

CANADIAN JEWISH

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ARCHIVES

NEW SERIES
NUMBER THREE

ON THE
JEWISH SCHOOL QUESTION IN MONTREAL
1903-1931

by
DAVID ROME

Foreword by
SAUL HAYES, O.C., LL.D., Q.C.

NATIONAL ARCHIVES
CANADIAN JEWISH CONGRESS
MONTREAL 1975



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FORWARD

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FOREWORD

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SAUL HAYES, O.C., LL.D., Q.C.

This issue of Canadian Jewish Archives temporarily interrupts the continuity of series of inventory reports of the holdings of the National Archives of the Canadian Jewish Congress.

Instead of a list of documents, it is in effect a narrative and documented chapter out of the annals of Canadian Jewry. In view of the paucity of monographs on the twentieth-century history of the community, I know that it will be found useful.

The most recent issue of Canadian Jewish Archives, new series, no. 2, had listed the documents in the collection dealing with the complex question of the public education of Jewish children in Montreal (1903-31) from the Pinsler case to the contract entered into by the community with the Protestant Board of School Commissioners of Montreal. This present issue outlines the story which is documented in those papers.

In my introduction to the last number I had occasion to note the dramatic conflicts about that schooling issue, involving important principles of Canadian society and law and of Jewish community philosophy. I had also

drawn attention to the fascinating personalities that emerged in that conflict, and the important changes in the structure of Canadian Jewry that followed. The present work translates these comments from technical lists of paper documents to vivid history, often told in the words of the makers of this history, or at least illustrated in contemporary reporting.

As in any historical summarisation, we move beyond the unquestionable objectivity of inventorising to the judgment of the chronicler, however subtle, reserved or filtered his summation or selection of the facts. The present work is not without this characteristic.

The reader is free to differ from the judgments stated or implied and may reasonably wish for another emphasis. Nor have I lost this privilege by agreeing to write these prefatory lines.

The author had to begin somewhere, and he chose to do so with the Act of 1903. It might have shed a different light upon his story if he had commenced with the Pinsler case which brought the 1903 Act into being. It was a landmark case, and the lack of sufficient explanation in the present essay of the meaning of the consequent legislation is glaring in my view.

By the same token, a further examination of the implications of the judgments of various courts in the

landmark Hirsch case would usefully explain the basic developments that have come about since.

The author regards the story of the school question before 1903 as a long saga lasting nearly a century which he proposes to deal with on another occasion. As so often happens when we read history, we necessarily begin with Act II, or at least after the prologue. We cannot help this; we are always left waiting for the Adam chapter. I would also have wished that the work had stressed more clearly the very important educational rights with which Montreal Jews - and other Quebeckers - have always been endowed in custom, constitution, law and tradition and the provenance of these rights.

There is, or was, a deep myth extant that Jews have no rights in our school system.

The truth is that the rights of children to schooling on an equal basis with all others are deeply rooted and have never been substantially challenged. The administrative questions that arose from time to time should not obscure these rights which, as a matter of important fact, have been clarified and legislatively confirmed and organised during the decades after the period of this chronicle.

Hopefully the story of the subsequent period will be told in later issues of Canadian Jewish Archives, as well

as that of the antecedent decades.

In point of fact, this work is but a chapter out of a longer draft history of the community which is written for the Congress - in preparation for the Museum of Canadian Jewry planned in memory of the late Mr. Samuel Bronfman, for many years president of the Canadian Jewish Congress.

In the light of the numerous and constant enquiries on various aspects of community history coming to the Congress from scholars and lay citizens across the country, we have decided to make several of these chapters available to the public in this form.

This without interruption of the series of archival inventories. Indeed, issue no. 4 of this series, - consisting of the inventory of documents from the years between the schooling crisis and the reestablishment of the Canadian Jewish Congress in 1934, - is already in process as I write these lines for issue no. 3.

Our function in all these activities is to further interest in the annals of our past and spur the research and the writing of this history. We have many indications of success, not least in the reception which these publications of Canadian Jewish Archives have enjoyed.

Another indication is the constant growth of our collection. The reader will note that the second in our series included 12 pages of listings which supplemented

the materials listed in the first issue. The fourth in the series will include much more than is supplementary to the first two issues. Our invitation to the public to entrust us with materials in their possession is being answered, and librarians and archivists across the continent are constantly helpful.

There is gratifying evidence that all segments of Canadian Jewry are developing a balanced attitude towards the antecedents of the community and have a healthy awareness of its roots and of the nature of its challenges.

ON THE JEWISH SCHOOL QUESTION IN MONTREAL

1903-31

by

DAVID ROME

Montreal

1975

FOR THE BOARD OF DIRECTORS OF THE

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ON THE JEWISH SCHOOL QUESTION IN MONTREAL

1903-31

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THE ACT OF 1903

The twentieth-century story of the education of the Jewish children of Montreal opens with Act Two, with royal assent to an act of the legislature of Quebec in 1903.

This act was itself the dénouement of decades of development in education and in law in this province.

A court judgment had ruled, in effect, that the non-Roman Catholic and non-Protestant elements of the community had no rights in the Protestant schools. The Hebrew population arranged for a conference with the Protestant Board of School Commissioners. This proved to be a very important conference because of subsequent developments. For, in order to resolve the problems that arose at that time, the Protestant Board of School Commissioners of the City of Montreal adopted what came to be known as the Resolution of Consent.

The Minutes of a special meeting of the Protestant Board of School Commissioners, held under date March 2nd, 1903, at once interesting and important:

"The Commissioners, after preliminary discussion, admitted to a conference a deputation of Jewish citizens which had been appointed for the purpose at a mass meeting held on the 24th February.

"Mr. Max Goldstein, who had been appointed Chairman of the deputation, stated that for the first time the whole Jewish Community of Montreal was represented by it; that it was the wish of that community to place its educational interests in the charge of the Protestant School Commissioners, and to acquire equal rights in the Protestant public schools. He, therefore, asked that, in the event of this being done, provision should be made by the addition of a conscience clause to the regulations, so that no loss of marks should be sustained by Jewish pupils by reason of their absence from the devotional exercises of the schools, or from the study of Scripture, an alternative study to be substituted for that subject.

"He further stated that the Jewish community, recognizing the insufficient means of the Board, would be prepared to support any measure for increased taxation which might be necessary, and were also ready to remedy the difficulty occasioned through the exercise of their legal option by introducing such legislation as would place the Jewish school taxes permanently in the Protestant panel.

"In the general discussion which followed, Mr. Goldstein declared that the Jewish community, recognizing their position as a minority, neither asked nor desired that the Protestant Public School system should be changed, in respect to its distinctive religious character and constitution.

"The other members of the deputation having signified their acceptance of the position thus defined, the draft of a resolution, tentatively introduced by Rev. Dr. Shaw, was then read, and consensus was reached by both the Board and the deputation on the following understanding:-

"1st. That the Jewish population shall, if so provided by law, be identified with the Protestant system of Montreal.

"2nd. That this system shall, as heretofore, be distinctly Protestant, and therefore Christian.

"3rd. That the Protestant School Regulations shall contain a conscience clause protecting the religious convictions of Jewish scholars.

"Mr. Goldstein stated that a deputation of Jewish citizens would proceed to Quebec on Wednesday, 4th March, to meet the Premier on the following day, and asked that a Committee of the Board should be appointed to accompany it. The deputation then withdrew, after thanking the Board for the consideration shown it.

"The following resolution, as recast, was then introduced to the School Board by Rev. Dr. Shaw, and carried:-

"Whereas, an action has recently been instituted against this Board by certain Jews, and as a result the judgment has in substance stated that by law the Jews have no rights in the public schools of this Province, either Roman Catholic or Protestant; we hereby declare our opinion that this glaring anomaly and injustice, which deprives so large and respectable an element of our population as the Hebrew people of their rights as regards elementary education, should be removed. Further, we declare our readiness to co-operate with our Jewish fellow citizens in seeking such equitable remedial legislation as will remove this unjust inequality. At the same time we must call the attention of our Protestant constituents to the danger there is that their rights may be imperilled while the wrongs of the Jews are being rectified. If the non-Christian elements of the community should become a charge upon the Protestant Board of School Commissioners, while the revenue from them is so small, a burden will be imposed upon us which will seriously prejudice the excellent school system which for some years we have been laboriously striving to establish.

"If the enactment be proposed that all citizens who are neither Protestants nor Roman Catholics have the right to send their children to whichever system of schools they choose, provided always that the school taxes of such parties be distributed to the two systems according to school attendance, we cannot object to the equity of such a remedy. At the same time, the creation of such rights, while perfectly just, does not bring to this Board the relief it so urgently needs. It simply means that the financial embarrassment heretofore felt from this cause will continue. Indeed, it is morally certain that with Montreal as a seaport of growing importance there will be landed here from Europe an increasing number of people of various races, necessarily of limited means, who, it is morally certain, will be to a great extent an educational charge upon this Board. In the absence of the single system of public schools which generally obtains on this continent, this constitutes an unjust inequality to our prejudice.

"At the same time we hereby readily declare our willingness to educate the children of all citizens who may come to us, whatever their race or religion, provided we have the means to do so, and consider that necessary steps be taken at an early date to secure the necessary revenue for the purpose."

In accordance with this agreement the Hebrew representatives, with the consent of the Protestant Board of School Commissioners, secured the passage of an Act in 1903 by the Quebec Legislature (3 Ed. VII, Ch. 16) which gave very important privileges to the Hebrew population for school purposes in the Province of Quebec.

The main provisions of this Act are:- first, that for educational purposes all Jews are to be regarded as Protestants; second, that the school taxes of Jewish rate-payers are to be paid into the Protestant panel; third, that members of the Jewish population are to enjoy all the rights and privileges of Protestants for educational purposes; and fourth, a special conscience clause in favour of children of Jewish parents attending Protestant schools.

At the same time the Protestant Board entered by resolution into agreement with the Jewish population protecting the children of Jewish parents from suffering any loss through absence from school on Jewish holidays. This Act is regarded as the Jewish educational Magna Charta.

Jewish pupils enrolled in Protestant schools were treated in these schools as were the Protestant children; they were very scrupulously and freely exempted from Christian religious instruction in any form, and were freed from attendance on major Jewish religious festivals.

In all the years of discussion since then, the problem of the conscience clause was never raised. The act of 1903 clearly formulated that no Christian instruction be forced upon Jewish pupils and that the religious feelings of children and parents be respected. On this matter there were no serious complaints and no difference of opinion or proposal.

The Rev. Dr. R.W. Dickie, chairman of the Protestant Board, was but stating the truth when he said in 1926,

"We have tried to be strictly impartial as between Jewish and Protestant pupils, and have not had a single complaint of unfair treatment of Jewish children. We have not tried to wean Jewish children from the faith of their fathers." (Star, Feb. 3)

Under the act Jewish property owners paid their taxes to the Protestant Commission at the same rate as the Protestants, without option.

