

# Civil Rights In Public Education, Inc.

All human beings are born free and equal in dignity and rights

UNIVERSAL DECLARATION OF HUMAN RIGHTS

Summer 2010

Issue Number 104

## Our Dirty Secret — Exposed

Humanist  
*Perspectives*

**Canada's  
Dirty  
Little  
Secret**

Getting Schooled  
in Ontario



Summer 2010  
Issue 173  
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**Plus:**

Who's a Hero Here?  
*Editorial*

My Epicurean Mom  
*Dennis Bartels*

The Poverty of Accommodationism  
*David Rand*

Canadians for Limits to Growth  
*A Manifesto*

World People's Conference

A Poet's Voice: *Elka Enola*

The author of the cover story in the Summer, 2010 issue of Humanist Perspectives (pictured at left), is Richard Young, a long-time member of CRIFE and a public school teacher in Ontario. The full article is reprinted on pages 2 to 6 with his permission. Richard is "proud to teach in a truly public system that welcomes people of all races, religions, sexual orientations, hair colours, and even OS preferences."

With Ontario premier Dalton McGuinty's "Building Blocks For Education Summit" conference upcoming on September 13th & 14th, Richard, also the Art Director for Humanist Perspectives, took it upon himself to write the article so that it would be in circulation before McGuinty's international conference.

The conference, and Richard's article, moved Richard to get the One School System Network to gather forces for a rally outside the Royal York Hotel in Toronto, the location of the conference. The rally, of between 60 and 100 persons holding signs and giving talks attracted media attention.

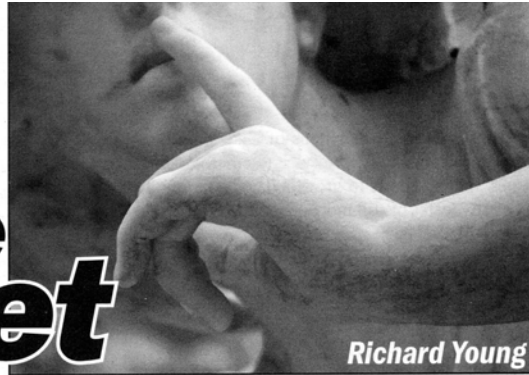
After reading the article, Richard would like to know: "How are things in your community? The Church and the government don't care, but some people do." Respond to Richard via:-

CanadasDirtyLittleSecret @  
Gmail.com

### IN THIS ISSUE

<b>Canada's Dirty Little Secret</b> .....	<b>1</b>
<a href="http://www.canadasdirtylittlesecret.com">www.canadasdirtylittlesecret.com</a>	
<b>Report of the NDP School Funding Task Force</b> .....	<b>6</b>
<b>Human Rights 101 eLearning</b> .....	<b>8</b>

# Canada's Dirty Little Secret



public funding + religious discrimination and homophobia = how we roll in Ontario

“*MARK HALL v. DURHAM CATHOLIC SCHOOL BOARD* began when Oshawa, Ontario’s Monsignor John Pereyma Catholic Secondary School asked students attending the prom to submit the names of the guests they intended to bring. Hall, who is gay, submitted the name of his 21-year-old boyfriend, Jean-Paul Dumond, and was denied on the grounds that homosexuality is incompatible with Roman Catholic teaching.

“Supported by his family and a wide variety of community organizations, Hall took the school board to court in a two-day hearing that began on May 6, 2002. Hall’s lawyer, David Corbett, argued that the denial of his request violated the Ontario Education Act, which requires school boards in the province not to discriminate. The school board, on the other hand, argued that court interference in its decision would amount to denying its religious freedom.

“Corbett argued that an organization that accepts public funding (Catholic school boards in Ontario are fully funded in the same manner as public schools) has to be accountable to the same laws (including anti-discrimination laws) as other public institutions. The school board’s lawyer countered that Section 93 of the Canadian constitution protects the Catholic board’s rights to conduct its affairs in accordance with Catholic teaching.

“On May 10, Justice Robert McKinnon granted an interlocutory injunction ordering that Hall be allowed to attend the prom with Dumond. The justice also ordered that the school not cancel the prom. He did not decide on the larger issues raised by the case, leaving those to be heard at a later trial. Hall attended the Prom with Dumond that evening.” [ 1 \*] **Legal cost to the public to defend the Catholic Board’s position: \$150,000** [2]

## \* NOTES AND REFERENCES

Provided in one convenient location for your clicking pleasure

<http://bit.ly/CanadasDirtyLittleSecret>

Or, if you have no internet access, phone or write for a printed copy which will be mailed to you. Phone/address on page 8.

