 to 1995/6. In 1998, in response to recommendations of its Private Schools Funding Task Force, the Alberta government announced that it was increasing its grants to independent schools by about one-third. Recipients were henceforth required, in addition to continuing to follow provincial curriculum guidelines, to appoint principals with teaching certificates and to establish parent councils if they were not already in place. The Alberta government also insisted on a formal policy that “all private schools must not offer programs that in theory or in practice will promote or foster doctrines of racial or ethnic superiority or persecution, religious intolerance or persecution, social change through violent action, or disobedience of laws” (Alberta Education Website, 1998a; *Alberta Report*, 1998).

The Alberta experience also provides a precedent for a charter schools program, which the province introduced in 1994. The implementation has been controversial, with problems of governance — internal divisions, conflicts over administration, budgetary issues — the main focus of complaints. The largest charter school has been closed. Others have had charters renewed with conditions or been incorporated into school boards as alternative schools, with a lower degree of autonomy (Alberta Education Website, 1998b). In 1997/8, the province listed eleven chartered schools. In 1998/9, there will be nine charter schools in operation.

### **The Limits of Multicultural Education as a Model for Religious Education**

The debate over education and religion is to some extent parallel to the debate over multiculturalism and education. Multicultural policy has been part of Canadian politics since 1971, and part of Ontario politics since shortly thereafter. Since that time, federal and provincial governments have spoken of the diversity of cultures in Canada as one of its strengths and have sponsored

programs based on the dual goals of the preservation of cultural diversity and civic integration. The almost thirty-year Canadian experience with multiculturalism provides a perspective on proposed policies on religious diversity in education. Specific proposals for educational policy on religious diversity are in some ways similar to those for educational policy on cultural diversity, but they are in some ways different.

Multicultural policy has been implemented in education in various ways. Public school curriculum has been rewritten to be more inclusive. Sometimes inclusive multicultural education involves teachers making sure that the mix of students in the class learn about each others' "culture"<sup>10</sup> and become more tolerant of value judgments based on cultures other than their own. Multicultural education often involves a focus on racism, both historic and contemporary. Multiculturalism also has implications for staffing policy, as diversity of staff is adopted as a system goal.

One of the most visible implementations of multiculturalism has been the establishment of what were originally called "heritage language" classes, which now go under the heading of "international language" classes. A group of parents may request that a local school establish a class of up to 2½ hours a week to teach a language which is neither English nor French. The program also includes "Black cultural studies." A parent committee, in consultation with the board of education, hires the teachers. These classes have been held in after-school hours, on weekends, or sometimes for half an hour a day during regular school hours. The most dramatic proposal to implement multiculturalism in education was the proposal for a Black school with substantial control by a local school council over curriculum and staffing. No level of government agreed to investigate this proposal.

Multicultural policy has been carefully distinguished from policy regarding religion. This distinction has been easier to make in principle than in practice. In the area of heritage/international languages, for example, Greek classes have been taught on weekends in Greek Orthodox churches; sometimes Hebrew has been taught in coordination with synagogue schools.

The shift in immigration patterns from the early 1970s to the late 1990s has also blurred the distinction between cultural and religious diversity. Up to the early 1970s, the main source countries of migrants to Canada were European. The languages and cultures of immigrants from Europe may have been different from mainstream Canadians, but their religion, to the extent they practiced, was one or another form of Christianity. As noted above, Asia and Africa have become important sources of immigration to

Canada, multiplying the Canadian adherents of the Moslem, Buddhist, Hindu, and Sikh religions, creating a society which is not only multi-ethnic and multi-racial but increasingly multi-religious.

The experience with multicultural education does not offer guidance on two important issues. First, cultural diversity is a somewhat different phenomenon from religious diversity. Cultural diversity can be brought into schools in a framework based on the civic ideals of toleration and the everyday practical relativism of the modern culture. Ideas about the coexistence of multiple cultures, the blending of cultures, or cultural change can be invoked to reduce the threat of "identity politics" dividing students into hostile camps. In contrast, religions usually present themselves to their adherents as the "only" or "best" source of truth; religious movements often stand in opposition to each other; and they often resist the idea that their beliefs and practices have somehow changed. How can a policy of religious diversity respond to these positions? Concern about raising these kinds of issues appears to have been a reason that multicultural policy kept its official distance from religion. Can different absolute truths be taught without teaching hostility, on the one hand, or insincerity, on the other? Should schools give equal time to all the religious traditions represented in the student body? Can students share each others' religion in the same spirit that they can be taught to share and appreciate each others' "culture"?