It was a lower rate than that paid by the religiously neutral corporations, but higher than that paid by the Catholics.

We might note parenthetically that, with our altered ethical judgment, we find the reason for the lower Catholic tax rate remarkable: "Roman Catholic education, owing to the free services of its various adherent communities, can be furnished cheaper than the Protestant education," this in the formulation of a Jewish brief of Nov. 1922.

Belkin notes that in 1923 the Catholic commission paid its women teachers \$250 annually while the men received \$1,135. The Protestants paid their teachers \$827 and \$1,925 respectively. (Manuscript article, "The School Tax and the Jewish Panel.")

Decades later Protestant schools leader Dr. Smyth was able to say without risk of challenge,

"I think our fellow citizens will recognize that twenty years ago the Protestants did a pretty generous thing. At that time there was no hope that the contributions from the Jewish taxes

would meet the costs of education. There are resolutions on the books of the Board to the effect that notwithstanding the fact that we see this is going to be a burden on the Protestants, and notwithstanding the fact that difficulties may arise, yet we are so convinced of the necessity of giving the best facilities for education to our Hebrew fellow citizens, we willingly take this burden, and we shall try to place it, and leave the future to take care of itself.

"That has been our policy."

Under the 1903 agreement the Jewish community surrendered claims to financial and other support for Hebraic teaching or for any school they have set up or that they may set up in the future.

(S.W. Jacobs had collided both in Ottawa and in Toronto with situations involving the legal complexities arising out of Jewish-Protestant identification.

(In 1912 it became necessary to clarify dominion legislation regarding delinquent children. It was Jacobs, in his capacity as officer of the legislative committee of the Baron de Hirsch Institute, who drafted the amendment which provided that children who were neither Catholic nor Protestant -- that famous "non-Catholic, non-Protestant" religion! -- shall not be committed to Protestant or Catholic care if there is a society or a family of the faith of the children; several persons of such faith shall be named by the court in regard to such children.-- Letters from Arthur Meighen to Jacobs and from Jacobs to Meighen, Apr. 22 and 23, 1919, in Public Archives of Canada, MG 27, III, C3, vol. 2, Pp. 427-29.

(The problem was raised in Ontario by W.L. Scott, president of the Association of Children's Aid Societies of the province, who pointed out that under the law "there is no way of avoiding the finding of the court in the case of Jewish children that they are Protestants and that they are therefore eligible for placing in Protestant homes." -- Scott to Jacobs, Apr. 29, 1919, Pp: 452-54.)

Early Dissatisfactions

Problems arose very early. It is difficult to ascribe fundamental causes in a complex relationship which continued in flux for decades.

In part these arose from the attitude of some in the Protestant community towards the Jewish community, views that were reflected, with much reservation, in the Protestant Board of School Commissioners. Clearly the respect accorded the community in the days of Dr. Abraham de Sola was not always evident in the twentieth century.

Very often general complaints took the form of objections to financial arrangements; the proposals put forward in these circumstances did not even promise fiscal redress.

So it was that in the very first year of the contract-act the Protestants were facing fiscal problems. Some of them may have believed that these problems were due, at least in part, to the presence of Jewish children in their schools. Others may have believed that, whatever the case might be, it would be effective to make use of this condition in their arguments and negotiations. So a circular issued by the board, probably prepared by Superintendent Arthy, stated that the foisting of the Jewish children on the Protestant Board had gone a long way towards creating the deficit. (Star, Dec. 10, 1903)

Jews were offended and saw this fiscal discussion as an expression of Protestant reluctance to have Jewish children in their schools. Others accused them of using Jewish children as a political football in discussions on finances. In any case, acerbity was growing. Rabbi Meldola de Sola issued a statement of protest which was discussed by the board with a good measure of understanding of the Jewish position. (Dec. 1903.)

Dr. Barclay said that no new situation had been created by the Act of 1903. It was always their duty to educate Jewish children, and no class of children appreciated education more than the Jewish. The statement about Jews in the circular had been an inadvertent mistake. The financial problem was complex.

By the simple computation of income arising from the presence of the Jewish children and of expenditure incurred from this situation, there seemed to be a net loss to the Board.

Additionally, the first decade of the Act was a period of the most rapid growth in the annals of the Jewish community, a growth through the immigration of impoverished refugees from Russia. Of course, these immigrants did not become tax payers upon landing.

Also it was noted that these immigrants brought with them a large number of children, all of them hungry for education. The demography of this migrant society was marked by a high birth rate. Nor was this a society of bachelors coming for a brief stay to save from earnings so as to return rich to Europe.

So the Jewish enrolment in the Protestant schools grew, and showed no visible signs of slowing its growth. From a few hundred

Jewish pupils this enrolment grew to 12,000 in 1923, out of a total school population in Protestant schools of 32,000.

Who was to know that this high number was the peak, and that the high birth rate was soon to decline to a new low?

No one could tell the eventual outcome of developments in the years ahead, with the coming of the 1918 peace. To alarmed Protestants it seemed as if the Jewish gross statistics and their percentage in the Protestant school classes would rise endlessly, with consequences of Christian concern.

But for an understanding of events we must situate this in the context of Canadian Jewish history and of Canadian immigration history. The record of the Canadian Jewish Congress when it first convened is illuminating.

The men behind the 1919 convention put two concerns at the head of their agenda: Palestine and Canadian immigration of refugees already fleeing the Europe of fascistic nationalists, at this point in the Ukraine, Poland and Rumania, not yet in Germany. Involved as these Jewish spokesmen of Canada were in their rescue operation, they were horrified by the new Canadian regulations, formal and confidential, designed to keep Jews out of Canada. The major activity of the Congress during the years of its existence, as well as of the Jewish Colonization Association, the Jewish Immigrant Aid Society and of the Jewish members of the legislatures, was designed to keep the gates ajar. (Early Documents of the Canadian Jewish Congress, 1914-21. Montreal, Canadian Jewish Congress, 1974.)

As time went on their efforts proved ever less availing, and this was reflected in the statistics of Protestant school enrollment.

Rosenberg reports that Jewish enrollment increased from 77 in 1877 to 14,134 in 1924; from 2% to 36% of the total registration. But that year a decline set in, which continued to 1947, when enrollment was down to 8,813. The following year they constituted but 23.8% of the registration. (A Statistical Study of the Number and Percentage of Jewish Children in the Protestant Schools of Greater Montreal. Montreal, Canadian Jewish Congress, 1969.)

Belkin pointed out that the growth of the Jewish school population in the core schools was already at the point of a near-majority. It was only the annexation of outlying, sparsely settled school districts on the Island of Montreal that maintained Protestant pupil majority in the Protestant network.

In hindsight we note that the first decade of the century was the period of the greatest growth by far in the annals of Canadian Jewry.

Before the migration of the 1880's Jews had formed an infinitesimal one-thirtieth of one percent of the population of the country. They were among the few non-French, non-British in the dominion, exceeded only by the Germans, Dutch, and Negroes; soon to be overtaken by the Chinese and the Scandinavians.

The Jewish population quadrupled in the years 1901-11, from 16,500 to 75,000. It grew to 126,000 in 1921.

But after the 1901-11 decade the rate of decennial increase declined from 350% to 68% by 1921, to 24% by 1931, down to 8% in

1941 and 1971.

Jews came to form 1.5% of the Canadian population in 1921, but this has been slowly declining, to 1.3% in 1971.

Even in terms of concentration, Jews formed but 2% of Quebec's population in 1931 and less than that in Ontario.

In all the urban centres in Canada, where Jews traditionally settled, they constituted but 4% (except for the curious situation of Saskatchewan, where in the tiny urban centres with less than 1,000 population the several Jewish storekeepers and doctors made up nearly half of the population).

Specifically in Winnipeg they came to form 8% of the city's population, in Toronto 7% and in Montreal 5.8% by 1931. In Greater Montreal the 109,000 Jews have declined to 4% of the city's population by 1971. Even in absolute numbers the Jewish population in Montreal proper has declined to 50,000 in 1971, by 23% in a single decade, while the city's total population grew in twenty years from 1,000,000 to 1,200,000.

Not without justice the Protestant Board "claimed that it has loyally shouldered the responsibility of the Act of 1903, and that the educational interests of the Jewish children have received unselfish consideration even beyond the letter of the law. Mainly in order to provide proper facilities for educating Jewish children, in the past few years the board has bought school sites and established buildings and equipment for five schools totalling \$2,073,900. These schools are in Jewish districts and attended almost entirely by Jews. They are, with their cost: Bancroft, \$291,963; Devonshire, \$571,573; Fairmount, \$256,571; Strathearn, \$253,794; Baron Byng High School, \$700,000." (Gazette, Nov. 1, 1922)

It seemed to a Protestant spokesman that "the Jewish contributions to the Protestant panel do not pay half of the cost of educating Jewish children; approximately, Jewish tax payers pay 20% of the total revenue of the Protestant schools, whereas 40% of the total expenditure is devoted to Jewish children. Because of this, every Protestant tax payers is paying two mills on his dollar for educating Jewish children, two mills of the ten mills of the Protestant tax being applied to making up the difference between revenue from Jewish tax payers and expenditures on Jewish children." (Gazette, Nov. 1, 1922). As another schooling expert put it, the Jewish community was "long on children, short on taxable property." (Star, Dec. 13, 1922)

Significantly, the proportion of Jewish pupils in the high schools was even higher, in spite of the poor economic conditions of the Jewish community. Although the earnings of the sons and daughters were sorely needed by the proletariat parents -- their poverty of assets was reflected in the low total of property and school taxes they paid, one of the sources of complaint by the Protestant board -- these working parents sacrificed to the ultimate so as to send their children to school as long as possible. Nor did the onerous school fees or the cost of school books reduce their enrollment. At the root was the traditional learning-orientation of Judaism, but there was also the awareness that, what with the discrimination existing against Jews in their careers, the young needed all the training they could get

to make their way in the world.

The 1922 figures showed, indeed, that there were more Jewish pupils than Christian in the Protestant high schools, 1,534 against 1,305. (Gazette, Nov. 1, 1922)

It will therefore not be surprising that, when segregation of Jewish pupils first came into being, it was such schools as Baron Byng High School that became 95% Jewish first when Montreal High School transferred its Jewish pupils there--thus crystallizing the setting for Richler's novels.

There is an interesting pattern in Jewish high school enrollment. This is a feature of the Jewish immigrant society: parents and children have stronger desire to attend high school than other Canadians.

But as this Jewish society became acculturated and acquired the features of other sectors of Canadian citizenry, this feature, too, slowly faded. Whereas, in 1922 Jewish pupils constituted the majority in high schools, 1,534 of 2,839, while they were but a third in the public schools, by 1951 their proportion in high school was down to less than a quarter, exactly the same as in public schools.