**THE BEST THING ABOUT CANADA?** Maple syrup? Nanaimo bars? Undisputed hockey supremacy? Yes, yes, and yes—with honourable mention going to our Charter of Rights and Freedoms, that enlightened parchment that was signed into law in 1982. Then-prime minister, Pierre Trudeau described it as a nation-unifying document underpinning the freedom and equality of all Canadians. It’s a big part of why Canada is so highly regarded as a human rights beacon.

*The worst thing about Canada?* Our Charter is routinely tossed out the window when it becomes a nuisance to the most powerful religion in the country.

That is our situation in Ontario, where the vast majority of our public officials have an uncanny ability to toot the Charter vuvuzela with one side of their mouth while facilitating discrimination with the other.

While it is well known that two-thirds of our schools are public schools and one-third of our schools (1,400) are Roman Catholic, what is astonishingly less well known is that *all* of those schools are, *fully publicly funded*.

What exactly does this mean? For one thing, it means that if you are a teacher looking for work in Ontario, one-third of our publicly funded schools will ask you your religion and then reject you if you answer incorrectly [3]. No Catholic school board hides the fact that employment requires a reference from a Roman Catho-

lic priest along with a Roman Catholic baptismal certificate, even while advertising themselves as “equal opportunity” employers [4].

It’s not just teachers who feel the ill-effects of this policy. Let’s say you are a parent—a Muslim or a Baptist or a Buddhist or a Hindu or a Jew or an Anglican or an atheist/humanist, etc. You are raising a young family in Ontario. You’d like to send your child to the nearest publicly funded school, which, happily, is right across the street—*Our Lady of Compassionate Inclusiveness*. You’ll soon learn that “inclusiveness” does not include you [5]. Worse still, you might have to send them off to the next nearest publicly funded school which could be an hour’s bus ride away. This scenario is not uncommon, especially in smaller communities.

It might be easier just to convert to Catholicism, as some have done. That Canadian teachers and families are feeling pressured to change religions in order to use basic public services is a sure sign that something has gone horribly wrong [6]. The fact that no one’s allowed to talk about it makes it worse.

(Oddly, although Catholic Boards are strict about proof of Catholicity for teachers and students, when it comes to accepting public tax dollars those requirements are greatly relaxed.)

The picture is sometimes grim even for Catholics. A woman in Eastern Ontario was intending to move her child from a Catholic school to a public school. Her priest found out and threatened to deny her Easter Communion. She changed her mind. In some cases even Catholic teachers with baptismal certificates can be denied employment if a priest is insufficiently impressed with their church attendance or their tithing prowess.

Our dirty little secret is that Roman Catholic priests and Bishops are effectively in control of a multi-billion dollar tax-funded *public service*.

I was stunned when I first heard this. I was certain there was a misunderstanding. It seemed too un-Canadian, too Apartheid-like, that a public institution would actively discriminate against Canadians with the “wrong” religion. Impossible! It’s the kind of state-sanctioned backwardness you’d expect in 1954 Alabama, not in 2010 Ontario. The cognitive dissonance was unnerving.

Then I was pointed to an Ontario property tax form sent out by the Municipal Property Assessment Corporation. On that form there was, and still is, a set of checkboxes where you must specify whether you wish to support the Catholic separate system or the public system (in each of our two official languages). The form stresses that in order to support the Catholic system you *must* be Roman Catholic.

Whew! What a relief! Only Catholics are paying for Catholic schools! Non-Catholics wouldn’t be allowed to contribute *even if they wanted to!* What magnanimity!

My peace of mind was short-lived.

Like most people, I understood the word “support” to mean “financial support”. Wrong. In Ontario, Catholic schools are *fully publicly funded*, exactly like public schools [7]. That set of checkboxes on the tax form is not there to direct tax dollars. It seems its only effect is to help hide a dirty secret.

This gobsmacker was confirmed for me by a Catholic School Board ad in *The Ottawa Citizen*. It is unusually revealing:

“Support?”