Second, while non-Catholic religious minorities have worked to establish their own alternative schools, only a few proponents of multicultural education promote separate schools for different cultural groups.<sup>11</sup> Ontario does have a publicly supported system of French language schools available to its approximately 350,000 francophones. The legitimacy for these schools does not come from multicultural policy but from bilingual policy. French language schools are seen as a significant contribution to Canadian national unity and a recognition of entrenched constitutional rights. Otherwise, private schools based on cultural differences are limited. In contrast, minority religions include enthusiastic proponents of alternative education who have been successful in establishing independent schools by raising financial resources on their own. How is a policy on religious diversity in education to respond to the existence of these schools and the desire to establish new ones?

## **Two Briefs on Religion and Education Policy**

During the period in which both the teaching of Protestant religion and aid to independent schools were controversial, the provincial government passed the question of religious education over to various study commissions (see Sable, 1998). The Royal Commission on Learning was one of the addresses for submissions on these issues. Two briefs submitted in 1993 and 1994 to the Royal Commission on Learning presented, in the first case, an alternative strategy for religious education and, in the second case, more details about how incorporating parallel religious teachings into a publicly supported system might work.

The 1993 brief was received from the Ecumenical Study Commission on Public Education. The Ecumenical Study Commission on Public Education was formed in 1969 in response to the recommendations of a previous public inquiry on religion in the public schools. An official coalition of the Anglican, Baptist, Lutheran, Presbyterian, Roman Catholic, and United Churches, it was historically favorable to maintaining some degree of Christian teaching in public schools (see Sable, 1998:182-3). The submission of the Ecumenical Study Commission noted the existence of “different kinds of separate schools,” but devoted its recommendations to “multifaith education about religion in inclusive public schools.” It distinguished its approach to religious education from “religious instruction, religious indoctrination and proselytism.” It proposed developing a comparative religion curriculum which would stress tolerance of differences, “the identification of values and principles shared by different religions,” and “respect for religion [as] a fundamental dimension of human experience.”

The Ontario Multi-faith Coalition for Equity in Education, which later became one of the partners in the Working Group on Educational Equality, submitted a contrasting brief a few months later. The Ontario Multi-faith Coalition for Equity in Education described itself as comprised of “member groups representing four religious communities in Canada — Christian, Hindu, Islamic and Sikh.” It listed among its members the President of the Islamic Society of North America, the Secretary of the Ontario Council of Sikhs, the past president of the Canadian Council of Hindus, the past president of the Hindu Federation of Canada, the Chair of the Coalition for Religious Freedom in Education and the treasurer of the ISNA Islamic School. The submission identified three principles to “equip students for responsible citizenship.”

1. Religion is integral to education.
2. The primary responsibility for the education of children lies with parents.
3. Public education must provide choice and equity.

The proposal to implement these principles called for the establishment of two educational initiatives. The first initiative is similar in structure to the international languages program which takes place within the framework of multiculturalism in Ontario schools. A group of parents would be entitled to petition a school to establish a program which would respond to the particular faith and values of the parent group. These opt-in programs would be part of the regular school program, not extra cost options. The recommendations on staffing the opt-in classes did differ from present arrangements for staffing international language classes. International language instructors are often not certified teachers, as the pool available for such part-time instruction is limited. The opt-in proposal calls for classes to be “under the supervision of a certified teacher” and adds that “parents, elders and other qualified adult volunteers from the community involved would be encouraged to participate.”

The second educational initiative recommended is the establishment of “religious and values based schools.” These could be newly established within existing public school buildings or they could be existing private schools given associate status with the public system. In the first option, “religious and values based schools” would fit into a charter schools model. In the second option, Ontario would follow the lead of the four other provinces which give support to independent schools. The Ontario Multi-faith Coalition explicitly pointed to the Shapiro report as a starting point for this initiative.

In its proposals on school governance, the Ontario Multi-faith Coalition proposed school councils. Its brief made references to a similar idea in Quebec. It did not refer to the concept of charter schools or to the arrangement in Alberta, although it is a similar proposal. The brief recommended school councils in which parents would be the majority but which would also include representations from “senior students, teachers and support staff, as well as from community interests.” School councils would not be mandatory, but would develop ad hoc from grass roots initiatives. School board nominations for principal would be subject to the agreement of the school council. Councils would begin with an advisory role in expenditures of the school budget. The Coalition

brief supported “a move towards school based budgeting and management.”