The trend reversed again after the second world war with the arrival of more Jewish immigrants, so that by 1959 their percentage in high schools rose to 34% while their public school proportion was but 25%. (Rosenberg, table 2.)

Financial conclusions were drawn in the critical years of the 1903 contract about this large Jewish presence in the class rooms. But it was noted at the time that these were largely fictitious, in that the calculation was based upon the payment by property owners of school taxes upon their real estate holdings.

As Brig.-Gen. C.A. Smart, the representative of Westmount in the Quebec legislature, put it, "If the taxes followed the tenant there would be no problem. The complaint was that the Jews were not paying their fair share of the taxes. That is not correct, nor fair to the Jews. Everyone is paying his school taxes, either to one or the other panel. But the taxes should follow the faith of the man who pays, whether directly or by way of rent. If that system were followed there would be a lot less of school troubles." (Gazette, March 24, 1925)

Those with vision of the Montreal Jewish future and with a sense of dignity about their prospects and their character early attempted to destroy the appearance of a parasitic community. When the Protestant board, as early as 1903, used the high cost of educating Jewish children as a basis for greater financial support, the Canadian Jewish Times protested the tactic. It pointed to the clear dedication of Jewish children to their studies as an assurance that the community will not always remain poor.

Even then it wrote,

"The mass of Jews in Montreal is poor now, but wait a few years and the Protestant School Commissioners will have no reason to complain on the smallness of Jewish real estate possessions. (May 19, 1905, P. 201.)

In 1909, during the unrest created by the proposals to introduce the elective system in educational life, Bram de Sola wrote in the University Magazine,

"Jewish real estate holdings are increasing with remarkable rapidity. This may be seen from the growth of the Jewish school tax. In 1903 it amounted to \$4,500; and in 1908, to \$30,000. We seldom see a list of real estate transfers in which Jews have not a disproportionate part, so that the day is not far distant when their school taxes will fully pay for their education." (vol. 8, no. 4, Dec. 1909, P. 555)

As demographic statistics appeared year after year, the Daily Eagle noted early in the twenties that the Jewish propensity to birth control, even more than among Protestants, was leading to a diminution of Jewish enrollment in the schools.

In 1924, Mr. Maxwell Goldstein foretold, "Of course we cannot tell what time may bring forth. We do not know but that within a few years the Protestant community may be in the same position. We have been told how the number of Jewish children has increased, but the ratio of taxation paid by the Jews has also increased... The taxes by the Jewish proprietors in 1923... was over \$450,000. This not a bagatelle. It may increase, and I have doubt but it will increase, and it may increase to such an extent as to disturb the equilibrium the other way." It was prophecy to come true within three decades to the point where the Protestants owed over 75% of their total school income to the Jewish children in the schools.

In 1925 Premier Taschereau told the legislature,

"I am convinced that in ten years there will be more Jewish children in the schools than there will be Protestant children. The proportion of increase of the Jewish children is larger. The families are larger, and the proportionate increase is larger. The facts are there."

In fact, 1924, the year the Protestant raised the Jewish question most sharply, was the peak of Jewish enrollment. It had reached 13,500.

That year, already, Jewish property owners paid into the Protestant panel \$377,000 on their \$38,000,000 real estate holdings; the Protestant Board received an additional \$430,000 from the neutral panel because of the Jewish pupils in their classes. (Star, May 19, 1925)

Even as the debate was proceeding with fervence, the Jewish enrollment was going down. Provincial Secretary Athanase David pointed out in the legislature, in 1927 there were only 11,000 Jewish children; in 1930, 10,000. (Abel Vineberg in Gazette, Apr. 2, 1930)

By 1929 Jewish payments directly to the Protestant panel had mounted to \$513,000; revenue for the Protestants from the neutral panel: \$280,000.

In 1940 Jewish enrollment was down to 7,300.

The careful reader could have found a hint of the trend of the time in an article on the Dufferin School which appeared in the press at the time: that lower town school had 90% Jewish enrollment in 1922; the ratio dropped to less than 50% by 1924. Clearly the Jewish population was moving quickly to districts where the proportion of home owners and tax payers was much greater. (Star, July 15, 1926)

The fiscal aspect of the school problem was complicated by several basic elements which were nearly lost from sight during the decades of debate.

Everyone tended to forget that the school tax on real estate was ultimately paid by the tenant rather than by the property owner. No one troubled to compile statistics about these real sources of school revenue.

Secondly, as Jewish citizens acquired property from Protestant vendors, Protestant school commissioners' income from Jewish taxpayers increased exactly to the measure that their income from Protestant taxpayers decreased.

When Jews acquired property from corporations or from other taxpayers on the neutral panel, which paid a higher rate, the revenues of this panel decreased with some little net gain for the Protestant panel. But when Jews bought from Catholic vendors the transaction cut the income of the Catholic commission for the greater benefit of the Protestant commission, evoking complaints from Catholic curés, as noted by Mr. Goldstein.

As Dr. Rexford put it,

"Much has been made of the fact that the school taxes from Jewish rate-payers are not sufficient to cover the cost of the education of children of Jewish parents, and that the excess has to be made up from the school taxes of other sections of the Community.

"This is not, however, a unique situation. There are many sections of the city of Montreal whose school taxes do not cover the cost of the education of their children. Our school system is based upon the principle that the real estate of the City is responsible for the cost of education of the children of the City.

"The real injustice arises from the fact that the small Protestant minority in the City has been charged with the financial responsibility of providing education facilities for the children of a rapidly increasing Jewish population whose school taxes are inadequate to meet the cost of their education. If this cost of Jewish education were distributed over all the real estate of the City all injustice would be removed.

"We might reasonably expect, however, that as the school taxes from Jewish rate-payers are quite inadequate to meet the cost of the education of the Jewish children, that the Jewish population would be moderate in their demands upon the Protestant Board.

"As a matter of fact, however, they are asking for their children greater privileges than those enjoyed by Protestant children.

"For example, they claim that the grade teachers of the Jewish faith cannot give satisfactory religious instruction to their Jewish pupils. Such instruction must be given by specially trained teachers prepared and appointed by the Jewish authorities, but paid by the Protestant Board, whereas the best that we are able to do for Protestant children is to provide them with such moral and religious instruction as the regular grade teachers are able to impart."

As we review the position of the Protestants, their school commission in Montreal spoke in the name of their Protestant constituency and in defence of their historic rights, privileges and claims. But there was another segment of the Protestant community, not as articulate and perhaps not as numerous, which regarded the board position as narrow-minded and unjust, and wished all justice rendered to the Jewish community and all due rights accorded to it. It is not possible to estimate their numbers; their view prevailed more often in the Protestant Committee of the Council of Public Instruction, as we shall see, and they were not without their moderating influence.

This moderate Protestant voice, centred as it was on Quebec City, rather than Montreal, was more responsive to the attitude of the provincial government and further from the views of the parishes and the church assemblies of the larger city.

For the moment we will cite Mr. Lighthall who was commenting on the deficits accruing to the board through the presence of the Jewish pupils: "I am pleased to say that we Protestants feel that this was what we intended, and that we do not regret it."

They admitted the principle that a given section of the population incurred greater education costs for their children than the taxation they paid. This was true of all poverty groups. Clearly the deficit of this education charge had to be met by society. But the Protestants objected to being the sole or major group of Quebec society to pay for the particular deficit incurred in educating Jewish children.

Slowly there merged another, a more complex, phase to the problem: the cultural -- in addition to the financial.

This involved the internal schooling operation within the classroom and the wider structural aspect of the administration of schooling. With or without cause, conservative elements of Protestant society associated the Jewish community with all movements to make the school administration more open, more secular, more democratic and more liberal.

The presence of Jewish children did render it more difficult to impart sectarian Christian teaching to their young; They feared that the foreign accents of the immigrants were being communicated to their own children. If the Jews had any claims or if they were dissatisfied with the arrangements they had chosen to enter into, the Protestants said, they ought to press these claims upon government without prejudicing the rights of the Protestant minority in the province.

After the 1903 law was passed an agreement was entered into whereby the school of the Baron de Hirsch Institute was heated, lighted and placed at the disposal of the Protestant commission in return for the free education of the Jewish children.

But in 1907 the agreement was terminated by the Board, and the Jewish community, acting through the Baron de Hirsch Institute, "called upon the Commissioners to provide education for our children in accordance with the act."

That year some 500-600 pupils were transferred to Belmont, Aberdeen and other Protestant schools. But the Protestant Board refused to recognise their obligation to "the non-competents."

The problem not unnaturally arose of those immigrant children who did not speak English. Prior to 1907, these children had been welcomed in the Institute building and had been taught there until they had caught up on their language needs.

But in April, 1907 counsel to the board gave it as his opinion that, though all Hebrew children had a right to admission to the Protestant schools, the commissioners were under no obligation to provide special accommodation for those who did not speak English.

The Baron de Hirsch wrote suggesting "an interview with the Protestant Board with the object of making arrangements for special provision in the institute for the teaching of Hebrew children, whether they speak English or not." But "Dr. Barclay said he did not know what good an interview would do. He would advise the Institute not to ask any more, or they might create a feeling amongst the Protestants of the community which might result in a complete separation. He was sorry to see that they were making another application. They did not see that there was any occasion for the conference. They were proceeding on satisfactory legal lines."

Dr. Barclay said "the schools were open to children of all nationalities so long as there was room for them."

The Jews resented the "discourteous and unwise" action and the implied threat.

A little candid consideration would convince them that "complete separation" would not improve their position and might be attended with results the reverse of satisfactory.

"The Governors of the Baron de Hirsch Institute deplore as much as the Commissioners can the abnormal conditions which have so largely increased the school population. But it is a necessity that these children should be taken in hand and taught so as to become worthy British subjects and good citizens. It is not a question affecting Jews alone, but all classes. The burden may be heavy at present, but it will not be always so, and wisdom should suggest treating the poor minority in a way to win their support hereafter, when perhaps it will be needed." (Jewish Times, Nov. 29, 1907)

"At the opening of the school term the Institute, considering it a moral obligation to look after the interests of these children, decided to open the school at once and to endeavor to convince the Commissioners of their responsibility in this respect later. On opening, 190 children were enrolled." (Report of the Baron de Hirsch Institute, 1907. Pp. 9-10)

But in November the Protestant Board relented and resolved "to admit pupils unable to speak English so long as their parents are willing to accept the ordinary course of studies." This, too, they noted was in accord with the opinion of their counsel. (Minutes of Protestant Board of School Commissioners, Nov. 14, 1907.)

Early Legislation

In 1906 C.B. Carter, member for St. Antoine Ward, introduced a measure providing for election, instead of the appointment, of the members of the Protestant commission, and he included Jews among the electors and candidates for such office.