School Board Support

English-Public  
 English-Separate  
 French-Public  
 French-Separate

English-Public  
 English-Separate  
 French-Public  
 French-Separate

**How to determine School Board Support**

English-Public	Anyone may support English-Public
English-Separate	This person must be Roman Catholic
French-Public	This person must have French-Language Education Rights
French-Separate	This person must be Roman Catholic and have French-Language Education Rights

## “Lies, damn lies, statistics” and checkboxes: Ontario’s Property Tax Form

The vast majority of Ontarians believe that only Catholics pay for Catholic schools. Our property tax form is so effective at perpetuating that misunderstanding that you’d be forgiven for thinking it’s more than just an accident.

“When you designate yourself as a separate school supporter, there is no longer a financial benefit to our Board. Rather, your designation guarantees a strong political voice through your elected representatives (Trustees) in ensuring your rights to Catholic education for the young people in our province.”

In other words, ticking off the Catholic box won't direct your property taxes to Catholic schools, but it will, however, make public officials believe that it would be political suicide to dare to speak out on this issue.

It works only too well. Hardly anyone knows the truth, and hardly any politician will risk their career even to talk about it [8]. It's the publicly funded discrimination that dare not speak its name.

**W**hen Bill-30 (the extension of full funding for Catholic schools) came into law in 1986, (without a free vote) only one MPP, Norman Sterling, dared to speak out. Mr. Sterling, heeding his conscience while risking “political suicide”, broke ranks with his party and ended up being the 1 in the 117-1 “vote”. His description of how the democratic process was so easily hijacked is chilling and a must-read [9]. You don't have to be a conspiracy theorist to come away with the overwhelming feeling that Bill-30 had nothing to do with democracy and everything to do with closed-door deals.

(It should be noted that the oft-implied threat of “political suicide” never materialized. Twenty-five years later, the Honourable Norm Sterling is still very much serving the public good [10].)

**W**henver I'm traveling in the U.S. and the topic of education comes up, no one ever believes it when I tell them that Ontario's Catholic schools are fully publicly funded. I guess that's to be expected given the gap between Canada's reputation and its reality. Harder to understand is the Twilight Zone-worthy fact that even most Ontarians don't know it. Our ill-crafted property tax form is certainly to blame, but so too is the campaign of fear, uncertainty and doubt actively undertaken by supporters of the status quo. Case in point: a few months ago a brochure was sent home with Catholic school students [11]. Designed to justify the public funding of the separate system, it

crosses the line of truth in some statements. For example:

“Directly supported by 2.4 million ratepayers, Ontario's English and French Catholic schools annually educate approximately 670,000 students—a third of all students in the province.”

There's that weasel-word again: *support*. The strong implication here (so strong that you might call it a lie) is that only Catholics pay for Catholic schools. We know that *all* taxpayers in Ontario “directly support” Catholic schools, whether they be Anglican, Hindu, Muslim, Jew or agnostic. Everyone.

The brochure lobs another smoke-bomb, this time in an effort to dodge a United Nations condemnation:

“In opposing Catholic education, some critics say the U.N. has called Ontario's funding system “discriminatory.” In fact, the U.N. has not made such a ruling. It was the opinion of members of one committee, and never moved beyond that committee.”

This statement represents either total ignorance or a devious interpretation of the way the UN system works. The record is clear: The United Nations Human Rights Committee ruled on November 5<sup>th</sup>, 1999 that “if a state party [Canada] chooses to provide public funding to religious schools, it should make this funding available without discrimination,” and, “the facts before it [the Committee] disclose a violation of article 26 of the Covenant [12].”

The UN added that it “wishes to receive from [Canada], within ninety days, information about the measures taken to give effect to the Committee's views.” It's been over a decade and the UN is still waiting. (Meanwhile, in a similar case brought before the UN, Canada has received another condemnation [13].)

**I**t is often stated that public funding for Ontario's Catholic schools is a “minority right” [14] that was “enshrined” in the Constitution in 1867, and that even whispering the word *amendment* will result in the earth splitting open and swallowing us up.

As with any constitution, ours is a living, breathing document. Not long ago South Africa's policy of ra-

cial segregation was “enshrined” in its constitution. Today it isn’t. Once upon a time our very own Constitution did not consider women as “persons” under the law. It’s hard to imagine it, but before 1929 women did not have the right to vote. A determined group of women, not intimidated by the smoke-and-mirrors of “enshrinement”, succeeded in having the Constitution amended [15].