### **Globalization, Transnational Religion, and a Dilemma for Ontario’s Jews**

Read within the Canadian context, the proposal for parallel state-supported multifaith education uses rhetoric which is familiar to any student of Canadian multiculturalism. However, it is difficult to see the arguments for multifaith education outside of the changing context of the relationship between non-Christian religions and public education in a variety of jurisdictions.<sup>12</sup>

Changes in patterns of international trade, population movements, and communications are associated with a different understanding of cultural distinctions within local political jurisdictions. In the period of the rise of nation-states, deviant cultural groups could at best expect to be considered minority groups — that is, groups whose members fell outside of the standard cultural ideal for the nation but who were entitled to citizenship rights, often with the expectation that their descendants would assimilate into the dominant culture of the nation. In the contemporary period, deviant cultural groups are coming to be thought of more as diasporas which maintain a continuing transnational tie with each other and with a homeland (Clifford, 1994; Schoenfeld, 1997).

The understanding of the world as a global society with multiple diasporas coexisting within national boundaries reinforces the transnational character of religion. The major religious movements — Judaism, Christianity, Islam, Buddhism, Hinduism — historically have been both transnational in ideology and also significantly affected by premodern conditions of local isolation. Only in the modern period of intense nationalism did religious denominations give primary attention to becoming national churches which defined their field of activity first of all within the political boundaries of the nation-state. It is no surprise that one aspect of globalization is the emergence of a latent transnational identity within religious groups. Religious communities not only speak to concerns about meaning in life at the level of humanity as a whole, they also provide transnational networks of trust and mutual assistance (Kepel, 1994) in an insecure, risky society (Beck, 1992, 1995).

Aid to independent schools was initiated in Canada in the 1960s and 1970s, a period in which Canadian nationalism was un-

usually strong. At that time, providing government aid to the schools of Canada's Protestant minorities and to Canada's Jews could readily be seen as extending more equitable treatment to those without constitutional rights while not endangering the integrationist agenda of the Canadian provinces. The independent school movement of the 1990s looks somewhat different. It has moved in the direction of promoting local institutions which focus on identification with transnational religious movements rather than identification with Canada.

These considerations put the Jews of Ontario in what may seem to some to be a very interesting dilemma. On the one hand, the arguments about equity and financial stress are compelling. Public funding of Ontario Catholic schools — one religious alternative to public schools — and not others is widely perceived as simply inequitable. The inequity imposes financial penalties on parents who send their children to the hundreds of independent schools based in other religious traditions. Parents of students in Jewish day schools pay twice for education — once to the public system and once to the schools their children attend. Elementary fees are in the area of \$7,500 per year per student. Secondary tuition is higher. The privately borne school costs also impose a financial burden on the Jewish federations of Ontario. The Toronto federation, the largest, devotes about \$7 million dollars from the annual United Jewish Appeal fund-raising campaign to subsidies to day school parents.<sup>13</sup>

Jews do have a stake in having the public schools receive resources that would promote their quality. Since many Jewish students begin in the public system and most students move from Jewish day schools to public schools, Jewish students in Ontario spend more time in public school classes than in private Jewish schools. Nevertheless, within the Jewish community the present arrangement is generally considered inequitable.<sup>14</sup>

On the other hand, modern Jews have turned to the ideal of a nondenominational civil society as protection against centuries of prejudice, discrimination, and violence. Civil society has been more than a framework to establish a minimum consensus on human rights among a divided population. In the views of its philosophers, civil society also stands for a moral order in which the necessity to tolerate differences is turned into a virtue. Civil societies have promoted what have been called "civil religions." A civil religion teaches that the population is bound together into a community by common transcendent values. These values express the ideals on which the community is based and set the standards for relationships between citizens. Each civil religion has its own

peculiarities. Civil religions which celebrate democracy teach that the virtues of tolerance, civic brotherhood, and respect for individual differences belong in each citizen's private life as much as they do in formal public norms (Bellah, 1975, 1996; Bellah and Hammond, 1980; Hunt and Maxson, 1981). The moral dimension of civil society is taught in various places, but a central location has been the public school.

Public school education is not only public in the sense that it is publicly financed. It is also public in the sense that part of its mandate is the reproduction of the public itself — the preparation of the next generation to act as citizens. If students are removed from the public school to state-supported schools which teach the priority of particular value systems over those of civil society, can the moral dimension of civil society be maintained?<sup>15</sup> If the moral dimension of civility declines, can the formal structures of civil society be maintained?