There was more than merely colour of validity to this concept of Jews sitting on the Protestant board. As William Nadler pointed out, not even the amending 1869 legislation which established the board specified that only professing Protestants could be commissioners on the Protestant school commission. And certainly the 1903 act overrode any earlier objections that might exist and stated clearly that Jews "shall, for school purposes, be treated in the same manner as Protestants... and shall enjoy the same rights and privileges as the latter." (Revised Statutes, 1909, cap. 10, art. 3046.)

The measure was seen as a covert attempt by the Jewish community to procure the reorganization of the Protestant system of education in their own interests, and the Protestant Commission affirmed in a resolution that the effects of such changes would be "to place the Protestant schools under the administration of a body not distinctly Christian in its character and composition." They recalled that the Jewish community had agreed in 1903 that "the school system should remain as before, distinctly Protestant and therefore Christian." The 1906 measure was defeated.

Godefroy Langlois, editor of Le Canada, introduced other bills in the 1907 legislative session to make Montreal school commissioners elective.

These legislative proposals came in the context of a movement to alter the educational system, motivated by several, sometimes conflicting, interests. The business community wanted more modern, practical schooling for a better trained work force; anti-clericals wanted to limit church control of education; those who appreciated a more literate population wanted a system of public libraries; the international labor unions and democrats generally wanted representative and elective government in schooling as everywhere else; government may have wanted the schools, and other social institutions, under its control; conservatives were afraid of revolutionary change; they saw the hand of the masonic Loge de l'Emancipation everywhere; some Liberals who held these views saw the school issue as a means of strengthening their group within the party; the church was vulnerable, under attack.

Langlois represented the St. Louis ward with a considerable Jewish vote. (He was succeeded in due course by Peter Bercovitch.) Certainly unmasked, he put forth a proposal which he was certain would please the numerous voters in his constituency. There is no reason to believe that he consulted any of his Jewish supporters, either the established community centering on the Baron de Hirsch Institute or his ward heelers.

Langlois was a member of the government party, leader of a not inconsiderable group within the Liberal Party and editor of the official party newspaper. He was both a supporter of the

premier and a threat and an embarrassment, for through Langlois, Gouin could well gain Le Canada and lose Catholic support. Judiciously he consulted Mgr. Paul Bruchési who was vehement on the question. The premier promised the archbishop that he would kill the bill and wrote him accordingly on Jan. 23.

But the bill did not die easily. In spite of severe pressure it passed in committee. Gouin persisted. He promised Langlois that if he withdrew the bill now the government would introduce an even stronger measure the following session which would democratize the Protestant commission. All this, of course, in the full knowledge that the Protestants would never permit it. Even more tempting, he promised to sponsor governmental lay technical schools and an effective public library for Montreal. Langlois had to cede. (Rumilly. Histoire de Montréal. Montreal, Fides, vol. 3, Pp. 357, 381)

In 1909 Dr. Finnie specifically proposed in his bill that the term Protestant should include Jews.

"Both Boards decided to oppose the bills--favoring the existing system of appointed Commissioners. The Roman Catholic bill, however, proceeded apace. Langlois succeeded in obtaining an expression of the Legislature that insofar as the Roman Catholic School Commission was concerned, it was advisable to alter the basis of its constitution to partly elective--and the Government appointed a Royal Commission to investigate and report upon the best method, to be adopted for that board. The study of the report makes interesting reading." (Goldstein)

The name of Langlois is significant in this context. He was long active in modernizing education in the province, seeking to make it free and compulsory. Labelled a freemason, he earned the enmity of conservative and religious leaders, among them Archbishop Bruchési of Montreal. On this occasion Olivar Asselin, president of the Société St. Jean Baptiste, came to his defence (in an interview with Jules Fournier in L'Action, July 26, 1913; reprinted in Pensée Française, Pages Choiesies. Montreal, Editions de l'A.O.-F. Pp. 70-88)

In the 1909 legislative situation he was fought by Bourassa, newly elected member of the provincial parliament. "As an ultramontain Catholic, fresh from a visit to Paris where he had seen a Catholic people governed by a handful of men without faith or patriotism, with a dangerous system of education imposed upon them. Such a system would destroy our Catholicism, and religious decadence would sound the knell of our nationality. Let us be watchful; danger roams, since M. Godfroy Langlois and other partisans of the French system have penetrated the Legislature, municipal councils, school commissions, and nearly everywhere," to quote Rumilly.

The presence of such men as Langlois in the Liberal party eventually led Bourassa to leave it. In the meantime party tacticians used Bourassa to block Langlois' 1909 bill for popular election of Montreal's school commissioners, while Premier Gouin avoided alienating both churchmen and radicals. Bourassa consulted Archbishop Bruchési and gladly became his spokesman on the floor of the legislature, proposing on Apr. 1 to tie the schools still more closely to the church. The bishop telegraphed

the premier that "Langlois Bill unacceptable." The measure was buried in committee.

In 1910 Dr. Feenie again introduced his proposals to make the Protestant school body more democratic, but he was again defeated.

The Protestant Board was not in favour of an elective mode of choosing commissioners, but this had not always been among their principles. Back in 1876 the Board had feared arbitrary action by the government in replacing Dr. McVicar, one of its most active and useful members. At that time it named Principal Dawson as "a committee to prepare a statement of the position of the Board with a view to securing legislation which may make some considerable portion of the membership of the Board elective by the Protestant ratepayers." (Minutes of the Protestant Board, June 24, 1876)

But in 1909 the Protestants felt strongly that the present system led to the choice of the best commissioners and decided to concentrate their opposition to the unfranchisement of the Jews. The Rev. Dr. Barclay said, "The Jew is my brother, but so is the infidel my brother, so is the thief my brother... I would not entrust the education of my children to a thief."

There is no reason to believe that there was any Jewish initiative behind, or support for, the 1909 Feenie bill to make the Protestant boards elective, with Jews eligible for seating and for teaching posts, equally with Protestants. The agitation against this measure, however, became quite antisemitic.

As W. Nadler pointed out, the opponents of the bill, in fact, particularly opposed the elective principle which it incorporated. Instead of attacking the principal feature of this proposal, they raised the racial cry. Largely in order to maintain themselves in office, the members of the Protestant Commission issued a circular in which they sang their own praises.

"Without overstepping the limits of either truthfulness or modesty, the Commissioners may venture to affirm that the results of their work justify both the principles of their administration, and the method of their appointment.

"In particular, they may be permitted to regard with satisfaction the harmony with which the members of the various Protestant Churches, clergymen and laymen alike, have worked together in a common cause, and upon the common ground of a common Christian faith. Whether a body elected upon the lines of the City Council, and so representing sectional interests and ideas, would command and merit public confidence in equal degree with the present Board is a point upon which recent events would seem to justify doubt.

"The admission of Jewish citizens to the electorate, and, as a consequence, of Jewish representatives to the membership of the Board, would immediately involve the destruction of the Christian character of the administration. The employment of Jewish teachers would logically follow, and as a result the religious instruction of Protestant children would, in certain cases, be placed in non-Christian hands. It seems scarcely necessary to characterize such an innovation as undesirable.

"The proposed change in the religious character and constitution of the Board is, besides, directly opposed to the agreement under which the Protestant Board of School Commissioners, at the urgent request of the representatives of the entire Jewish community, assumed the costly task of educating the Jewish children of the City. That agreement provided that Jewish pupils should be admitted, as of right, to the Protestant Public Schools and that the school taxes of all Jewish proprietors should be paid into the Protestant panel. The money contribution then made was not, and probably is not now, sufficient to meet the cost of educating the Jewish children attending the Protestant Schools.

"The Jewish representatives then declared that they neither asked nor desired that the Protestant school system should be changed in respect to its distinctive religious character and constitution.

"The bill now before Parliament sets aside the principle of the agreement and involves the destruction of the Christian character of the administration.

"Should the measure become law, the two school systems of the City will become much more widely separated, one, the Roman Catholic, would still remain Christian, while the other would be neither Christian nor Protestant.

"The Jewish supporters of the bill cannot plead that their children are compelled to receive religious instruction from which they dissent, as they are fully protected by a conscience clause in the agreement.

"If they are in any way dissatisfied with their present position, the remedy would appear to be the establishment of a Jewish School Board, supported by the school taxes of their own faith, a change which, however objectionable from a national point of view, would certainly be preferred by many Protestant parents and rate-payers to that now proposed." (Reprinted in E.I. Rexford. The Jewish Population and the Protestant Schools. Montreal, 1924)

The Jews were accused of bad faith: they had professed to be satisfied with the Protestant School Commission as constituted, and yet in an underhand way they had caused the government to bring forward the Finnie bill.

The public debate and the general climate were extending beyond school organization. An open meeting of the community decided to establish a Jewish representative committee on legislation to deal with questions of general community interests-- a clear forerunner of the Canadian Jewish Congress. This becomes clearer in conjunction with the desire to establish a federation of all Jewish philanthropic institutions in Montreal, expressed by S. Bero, the retiring social worker of the Baron de Hirsch

Institute. Two years later, indeed, the Federation of Jewish Philanthropies was set up.

At the meeting on the Feenie bill, Maxwell Goldstein, a most judicious man, publicly reported encountering so much anti-semitism in the deliberations, not least among French Canadians, that he felt the time not propitious to pursue the rights of the community.

S.W. Jacobs told the legislative committee studying the bill,

"If the Protestant Board had opposed the Bill because it provided for the election of School Commissioners, the Jewish community would have said nothing. But the Commissioners had raised the cry of the Jewish peril in an endeavour to draw a herring across the trail and avoid the real question at issue. The Protestant Board have issued a circular to Protestant citizens, calling upon them to oppose the Bill, so that their Jewish fellow-citizens should have no representation on the Board.

"We ask for a simple measure of justice; there is not a single Jewish teacher in the schools of Montreal, although there are many certificated. The Protestant Commissioners consider the Jews good enough to pay fees and graduate from the teaching schools, but when they ask for positions as teachers the Presbyterian, Methodist and Anglican clergymen say "they will not have the Christian character of their schools contaminated by Jewish teachers." This is an outrage.

"We have not complained because we thought we were not paying enough for representation, but now we know differently. We do not wish to dominate the schools. You may make any safeguards you like. But we want representation on the School Board, and, as a matter of justice, I demand it." (London Jewish Chronicle, May 21, 1909)

The Jewish community formally denied any responsibility for the measure, or entertaining any intention of interfering with the Christian character of the Protestant school system, thus reaffirming their good faith with the school commission. At the same time the Jewish community would not waive its right to future representation on the Protestant board. Such representation would not threaten the Christian character of the schools as no Jew has shown any desire to eliminate Christian teaching from the schools; both religions inculcate high moral standards.