We’ve even seen it done several times already in education. Both Quebec and Newfoundland had amendments passed 12 years ago to make full public funding of Church-controlled schools a thing of the past [16]. Catholics and non-Catholics in both provinces simply recognized the wastefulness of their divided and divisive systems and realized that profound truth in the simple statement that “public funding is for public schools”. (Neither case resulted in the country falling apart, as the Bishops threatened [17].) Manitoba arrived at this same sensible conclusion, but over a century earlier.

Although these days it is effectively impossible to get the numbers (one can’t help but wonder why), the Ontario Ministry of Education back in the mid-90s acknowledged that the *additional* cost of funding just the high school component of the Catholic system extension amounted to an extra \$200 million per year [18]. When we account for the elementary panel as well, the additional costs rise to about \$500 million per year [19]. It must be emphasized that this figure is the amount that Ontario pays *over and above what it would cost to educate our children together in a desegregated system*, (i.e. this is not the cost of educating our kids—it’s the *extra* cost associated with a parallel separate-system bureaucracy.) By going to one system we’d free up a jaw-dropping \$250 per child—*every* child, no matter what their religion or lack thereof. About \$7,500 per classroom per year! [20]

How often do we get the opportunity to rectify two UN Human Rights Committee condemnations while adding an extra \$500 million to our classrooms in the same stroke?

If Ontario’s political leaders cared more about children and less about pleasing Bishops behind closed doors, this would be a no-brainer. Instead, we appear to lag behind even Northern Ireland in understanding

the dangers of using public funds to build religious walls between children [21].

The \$150,000 lesson that we can take from the lawsuit described earlier is that the Catholic school boards have no qualms spending public education dollars on legal fees to attack basic Charter rights. It’s a strange situation, but it’s exactly the kind of thing we ought to expect when the government tries to serve two masters. One master (the Charter) embodies the advancement of human rights; the other master (*Monsignor Master* to you) prides itself on the infallibility of ancient views on women, gays and, well, everything. The contrast is striking [22].

Premier McGuinty was struck by it (and struck hard) a couple of months ago when he introduced an updated sex education curriculum [23], one developed over two years with input from medical professionals and experts from diverse fields, and included Catholic principals, teachers and parent groups. One change involved the addressing of homosexuality. That was enough for the Conference of Bishops to spasm with fury. The Archbishop of Ottawa called for “a firestorm of response”. Jan Bentham of the Ottawa Catholic school board said the Premier “seems to be misinformed,” and that her school board would not implement the curriculum [24]. Some of the pious even took it as an opportunity to pillory McGuinty for appointing a homosexual as Minister of Education. After fighting the good fight for a few days, McGuinty buckled [25]. Let there be no confusion about who is actually in control of one-third of Ontario’s publicly funded schools [26].

Another oddity: The June 2010 issue of the Ontario College of Teachers (OCT) journal highlights all the great things that Ontario schools do to promote inclusiveness [27]. It is heartwarming to see that LGBT students and teachers are no longer marginalized! We’ve come such a long way! *Yet*, there is a conspicuous absence. When describing the progress made in Thunder Bay the author writes, “a lot has changed. There are now GSAs (Gay-Straight Alliances) in all 4 high schools.” Fantastic! But she seems to forget that Thunder Bay’s public system also includes 3 Catholic high schools: that makes 7, not 4. The amnesia may have been induced by the inconvenient fact that of Ontario’s 300 Catholic high

schools, the total number that have anything remotely resembling a GSA is *zero* [28].

Even the OCT seems keen to help hide our dirty little secret. (Perhaps I will do my part by suggesting an easy fix for the cover [29].) *Cui bono?*

**T**hough some supporters of the status quo take great pains to portray it this way, the issue is not one of Catholic vs non-Catholic. The issue is about whether it is appropriate for Ontario to divert hundreds of millions of public tax dollars to promote religious discrimination. There are powerful reasons, both moral and financial, why the answer must be No.

Too many of us shy away from discussing the matter lest we be accused of “hating Catholics”. Please don’t. It’s a bit like accusing Rosa Parks of “hating white people” for refusing to give up her seat to a white man in order to protest an inhumane law. I want to believe that back in that scorching hot summer of 1955 in Alabama, at least one white man was capable of cutting through the fog of discriminatory privilege by making a point of willingly giving up his seat to a black person, for all to see.