The views of Gary Duthler, the executive director of the Association of Independent Schools and Colleges in Alberta (AISCA), and one of five members on the Alberta government's Private Schools Funding Task Force may be useful on this issue. As noted above, according to the new relationship between independent schools and the Alberta government, AISCA bylaws were to be changed to state that "all private schools must not offer programs that in theory or in practice will promote or foster doctrines of racial or ethnic superiority or persecution, religious intolerance or persecution, social change through violent action, or disobedience of laws." Duthler commented, "The wording is pretty careful. It says 'racial and ethnic superiority or persecution,' so they cannot teach that a white person is better than a black person. But it says 'religious intolerance or persecution,' so they will still be able to teach religion, and even say that one world view, such as Christianity, Judaism or Islam, is superior to the other" (*Alberta Report*, 1998). The reader can decide whether this is a careful balancing of the dual obligations of faith and citizenship or the first step down a slippery slope.

## Notes

1. Revised from a presentation at the conference on "Religion in the Public Square," Jerusalem Center for Public Affairs, Jerusalem, July 1998. The author would like to thank Martin Sable and Harold Troper for comments on an earlier version of this essay.

2. Sable (1998:331-2, 194) notes that the senior Orthodox rabbi in Toronto in the 1950s viewed the experience of the home, afternoon school, and observant community as an appropriate counterweight to the Protestantism of the schools.
3. Sable, 1998a: 2-3; Sable's dissertation (1998) details the long campaign of the major Ontario Jewish organizations against this regulation, exploring other related issues as well.
4. The support for private education may be seen in the context of Quebec's high level of enrolment in private schools of various kinds. With the Quebec government's sensitivity to language issues, financial support for public schools is tied to teaching most of the "secular" curriculum in French.
5. Some degree of financial subsidy is available from the federal government in the form of income tax credits. Donations to schools which provide religious education and which have been recognized as charitable organizations are eligible for partial deduction from taxable income. Payment for that portion of the school day in which religious studies rather than the provincial curriculum is taught may be considered a charitable donation to support religious education, with tax receipts issued for a corresponding portion of tuition. Similarly, donations to charities, such as the United Jewish Appeal, which among other communal activities subsidize school fees, are eligible for partial deduction from taxable income.
6. Moslems: from about 98,000 to over 253,000. Hindus: from 69,500 to 157,000, Buddhists: from 52,000 to 163,000; Sikhs: from 68,000 to 147,000. If this rate of increase has continued through the 1990s, almost two million of Canada's population of twenty seven million now (1998) identifies with these religions.
7. While there was a general reduction in educational spending, equal allocation on a per capita basis actually increased the income of Catholic schools.
8. The Ontario Alliance of Christian Schools traces its origins to a Calvinist school set up in 1943 in the immigrant Dutch farmland of Holland Marsh. According to the 1997-98 OACS Statistics Report, there are 61 elementary and 11 secondary schools in the Alliance, with 791 full- and part-time teachers and almost 12,000 students (Ontario Alliance of Christian Schools, 1998).
9. The Association of Christian Schools International, which describes itself as a ministry with the goal of being an "enabler" for the Evangelical Christian community of preschools, elementary and secondary schools, and post-secondary schools, lists 47 affiliated schools in Ontario (Association of Christian Schools International, 1998).
10. "Culture" is in quotations marks here because the classroom version of a student's culture is so obviously a social construct, selecting a version of the culture's values and practices for a particular audience and purpose.

11. Even among Jews, for whom cultural and religious identity are intertwined, the large majority of school enrolment is in institutions with a religious rather than secular cultural orientation.
12. E.g., the British government has announced plans to fund Moslem schools (*Globe & Mail*, 1998). The French government, in contrast, has been in a continuing dispute with Moslem parents over girls sent to school wearing head-scarves. This dispute was replayed in Quebec, where a child wearing a head-scarf was also sent home from school.
13. As noted above, federal tax policy regarding charitable donations provides some degree of tax credit, which can lower the net effect of a \$7,500 school fee by about \$1,000.
14. The inequity is recognized outside the Jewish community as well. The Catholic Church, which benefits under the present system, formally supports the extension of funding to other religious schools as a matter of equity (*Catholic New Times*, 1996). Formally, however, the Catholic Church is represented on the Ecumenical Study Commission on Public Education, whose brief dealt with inclusive religious education in public school. It is possible that there is some apprehension about the intention of the current government. It could use its zealous restructuring of education as an opportunity to decentralize through school councils and faith-based schools, or it could keep on reducing the number of school boards by eliminating the separate Catholic system on the grounds that it has undue special privileges.
15. E.g., in 1995, the Southern Baptist Convention approved a resolution urging the evangelizing of Jews. In Toronto, Evangelical Christian "outreach" to the Jews takes place in direct missionary action and in support for "Messianic Jewish" congregations. The Ph.D. thesis research of Howard Bernstein at the University of Toronto is exploring the latter phenomenon.

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