The disclaimer in fact laid down with precision the Jewish position for the crises and the tests of the decades to come:

"We cannot appreciate the distinction made by the School Commissioners that their schools are not public schools. We believe that where public moneys are granted to schools and the payment of taxes by the public so enforced for the maintenance of schools, the schools so maintained are public schools... All rate-payers are equally entitled to be elected to school board... We consequently favour election rather than appointment of school commissioners... We fail to see how the employment of Jewish teachers...can undermine the Christian character of the schools."

There is no evidence that the Jewish community supported Langlois. His name was anathema in conservative Quebec for decades. (Le Patriote, Oct. 21, 1937). But the Jewish Times did

approve of the reorganization of the boards to make them more representative of, and responsive to the population which, in the final analysis paid for the education of these, their own children. The problem as this periodical saw it was to devise the best way to secure equitable representation for the several sections from whom the school population is drawn. This might be difficult under the elective system. It might be better to apportion representation to the groups according to the number of children whom they enrolled in these schools.

The campaign against Langlois and his proposal was not particularly marked by antisemitism. It was instead strongly anti-masonic. Thus Henri Bernard in his La ligue de l'enseignement, histoire d'une conspiration maçonnique à Montréal, nouvelle édition, revue, augmentée. Notre Dame des Neiges, 1904. Pp. 101-2, citing La Croix of Dec. 27, 1903.

Similarly, a pamphlet issued at the time by Action sociale catholique (Le poison maçonnique. 1912. 34 p.) was remarkably free from references to Jews, even though in an earlier work on masonry, the author Father Antonio Huot had devoted an entire chapter to connect the masonic order with Jewry. (Le fléau maçonnique. Quebec, Typ. Dussault et Proulx, 1906. 179 p.) In his 1912 pamphlet the priest's sole reference to Jews was that Langlois had been elected to the legislature with Jewish support. His term for Jews is "Youpins," the French equivalent of "Sheenies" or of the Russian "Jid."

It was not that Father Huot had become moderate or civilized in regard to the Jews. In 1914 he delivered a lecture before the Cercle Garneau of the Association canadienne de la jeunesse catholique on "The Jewish Question, Some Observations on the Question of Ritual Murder," and this poisonous reaffirmation of one of the horror-libels out of ancient jungles was reiterated before Catholic youth and in a pamphlet issued by Action sociale catholique. (La question juive quelques observations sur la question du meurtre rituel. Quebec, Lectures sociales populaires, series à dix sous, no. 2)

Later Father Huot wrote a series of articles in the Quebec Action catholique on "La question juive chez nous" (May 17, 18 and 19, 1926) which also appeared as a pamphlet from Action sociale. (16 p.) and in an English translation by John O'Neil. (12 p.) But in the Langlois case the father left the Jews out of his diatribes.

The Hon. Mr. Weir argued that "nowhere under the Union Jack are Jews disqualified from voting in school elections, and I would be sorry if the Protestants of Montreal were the first to propose so retrograde a measure." He came to Montreal with Sir Lomer Gouin to discuss the bill with the executive of the Jewish community, assuring them fair treatment. They left the clear and stated impression that if the bill was not carried at the current session, it would not be allowed to die, but will be revived and brought up again. They felt that it was a matter of only a comparatively short time before the Jews would obtain equal rights in fact as well as in name, in educational matters

as well as in others. (London Jewish Chronicle, May 7, 1909)

The Protestants did not retaliate against the Jews for their opposition to the position of their school boards, but suspicion registered and festered. A decade later Dr. Rexford did not hesitate to recall it as evidence of Jewish aggressiveness against the integrity of Protestant school rights.

In the meantime the Feenie measure was withdrawn.

Representation

The position of the Jewish children in the Protestant schools, once enrolled, was generally agreed upon -- except for the problem of segregation. But the Jewish parent was another story. Where does he come in?

Very early the matter of Jewish representation on the board which was educating their children came up. Indeed, in April 1909 Maxwell Goldstein communicated to the Protestant Board the views of a number of citizens upon the question of the admission of Jewish representatives to the membership of the board. The letter was simply acknowledged.

The Jewish demands for representation at every level of education established by law -- on the school commission, on the Protestant Committee of the Council of Public Instruction, and on the Council itself in the form of a Jewish Committee of the Council--became central in Quebec affairs for decades, and were not even settled by the Privy Council.

To anticipate, even at the last moments of the passage of the law in 1930, the basic enactment governing the education of Jewish children in Montreal to this day, the cardinal of Quebec had the draft law amended in this matter, to keep Jews off the Council and committees.

It was not until late in the 1960's that the issue was settled. Not by confrontation, adjudication or legislation, but in the irresistible course of events. Time altered Canadian thinking about religion, confessionality, education -- and Jews. In the mid-1960's S. Godinsky took his seat on the Montreal school commission; in 1962 H. Schneider was elected to the Laval School Commission, and became chairman of the North Island Regional School Board in 1966; in 1964 Dr. D.N. Solomon joined the Westmount Public School Board.

But this is to anticipate. Early in the century the issue of the Jewish presence on the Protestant commission was raised as a natural concomitant of Jewish dignity, in the light of the growth of the community and of Jewish school enrollment.

With the growth of its self-awareness, the community went beyond demanding equal treatment. As citizens they had their own ideas about how citizens ought to be treated, and they were forceful in expressing their social philosophy. They raised the complaint of No Taxation for Education without Representation. The Jewish community could not easily accept the undemocratic character of Quebec education in which the citizenry had no direct vote.

The leaders of the community felt offended at not having a representative on the governing bodies which were administering the schools which their children attended -- and to whom they paid their taxes. The law had stated so promisingly that for school purposes Jews were Protestants. Yet no Jew sat on the Protestant commissions or on the Council of Public Instruction. A very few Jewish teachers were in schools with Jewish pupils. In some cases class arrangements made by the commission resulted in virtual segregation of Jewish children within certain classes and certain schools.

As Bram de Sola put it in 1909,

"We may as well recognize that either the Jews must be given a share in the management of our schools, or a separate Jewish school system must be established. The Jewish community cannot allow itself to be merely patronized and tolerated any longer." (University Magazine, vol. 8, no. 4, Dec. 1909, P. 557)

The Protestants argued that constitutional guarantees basic to their cultural and religious survival were involved, and they asked "their Jewish friends what view they would take, and particularly the rabbis, if the positions were reversed? Do they think that Protestants would ask to be put upon a Jewish committee controlling Jewish schools. And if they did, would they be allowed on such a committee?"

The matter of representation came increasingly to concern nearly all the Jewish leaders of the Jewish community to a surprising degree.

Later differentiation appeared within the community.

The newly immigrated society had other ideological objectives. Representation was the last of their interests, and they were surprised at the militancy of the Montefiore Club group in this matter. Possibly this was because none of them felt that they or their fellows would be candidates for such positions even if they did become open to Jews. They had other school concerns. Their dissatisfaction with the schooling conditions, if any, lay with the danger of the assimilation of the Jewish children and with the discrimination against Jews in hiring teachers.

Indeed, with typical directness, Rabbi Hirsch Cohen told a Jewish gathering that he would have preferred the special commission of inquiry appointed by the government in 1924 to study the question not to have had Jewish members, and that he simply was not favoring Jewish representation on the Protestant board. The Protestant position was a flat refusal to turn any measure of control of the schools over to the Jews; they were prepared to educate Jewish children, as heretofore, even though "the introduction of a large number of Jewish children into our Protestant schools has seriously impaired the value of these schools as institutions for Protestant education, and has led many Protestants to withdraw their children from these schools;" if the Jews did decide on their own separate schools, the Protestant commission would cooperate in the setting up of a Jewish panel.

They were vehement on this question and their leaders considered it a reflection upon their ability.

They argued that the boards were not administrative bodies since they had no taxing powers. Taxes were imposed by City Hall and by government -- both elective bodies with Jewish representation. It was these elective bodies that nominated the school boards; they were thus able to appoint the best qualified persons, including clergy, specialists and persons unable to meet property qualifications; the whole made for a body clean of corruption, extraneous politics, nepotism, extravagance, sectarianism, a representative body of broad range of denominationalism.

In the words of Dr. E.I. Rexford,

"It is urged very strongly that it is unfair that the Jewish population should be taxed for the support of schools without having representation on the Board of School Commissioners.

"To this it may be replied that the Protestant Board of School Commissioners has no power of taxation; that it is an administrative Commission, appointed by two elective bodies, namely, the Legislature at Quebec and the City Council of Montreal; that one of these elective bodies has the power of determining the standard of taxation, and for this body the Jewish population has the right of voting and of representation; that the school taxes are actually levied and collected by the second elective body, the City Council, for which the Jewish population has votes and representation. The Protestant Board of School Commissioners is, therefore, an administrative Commission without power of taxation, appointed by elective bodies to do certain definite work for them. There is no case here of taxation without representation."

Mr. Goldstein suggested that the common practice of naming clergymen -- and usually of only certain denominations -- to the board was unwise and exclusionist. He even proposed that women be placed on the board in this manner. "A commission--so constituted of intelligent, modernly trained and broad-minded men and women-- I believe we would have gained many steps towards that perfection we hope to realize. With them in office, I feel that many of the problems which loom up so largely in the present hands would be quickly solved. They would take care that, while the separate school system continues to exist, there would be no question of attempting to reject foreign children from the elementary schools because they could not speak English. This should be the special mission of the school. There would be no question of their refusing to allow Jewish teachers trained by their own Normal schools to carry on their calling, particularly when the Board is complaining of the dearth of qualified teachers. They would find a way to give real effect to the conscience clause, and see that no children are in any manner penalized for observing their holy days. They would discover a method to so interest and inspire confidence in the public, that the latter would consent to willingly bear the taxation necessary to answer all educational requirements."

The Jewish community seemed to have scrupulously avoided interfering with these movements, but the legislative committee of the Baron de Hirsch Institute was vigilantly following the legislative and political processes.

One by-product of this period was a general recognition of the need for direct Jewish representation in government. The community was growing too large and its interests in public policy became too direct and involved for Jewry to be represented in city or provincial legislatures by politicians who considered the Jews just another bloc of alien voters in their wards.

It was an awareness that led to the election of Blumenthal and Rubenstein to city council, of Bercovitch and Joseph Cohen to the legislative assembly and of S.W. Jacobs to Ottawa.

Robert Rumilly's Histoire de Montréal notes that as early as the 1912 civic election campaign "The Jewish element showed its power, and Ald. Blumenthal was reelected in St. Louis. He demanded seats for his co-religionists on the Protestant School Commission since Jewish children were a good third of the English-language school population in Montreal." (Montreal, Fides, 1972. vol. 3, P. 460.)

It is noteworthy that Rumilly and others ascribe so much importance to Mr. Blumenthal's election. It came at a time when many in all parts of the community felt that a Jew on City Council or in the legislature would indeed serve current Jewish needs. It was assumed that a Jew on such a body would act as such, and that only a Jew who felt called upon to act in these interests would serve. It was an attitude that was to last for half a century. It was shared by many non-Jewish observers and managers of the political scene.