“Finally, government is to see to it that equality of citizens before the law, which is itself an element of the common good, is never violated, whether openly or covertly, for religious reasons. Nor is there to be discrimination among citizens.”

-Pope Paul VI

The discrimination in Ontario’s education system makes a hypocrite of this Pope.

As long as the facts are kept hidden we won’t be able to discuss the matter properly. As long as we can’t discuss it we won’t be able to fix it. Until we fix it, it will remain Canada’s dirty little secret [30].

For a summary of the Toronto rally, go to:

<http://www.cbc.ca/video/#/News/ID=1590737298>

<http://tinyurl.com/34yqr7a>

<http://tinyurl.com/27wef7b>

<http://www.vimeo.com/15087342>

<http://tinyurl.com/2dz7ef9>

<http://www.youtube.com/watch?v=aqSfLKF0Qhc&NR=1>

## Report of the Ontario NDP Task Force on Education Funding

The 35-page report of the Task Force was presented to the ONDP Provincial Council in May, 2010. It was divided into two parts: Part One: Education Funding in Ontario and Part Two: The Funding of Catholic Schools in Ontario.

The second part is of interest to us, we read it with disgust at the obvious bias toward the public funding of the separate school system. Wording to infer that publicly-funded Catholic schooling is “guaranteed...” was used as well as several references to “minority rights”. Both terms are, at the least, questionable, and at the most either totally wrong or irrelevant.

A few relevant excerpts from the Report follow.

### “Deliberations

“ONDP Provincial Office sent out over 24,000 requests for submissions to the Task Force. The Task Force received less than 100 responses. Of these, the opinions were divided evenly with half of the submissions supporting a move to one school board and half supporting the status quo with four systems.

“A significant number of the status quo submissions indicated that they thought that the issue of removing the funding for Catholic schools was not a high priority. Many thought that the party should be focussing on other more important issues and that raising this subject of funding for Catholic schools would actually divert attention away from those issues.

“From the outset the Task Force attempted to deal with the issue on its own merits, based on the best available information. The Task Force did not want to make a decision based solely on what would be politically expedient.

“There are a number of polls which have been taken over the years which have attempted to gauge public opinion on this matter. The polls have yielded a range of results depending on what specific question was being asked and who was asking it. The polls show that there is no clear consensus on this issue in the province.”

\* \* \*

Editor’s note: The authors were selective in the polls they considered, all CRIPE’s references indicate that anywhere between 53% and 79% prefer one public school system.

### “Conclusions

“Although both Newfoundland and Quebec moved to one school system, the situation in Newfoundland was unique,

and the NDP has never supported the determination of minority rights based on referendum, as was done in Newfoundland. It was thought that Quebec offered a model which more closely resembled the situation in Ontario.

“The Task Force studied the chain of events in Quebec which lead to the changes which occurred there. The most significant single factor in Quebec was that for a number of reasons there was a clear consensus in Quebec to change the education system. In Quebec the change was not so much away from something, as it was toward something else. It was not viewed as a move away from a system based on religion, but as a move toward a system based on language.

“There was support for the move not just among the general population but the Catholic community as well. The architects of the changes in Quebec have been very clear about the need for consensus rather than imposition.”

**Editor’s note:** This is a strange conclusion because elsewhere in the same report we find:

“There are many who feel that the consensus in Quebec was achieved under false pretenses. Catholics were assured that their denominational rights would be protected at every stage in the process until the passing of Bill 95 in 2005.

**“According to M Proulx, ‘Pauline Marois (then Quebec’s education minister), being a good politician, made ambiguous promises: she said, yes, we’re asking for a constitutional amendment, but we won’t touch the schools.....The Catholic bishops of Quebec have often said that they were betrayed.’”**

**“If you don’t have a strong consensus — not unanimity... but a strong, very large, very solid consensus — there’s no point in trying to get a constitutional amendment, because it won’t go very far,” said Jacques Brassard, who served as Quebec’s intergovernmental affairs minister when the Constitution was amended for Quebec school boards. “If profound divisions exist, if the debate is heated and does not end in a consensus, forget about a constitutional amendment. Forget about it.”**

“Clearly there is no such consensus in Ontario, no consensus in the NDP and no consensus within the Education Task Force. The Task Force believes that to recommend any changes without consensus would be divisive, irresponsible and counterproductive.

a) The Task Force reached a consensus based on the available evidence and previous experience that the creation of one school system would be unlikely to produce significant cost savings.

b) The Task Force agreed that French language minority rights must be protected and maintained.

c) The Task Force agreed that Aboriginal rights must be protected and maintained.

d) The Task Force did not support the creation of an education system that would fully fund all faith based groups.

e) The Task Force concluded that there is no consensus for maintaining the current status quo position or for the one public school system proposal in the province of Ontario or in the ONDP.