In more recent years this attitude has lapsed, and persons of Jewish origin have been elected and have served quite without the Jewish reference. Even more significantly, this had also been true in the nineteenth century, when Henry Nathan sat in the Commons not elected by Jews or in reference to Jewish needs or status.

Indeed, when Blumenthal addressed the Young Men's Hebrew Association as the pioneer Hebrew representative on City Council, the Rev. Meldola de Sola anonymously wrote in the Star (Apr. 13, 1914) that Samuel Benjamin had been on the Council before Blumenthal was born. The peers of Rumilly at that time had seen no particular importance or threat of aggression in that election.

But the twentieth century was another age in Jewish history.

The Jewish demands, seemingly simple, were far-reaching. As the Hon. Nicol pointed out in the legislature,

"If the Jews could sit on the Protestant Board, then they could also sit on the Catholic School Board. And if Jews on the Catholic School Board, why not Protestants on the Catholic Board also?"

"You have come into the province of Quebec and must conform yourselves to the laws that obtain in Quebec. There are two great races working here side by side. You have come to this province, where there are already Catholic and Protestant boards. Now you are free. Go to either of them. Make your choice.

"We do not want to make our Protestant schools into national schools. We want you to take advantage of our two-schools system.

"We say to you that you must not go too far, must not approach the holy of holies. You are breaking the very purposes of the law of Confederation, and making the Protestant schools national schools, instead of their being Protestant and Catholic schools."

To which Bercovitch replied,

"In 1903 there had been a contract with the Protestants, and apparently at that time the Protestants had wanted the Jews. Otherwise they would not have taken them in. The Protestants in 1903 had even gone further and told the Jews to consider themselves

as Protestants for school purposes. This was the invitation that you gave the Jews.

"You asked us to come and dine at your table. Now, when we accept your invitation, instead of sitting down at your table and partaking of your food, you say to us, 'No, that is not what we want. We extended an invitation to dine, but you have to eat in the kitchen.'"

Rumilly, the not unbiased historian, relates the alderman's bolder demand on school board representation to the growing political and numerical power of the Jewish community which had supported favoured candidates for provincial and federal seats; Robert Bickerdike, M.P. for Cartier, liked to call himself jocularly "the Jewish member." The strengthening of the Federation of Jewish Philanthropies, in the absence as yet of a Canadian Jewish Congress, was a further mobilization of Jewish strength. (Pp. 444,483)

In 1916 the question was raised in the course of the aldermanic election campaign when the unsuccessful Labor Zionist candidate H.M. Caiserman talked of "cultural self-determination" on the local educational level and attacked those who had agreed to the 1903 arrangements. ("The National Socialist Campaign in Montreal"; [the reference is to the Poale Zion, not to Hitler] in the Yiddisher Kemfer, Apr. 28, 1916, P. 2.)

The same civic election chose Blumenthal to the aldermanic seat and saw the defeat of an alderman who had been delegated by City Council in his earlier term to represent it on the school board. Another alderman who had also been so delegated to the school board, an avowed opponent of Jewish representation, decided to retire. It was a natural and a common speculation that Blumenthal would be named to one of these two vacancies. (Jewish Chronicle, Feb. 16, May 31, 1912) But this was not to be.

Ald. Blumenthal proposed the name of his colleague, Ald. Rubenstein.

The Anglican synod protested that a Jew was not acceptable as a member of the Protestant School Commission since the function of that body could not be carried out by men who are not in sympathy with the religious training given in these schools.

As Dr. Rexford recalls it,

"Having failed to secure representations through the action of the Legislature, the Jewish representatives next turned their attention to the City Council, who held the appointment of three of the six members of the Protestant Board. Having succeeded in electing one of their number as a member of the City Council, they undertook to influence the French Roman Catholic majority in the Council to over-ride the wishes of the Protestant minority, and to appoint a Jewish representative to the next vacancy on the Protestant Board. This movement took definite shape in 1916, and aroused a great deal of interest among the Protestant rate-payers of Montreal.

"The Education Committee of the Anglican Diocesan Synod addressed the following resolution, with a covering letter from the Lord Bishop of the Diocese, to Mayor Martin:

"The Education Committee of the Synod of the Diocese of Montreal, representing the Church of England in Canada in Montreal, respectfully prays that the vacancy in the Protestant School Commission be filled by appointing an Alderman who is a Protestant, and protests against any other than a Protestant, however well qualified in other respects he may be, and would urge the injustice to the Protestant rate-payers of the City of Montreal of any other appointment than that of a Protestant."

"The Presbytery of Montreal under date May 18th, 1916, gave special attention to this subject and on the motion of the Rev. Dr. Campbell, seconded by the Rev. Dr. Dickie, it was un-animously resolved 'That the Presbytery of Montreal hereby protests against the proposal that the City Council appoint to the Protestant School Board of Montreal anyone who is not a Protestant as an invasion of the rights granted by the British North America Act to both Roman Catholics and Protestants of Quebec to control their own schools.'

"In consultation with the representatives of the leading Protestant communions of the City, a carefully prepared letter was published in the Montreal Gazette setting forth the main features of the situation and urging the Protestant population of the City to oppose the proposed appointment by the City Council. A joint Committee representing the leading Church communions of the City waited upon the City Council and presented a four page typewritten petition setting forth in much detail the historical bearings of this question, and urging upon the City Council that in discharging the delicate and important duty of appointing members of the Protestant Board of School Commissioners of Montreal they safe-guard the Christian and Protestant character of the School Board."

The Protestants were frightened. As Rev. Rexford put it later,

"Shall control of those schools be shared by the Jewish population? Shall the character of the schools be changed?"

"We have had ten years of rather acute discussion on that question."

"Back in 1915 and 1916 we formed an Association for the consideration of the problem. That Association was thoroughly representative of a large portion of the Protestant population of the City, and it discussed the question for a long time. On one occasion when it was necessary to present our views to the City Council, over seventy five of the leading citizens of Montreal waited upon the City Council and presented their views with reference to the suggested appointment of a Jewish representative on the Protestant Committee. Petitions were signed all over the City and sent in to the City Council in reference to this matter, under the direction of that Association."

The Anglican synod of the Montreal diocese made clear its opposition to the appointment of a Jew to the Protestant Board, and the following year the 59th synod resolved that separate Jewish panel is "the only practical solution of the difficulty at the present moment in view."

The Rev. J.A. Gordon of the First Baptist Church complained that Jewish festivals have replaced the Christian festivals as recognized holidays in the schools, and called upon Christians to oppose this trend.

A much rougher letter came from Rev. R.T. Overing, rector of St. Mary's Church,

"There was a feeling the time was nearly ripe for a distinct change of affairs, and that there was a gross injustice that the cost of educating a large Jewish population should be borne by the Protestant minority, while in a large number of cases our own children of the lower grades can only attend one-half day each day, because there is a lack of school accommodation, and that the only solution of the difficulty is to establish a separate Jewish panel.

"Should a Jew representative of the City Council be appointed to the School Board, the day will be hastened when the feeling referred to above will make itself felt with no uncertain sound. For we are determined our schools shall remain Christian schools controlled by Christian men.

"It would require but very little effort to start a movement which no one would regret more than our fellow citizens the Jews of Montreal, and once that movement were started it was difficult to say where it would stop.

"This is not the first time that this has been mooted. Characteristic of the race and their history, the idea seems rooted in the mind of a Jewish candidate and his supporters that all they have to do is to come back often enough and they will get what they want.

"I am very fairly familiar with Jewish history, and I would suggest this idea and attitude has often resulted most unfavorably to all the Jews themselves, and that in trying to grasp all, they have sometimes lost what they had."

(Canadian Jewish Chronicle)

In the course of the municipal debate the legality of appointing a Jewish alderman to the Protestant Commission was raised, but was put aside when Rubenstein was defeated on a vote by 11:5. (Der Veg, June 16, 1916)

On May 7, 1917 Ald. Rubenstein was proposed to succeed ex-Ald. Weldon as member of the Protestant School Commission.

To return to Dr. Rexford's chronicle,

"In the meantime the Protestant community had been aroused to the importance of the whole question and the informal gatherings of representatives of the different Church communions in 1916 has been reduced to a definite organization for the purpose of studying this whole question.

"Under the direction of this Joint Committee petitions were circulated in the different Protestant Churches of the city urging that ex-Alderman Weldon should be re-appointed to the Protestant Board on termination of his office on June 30th, 1917. The following outline report of the work of the Joint Committee indicates the work done by this Committee:

"In harmony with the resolution of this Committee of April 3rd and April 13th asking for Joint Conferences with the representatives of the other Protestant Communion of the city upon the questions arising out of the relations of the Jewish population to the Protestant schools of the city, the first Joint Meeting was held on April 27th at which there was a fairly representative attendance of the different Protestant Communion of the city. The Rev. Dr. Rexford was called to the Chair.

"It was unanimously agreed to recommend to the City Council that Ex-Alderman W.S. Weldon be reappointed to Office, and it was agreed to arrange for a deputation to lay matters before the City Council.

"On May 3rd it came under our notice that immediate action was necessary as the City Council proposed to make its appointment on the following Monday, May 7th.

"A very full and careful presentation to the whole case was presented to the City Council by members of the delegation. Before making the appointment the City Council referred the matter to its Law Officers for a Legal opinion and the City Council was informed that while the appointment of a Jewish representative might be made under the Quebec Act, such appointment would be contrary to the provisions of the Confederation Act and therefore illegal. Mr. W.S. Weldon was accordingly reappointed as a member of the Protestant Board of School Commissioners.

"On May 18th, 1917 the 2nd Joint Conference was held at which there was a thoroughly representative attendance of the various Protestant Communion of the city. The whole situation created by the demands of the Jewish population for representation on the Protestant Board of School Commissioners was thoroughly discussed.

"As it had been suggested by the representative of the Jewish population that a Conference might be helpful, it was agreed that a Committee of five representatives be appointed with full power to act. That this Committee arrange a meeting with the representatives of the Jewish population to discuss, in harmony with our conversations of this afternoon, the educational questions arising from the relations of the Jewish population to the Protestant Schools of Montreal. It was agreed that the Committee named should point out the following possible courses open:-

"1. To go on as present:-

"2. To withdraw the Jewish children from the Protestant Schools and require a separate Jewish Panel for all other than Roman Catholic and Protestant children.

"3. In case the Jews secured the appointment of a Jewish representative to the Protestant Board an Injunction will at once be taken out against that person."

As long as the Act of 1903 was governing the education of children, no constitutional problem had arisen. But the moment it was invoked more broadly in the government of the school system, its implications were more fully brought forth.

Later one of the judges of the Court of King's Bench reasoned the quandary that arose in 1917 in his Notes on judgment as follows,

"The act of 1903 could be tolerable insofar as Jews might be treated for school purposes as if they were of the Protestant faith: they are subjected to the same obligations and enjoy the same rights and privileges as Protestants; their children have the same rights as Protestant children; for the purposes of the imposition and collection of taxes for the maintenance of public schools.