**“Recommendation 2:**

**“Ontario currently has four publicly-funded school board systems, a French Catholic, a French Public, an English Catholic and an English Public. The Task Force recommends that New Democrats oppose any efforts to forcibly amalgamate the school systems until such time as it can be demonstrated that there is a consensus in the province, in the affected communities, and within the ONDP.”**

**Editor’s note:** While many points made by those who favour the abolition of public funding were acknowledged in the report – there were paragraphs which bordered on lunacy, such as:

“The fear was expressed that if we get into a plebiscite model of determining minority rights, then other minority rights, such as Aboriginal and French language rights would be on the block. It was pointed out that many of the arguments being used to promote the removal of Catholic education rights are the same ones that are used by those who would take away Aboriginal rights.”

This appears to be a deliberate attempt to confuse the issue because the **provincial legislatures have absolute power over education, but definitely not French language or Aboriginal rights.** For instance, Manitoba’s legislature abolished full public funding for its RC schools in the 1890s. It was not necessary to change the Constitution; the “guarantee” for that funding still remains in it.

**Both French language rights and Aboriginal rights are under federal jurisdiction.**

**A constitutional change to language or Aboriginal rights would require a majority vote of approval in the House of Commons and the Senate and a majority vote in each of the legislatures of two thirds of the provinces.**

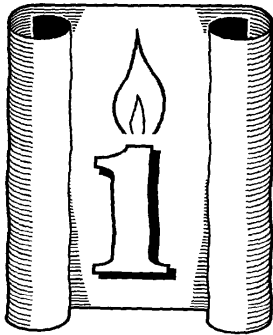
Considering the above, this scare tactic is **laughable. The Task Force was grasping at straws to find reasons to keep the status quo.**

## WHO WE ARE

Civil Rights in Public Education, Inc. is an organization composed of citizens of differing backgrounds, living in more than 155 communities across Ontario, committed to one strong public education system, which offers neither privilege nor prejudice to anyone.

## OUR AIMS ARE

- To serve as advocates for civil rights in public education so that the public is informed about the issue of publicly-funded separate schools.
- To hasten the day when Ontario's education policy recognizes the dignity and worth of all children, their right to equality, and their right to freedom from religious discrimination.



## OUR LOGO

Our logo is composed of a background scroll representing the charters of rights which guarantee fundamental freedoms to all individuals; the numeral "1" signifies equality and social unity in one public education system for each official language; the flame above is the universal symbol for freedom.

## Human Rights 101 eLearning

<http://www.ohrc.on.ca/hr101/>

TORONTO, June 6 /CNVW - The Ontario Human Rights Commission is launching Human Rights 101, the first in a series of eLearning modules on human rights. Developed with assistance from the New Media Studies Program at the University of Toronto Scarborough and input from community stakeholders, Human Rights 101 users will be able to learn about human rights information from anywhere they have internet access. Created to be accessible to a wide range of users, students, office or factory workers, employers or those new to Canada will be able to get information on human rights history, principles, legislation and policies at the click of a button any time of the day.

The eLearning module provides background to modern human rights, the Ontario Human Rights Code, Ontario's human rights system and the Ontario Human Rights Commission's Policies and Guidelines. After working through the various sections, users can also take a quiz at the end to see how much they have learned.

The package is impressive but it does not mention the glaring exception to the Code – the discriminatory Roman Catholic separate school system. The site was sent an earful about this omission.

## A Thought to Consider

Nations cannot move forward  
until they face up to the dark historical  
truths in their past.

Author unknown

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**ABOVE ALL WE MUST MAKE SURE THAT NO CITIZEN OF  
ONTARIO, NOW, OR EVER IN THE FUTURE, IS PRIVILEGED  
OR DISADVANTAGED PUBLICLY BECAUSE OF HIS/HER  
FAITH, OR ABSENCE OF FAITH.**