"However, a possible result is evident: the Jews might become school commissioners, teachers, examiners, members of the Protestant Committee of the Council of Public Instruction; they will take part in the administration, direction and government of the Protestant schools; the control by true Protestants over their schools will be injured and they may possibly come to lose it. The right they have had to exercise control of the education of their children is then prejudicially affected by this law which forces them to share this control with adherents of a religious faith different from that which they themselves profess.

"Will this participation of the Jews in the direction of Protestant schools have this result, or will it be exercised with a moderation which will injure no one? It matters not. Prejudice of interests is possible. It may come as a result of the application of the law. That is enough for it to be ultra vires."

Even if the law comes as issue of a contract "the Commissioners of Protestant Schools of Montreal cannot abandon rights guaranteed to their coreligionists by the constitution of our country.... Neither Jews, Protestants or Catholics can give parliament the power to exceed its jurisdiction." (J. Rivard)

Three days after the question was put to him Me. Charles Laurendeau, Chief Law Officer of the City, reported that such an appointment would indeed cohere with the 1903 act, but that the act was unconstitutional since it contradicted earlier legislation of 1846 and since, which had established the Protestant board. "By virtue of these laws Roman Catholics cannot sit on Protestant school commissions, just as Protestants cannot sit on Catholic commissions... By virtue of this principle the Privy Council had, on Nov. 2, 1916, ruled unconstitutional an Ontario law which had authorized a Commission to replace the Catholic school bureau."

Dr. Rexford's well-informed version narrates the continuing developments.

"When the Jewish representative found that their efforts to secure representation on the Protestant Board through the City Council had failed, they applied to the Joint Committee for a conference in order to consider the whole situation. A conference was accordingly arranged to be held at the Synod Hall on Tuesday evening, May 29th, 1916 at which the Jewish representatives were Maxwell Goldstein, Esq., K.C., and others.

"Mr. Goldstein opened the Conference with a long statement in which he expressed a preference for National Schools with religious teaching excluded, but said that under the circumstances there was no desire to disturb the Christian Character of these Schools at present. He urged that, as Jews were paying taxes and providing a large portion of the children in attendance, it was only British fair play that they should have a voice in the administration of the Schools. In the presence of an overwhelming French Roman Catholic majority it was desirable that Jews and Protestants should work together. Perhaps they could be given equal rights in the schools, each having its own religious teaching at a common hour.

"He urged that the idea of a separate Jewish panel with separate schools for children of Jews is not in the interests of the Community nor in the interests of the Jewish population, as it is important that the Protestants and Jewish population should work together for the promotion of non-Roman Catholic interests of the community.

"In answer to the question whether the Jewish population felt that they had any grievances as to the manner and spirit in which the Protestant Board had carried out the agreement of 1903, he admitted that their constituency was well satisfied, and that any difficulties that arose were of minor importance, such as unwise remarks of teachers and the adjustment of marks in elective subjects.

"When asked what practical suggestions they had to make in view of the provisions of the Confederation Act, and the legal opinion obtained by the City Council, they suggested that these legal questions should be left in abeyance and that a gentleman's agreement should be entered into for a period of ten years by which two Jewish representatives should be appointed on the present school Board. At the end of this decade, the question should be reconsidered in the light of then existing conditions.

"Upon being pressed as to the ultimate issue of the present educational condition, he did not hesitate to express the conviction that in the near future Jewish representatives would issue in Jewish control and that the Protestant parents of this city would be sending their children to a system of schools administered by a Board controlled by Jewish representatives.

"Your representatives replied:-

"' 1. That the Jewish population might rest assured that the Protestant rate-payers of the city would never consent to hand over to Jewish administration and control the splendid educational system and equipment which has been built upon the sacrifices of half a century.

"' 2. That your representatives believed that the Protestant population were prepared to go forward under the compact of 1903 as understood by the Protestant Board.

"' 3. That if the Jewish population were not satisfied with the present arrangements, your representatives believed that the Protestant population would be prepared to co-operate with them in securing the repeal of the Act of 1903 and the establishment of a Jewish panel for School purposes.

" 4. That your representatives would resist by all legitimate means any attempt to appoint Jewish representatives on the Protestant Board of School Commissioners of the City of Montreal as contrary to the specific provisions of the Confederation Act.

" 5. That the charge of lack of British fair play in resisting the appointment of Jewish representatives upon the Montreal Protestant Board cannot be justified in the face of the following facts:-

" (a) That when the Jewish population of the city were without means to provide educational facilities for their children the Protestant Board undertook to receive the Jewish children into their schools and to provide for their education;

" (b) That in providing for the Jewish children the Protestant Board granted them not only all the privileges enjoyed by the children of Protestants, but also special privileges because of their religious faith;

" (c) That a large amount of tax from Protestant rate-payers has been employed in providing educational facilities for Jewish children which would otherwise have been used in providing facilities for Protestant children;

" (d) That the introduction of a large number of Jewish children into our Protestant schools has seriously impaired the value of these schools as institutions for Protestant education, and has led many Protestants to withdraw their children from these schools.'

"In the light of these facts the refusal of the Protestant population to go further and, by the appointment of Jewish representatives on the Protestant Board, to hand over the administration of their splendid system of schools to a Board which would eventually be controlled by Jewish representatives is no lack of British Fair Play, but a reasonable precaution in the interests of self-preservation.

"After this conference with the Jewish representatives nothing further was heard of the proposal to secure Jewish representation on the Protestant Board of School Commissioners. The Joint Committee, however, continued its work, and in March 1918, issued a small twelve-page folder giving an historical sketch of Protestant education in Montreal with special reference to the Jewish problem, but without recommending any definite policy. This folder was widely circulated in the different Protestant congregations of the city.

"On October 25th the third meeting of the Joint Committee was held to receive the Report of the Committee on Conference with the Jews and for other purposes. The rough draft of the Report was considered. The adjourned meeting was called for Thursday, Nov. 8th, when the best methods of putting before the public the information necessary for the formation of an intelligent opinion on this subject was discussed."

As the Rev. Dr. Smyth later recalled these developments,

"The difficulty arose, to a large extent, in this way:

"A few years ago the City Council of the City of Montreal was appointing an Alderman to the Protestant Board of School Commissioners, and I do not think there were a sufficient number of Protestant Aldermen to go around. It was said, 'Why not appoint a Hebrew, or a non-Christian?'

"I know this gentleman personally, and I think he would have been a very admirable man, and a man of sound judgment. However, that was not the point. The question was raised that such an appointment would be ultra vires, and, as you know, legal opinion was taken.

"Of course, lawyers differ, there is a good deal to be said for the opinion that the Act of 1903 was in certain respects ultra vires, and for the City Council to appoint a non-Protestant on the Board would be ultra vires.

"As a matter of fact, the Protestants became so worked up over it -- not the Protestant Board, mind you, but a certain section of the Protestant community -- that a Committee was formed, and they were prepared to test the matter out in the Law courts, and bring it to the Privy Council, if necessary.

"The City Council found it better not to force the issue, and they made an arrangement whereby a man whose aldermanship was being completed might still remain on the Board.

"I speak subject to correction, but it is not necessary that the members appointed by the City Council should be Aldermen at all, and the difficulty should really never have arisen. As a matter of fact, I understand the members of the Catholic Board, or most of them, appointed by the City Council, must not be aldermen. The Protestants, however, seem to think that a man must be an Alderman to be appointed on the Board.

"The whole question, however, raised difficulties in the minds of the Protestants, because they began to see the construction that might be put on the Act of 1903.

"I think you will admit that when the Act of 1903 was passed, and when it was said the Jews for school purposes should have all the rights of Protestants -- I think even our Jewish fellow citizens will admit it was never intended that they should be included as having the right to sit on the Board, because the Protestants would never have entertained that for one moment.

"This incident suggested that that construction might be put upon the Act, and a certain section of the Protestants, reasonably or unreasonably, became alarmed, and said, 'Our rights are in danger, and the whole Protestant School System is in danger.'

"As soon as discussion set up on that question, other things began to be talked of. The result was it was seen that financially we were not in a proper position, that the Jewish holidays upset the work of the schools sometimes for a month, that there was religious instruction being given to Protestants by non-Christians."

Acerbity was growing among Christians and they certainly were not anticipating with pleasure any closer relationship with Jews on the schools' board.

Rabbi Abramowitz reported that after a meeting with Protestant committee "they deplored the fact that most of the schools were having a Jewish atmosphere. The Jews were Judaizing the

schools, they said. We Jews have no fear of being Christianized."

There were some who considered the condition tolerable. It took courage for Harris Vineberg to tell a symposium at the Shaar Hashomayim in 1918, "In 1903 we did not ask for charity but for rights. We did not ask for separation. We did not ask for more. Let us ask no more for further privileges. Let us leave well enough alone. Secular education is bound to come. Why should we bear the brunt of the agitation? We will suffer for it. The salvation is bound to come. The Protestant Board has treated us and our children well, and we must keep our part of the bargain."

The rancour aroused by the imagined Jewish effort to alter the law and by the Jewish initiative to secure representation lingered for many years. In 1924 Canon Rexford reminded the Special Commission of Nine,

"Some ignore entirely the three or four pronounced cases during those twenty years when the Jewish community officially and very actively endeavored to change the existing conditions; first, through the Legislature at Quebec, and, secondly, through an appeal to the representatives on our City Council.

"We must not forget those things, which, may I say, have left a little bitter taste in the mouths of the Protestant minority of this City, and which have to be considered as historical facts in dealing with this question.

"About 1906 an attempt was made to change the whole system in Montreal, and to have eight Roman Catholics, eight Protestants, and eight Jews constitute the School Board, elected by the people.

"Then a little later an effort was made to change the constitution of the School Board and have eight members appointed by the Government, and eight members elected by the people, the Jewish population being eligible for membership.

"In 1915, 1916, and 1917, very strong efforts were made to induce the Roman Catholic majority in the City Council to disregard the pronounced opinions of the minority and to appoint Jewish representatives on the Protestant Board.

"These are historical facts which cannot be entirely ignored in the discussion of this question, and which should, therefore, have a place in a historical statement of the case."

It was a problem that would linger long. As late as 1943 it arose again. The city council again had occasion to name its three representatives to the Protestant School Commission. A caucus of Protestant councillors met to make their nomination, and Jewish councillors were not invited, contrary to earlier practice. The chairman of the city executive committee, George S. Marler, defended the new procedure. He felt that Jews should have no voice in the composition of a Protestant school body any more than Protestants would have in a Jewish school commission.

Dr. Stanley Allen, who was one of those nominated at this session, protested at this discrimination and voted against himself. "The caucus did not discuss questions which affected only Protestants. Jewish children, too, attend these schools." (Jewish Daily Eagle, June 11, 1943)

The Protestants were, in fact, torn between a desire to maintain their rights to language and religion and, on the other hand, the vision of a homogeneous, democratic Canadian nation, the product of a "national" school system. They knew that the presence of French Canadians, with their own concept of language, of faith and of race, precluded the easy fulfillment of this Canadian vision.

Those Protestants who were concerned with the Christian character of their schools saw strong forces at work to turn their schools into neutral, American-style public schools. They felt that the near-half of their enrollment which was Jewish contributed to this trend. Furthermore, these religion-oriented Protestants felt that they were becoming an outmoded minority within their own Protestant milieu as Canadian society was rapidly secularizing. They felt that the Jewish influence upon the English language and English-language culture were undesirable.

Jewish Teachers

It is significant of the state of mind of the total Jewish community that in the early 1920's it felt threatened by anti-semitism, not least from the English-speaking Protestants.

The fear of segregating their children within special classes, the discrimination against qualified Jewish teachers, trained in the Protestant normal schools of the province, and the current immigration policies of the nation highlighted and fed their fears and their suspicions. The policies of the Protestant school board, and sometimes its language, were not reassuring.

The teacher problem was old and complex. Jewish teachers had been employed by the Board to teach Hebrew to Jewish pupils for decades. But after 1903 they were also employed to teach other subjects to these Jewish pupils in the school in the Baron de Hirsch Institute, although not only Jewish teachers.

There were no rules barring them, and so we find Miss Sarah Gordon in the fall of 1905 teaching at the Mount Royal School.

But clearly their presence in classes of Protestant pupils could create problems: how could they teach Christian dogma? Who would teach their pupils on Jewish holy days? etc.

In fact, that October Miss Gordon applied for leave for the Jewish days of awe. There was a simple response: "transfer her to the Baron de Hirsch School as soon as convenient." (Minutes of the Board, Oct. 6, 1905)

In 1908 Stanley Bero, one of the first Jewish professional social workers in Canada, complained,

"A Jewess who has completed a course in the training schools and is fully qualified is eligible, but never appointed, to teach in any of the schools because it is maintained that she is not in a position to interpret scripture; and religion is taught in all schools." (Jewish Times, Nov. 13, 1908)

In October of that year Michael Hirsch and J. Goldstein interviewed Dr. Shaw, chairman of the Protestant Board, on several school questions and drew his attention to the cases of Jewish teachers who had applied for positions and had been refused. Dr. Shaw frankly admitted that the board did require teachers and that there was no objection to Jewish teachers in principle, but the unavoidable absence of Jewish teachers from class on Jewish holidays complicated matters. Mr. Hirsch suggested that Jewish teachers might be posted in schools with predominantly Jewish pupil enrolment.

When Miss Feigelson, a Baron de Hirsch school teacher, was refused a position, the Institute decided to discuss the matter further with the Christian authorities.

The community carried on a quiet, "unostentatious" agitation to erase the objections to the employment of Jewish teachers, to cite the Canadian Jewish Chronicle of June 20, 1913:

"A large percentage of the children who attend the Protestant schools in Montreal are Jewish, and yet no Jewish school teachers are allowed to teach in these schools. This rightly hurt Jewish susceptibilities. Even Protestants began to realize that to keep out Jewish teachers in schools in which the Jewish pupils were increasing was an anomaly which could not continue."

The Witness also remarked:

"Forty per cent of the children attending the Protestant schools in Montreal are Hebrews. In some schools whole classes have not a single professed Christian in them. The Jews are on the Protestant panel by agreement, and pay their school taxes to the Protestant Board. It will not hurt any Christians to allow Jewish classes to be taught by Jewish teachers. Were the Christians of Montreal placed in the position with regard to the instruction of their children in which the Jews to-day find themselves, they would not consider such concession more than their right."

On June 12, 1913, the Protestant board decided, in the spirit of the Act of 1903, to appoint Jewish teachers. Recalling that the Jewish community had recognized a decade earlier "that the Protestant system should remain unchanged in respect to its distinctive religious character and constitution, believing that any change which would have the ultimate effect of destroying the Christian character of the administration would be opposed to the conscience and judgment of the Protestant community of Montreal and of the legislature of the province. But having taken the opinion of its counsel, that it is legally within the power of the board to appoint Jewish teachers to its staff if it sees fit to do so, and having regard to the large and increasing number of Jewish pupils in its schools, the Board expresses its willingness to consider applications for employment from Jewish women teachers who are otherwise duly qualified according to the law of the Province, reserving to itself, as its right and its duty, full freedom of action as the circumstances in each case may appear to demand. It shall be distinctly understood, however, that when such appointments are made, it shall be arranged by the principal of the school that every Christian pupil in their classes shall receive instruction in the study of the New Testament from a teacher of his own faith, and shall attend the customary religious exercises so conducted."

Some commissioners balked at this move, considering it "to be their paramount duty to maintain the character of the schools under its control as essentially Christian and Protestant; that while the Commissioners heartily welcome as pupils in those schools children who profess other religious faiths; and while they have no desire to interfere in any way with the religious teachings of such children, they do not feel that they have any mandate or authority from the Protestant Christian citizens, whose servants they are, to modify in any degree, to jeopardize in any way the Christian Protestant character of the schools under their care. Therefore they do not feel justified in employing upon its teaching staff any candidates who would naturally be restrained by

their own conscientious convictions from imparting instruction in Christian doctrine as accepted by the great majority of Protestant Christian congregations of Montreal."

But they were outvoted.

The decision of the school commissioners, to quote the Jewish community paper, "has sent a feeling of satisfaction throughout the whole Jewish population of the dominion, and has taken away from the province of Quebec the slur of being the only part of the country in which such an unfair condition existed."

Within a decade the number of such Jewish appointees rose to some seventy, in part because of a shortage of Protestant teachers caused by wartime conditions.

In the Protestant community there was continuing concern about Christian children coming under the instruction of Jewish teachers. In 1919 the Commission sought precise figures on this situation.

"Weakening of the Christian influence in the schools by the appointment of non-Christians to the school board or the teaching staff, Bishop Farthing held, would inevitably undermine the civilization based on the Christian religion," the Gazette of Oct. 10, 1924 reported. Nothing he could conceive would create race antagonism and embitterment like "combination of our citizens against us to deprive us of what is ours by the Confederation agreement... For it is not only as our children are taught, not only the lessons that they may get that counts. It is also the influence that surrounds them. And we feel our children should have that influence around them that springs as the natural product of the Christian life. We therefore wish to emphasize that our children should be only in the hands of teachers who themselves are Christians."

In the fall of 1924, when agitation on the school question was at its highest, the Quebec Diocesan Board of Religious Education circulated a petition for "legislation to restore to the Protestants for the future their right, under the constitution, of having their children taught, and their schools governed, by Christians and by Christians only." The Montreal Board explained that in engaging Jewish teachers it assigned them to classes of non-Protestant pupils in accordance with its resolution of 1913. Clearly the spirit of this resolution was related with the larger problem of segregation of Jewish pupils and teachers.

That year the chairman of the Board placed the issue before their solicitor, "on account of the numerous Jewish holidays, specially in September and October in each year, when 80 teachers and over 12,000 pupils remain away from your schools, many whole schools and many individual classes in other schools are more or less completely disorganized, with a resulting loss to, and interference with, the education of other pupils. On that statement of facts he asked the following question:

Has the Protestant Board of School Commissioners of Montreal the right to pass regulations in regard to school districts governing the distribution of pupils in schools and in classes in such a manner as will minimize, insofar as may be reasonably possible, the effect of Jewish holidays upon Protestant pupils?

In other words: Has the Board the right to set aside whole schools or whole classes within schools for the sole use of Protestants or for the sole use of Jews?"

C. Laurendeau, K.C., responded, "The question does not involve the question of the constitutionality of the statute of 1903 nor the determination of the rights and privileges of non-Roman Catholic and non-Protestant British subjects in this province in regard to education. It is, in my judgment, a pure matter of administration. I am of the opinion that your Board has the right to adopt proper measures to remove the evil complained of, and for that purpose can pass and put into effect the regulations suggested in the question submitted."

At the end of 1924 Col. Creelman and the Rev. J.E. Fee were a committee on the arrangement of Jewish pupils in classes and schools.

So it was that on July 30, 1924 a delegation called on the Community Council to report that of 23 Jewish teachers who graduated the training program that year only one was engaged. Intervention with Mr. Bercovitch, the Jewish member of the Legislative Assembly, proved of no avail. In response to an inquiry by Mr. Nadler of the Council, Col. Creelman, chairman of the Protestant Board, explained that 71 Jewish teachers were on their roll; when two of them resigned that spring, they were replaced with two other Jewish teachers.

Mr. Fitch was able to speak of hundreds of Jewish teachers without posts, enough to affect the economy of Montreal Jewry. There was not, and there had not been, one Jewish teacher in the high schools of the city.

The plaint of the Jewish teachers and their worker-families was poignantly expressed by I. Figler, "Until very recently, it was the practice that a Jewish student, upon receiving her qualification at MacDonald College, was engaged and accepted as a teacher by the Montreal School Board.

"Never was there a complaint that a Jewish teacher failed to fulfill her duties.

"Let me bring out one illustration. The Jewish people as well as the world at large know too well how we Jews suffered since Jesus came to this world. What horrible inhuman onslaughts have we suffered in His name: And yet, despite that, has it ever occurred that a Jewish teacher refused to teach the New Testament, or intentionally or unintentionally misinterpreted the Christian Protestant Religion?

"Imagine the cruel irony of the situation: The Jewish teacher must instruct in a Protestant spirit the songs, prayers and religious principles to a class which is composed in greater part or entirely of Jewish children. The founder of our religion is of minor or insignificant importance when compared to Jesus, because Abraham wanted to kill his own son whereas Jesus sacrificed His life to atone for the sins of a world. The Jewish teacher did her duty faithfully, even though it meant betrayal of her religion, even though she suffered moral anguish, in inculcating Christian principles to Jewish children.

"It was not the desire for easy work, or the expectation of enormous salaries that determined our daughters to enter the teaching profession. Stenographers, sales-ladies, and analogous professions pay far better, and do not incur the tremendous moral responsibility of the teacher.

"For some time past the Montreal Protestant Board, to be assured with a suitable staff of school teachers, awarded teaching-scholarships to many pupils of the Public Schools - both Jewish and English - enabling them to study in one of the High Schools and follow the complete course for teachers at Macdonald College. In return, the Candidates for teachers signed a contract binding themselves to teach in one of the Public Schools of the City, during at least three years. It is self-evident that the latter contract was passed for the sole protection of the School Board.

"Does it not follow that the Board is legally and morally bound towards these teachers to supply them with the first vacancies that present themselves? Why should they be ignored now, when they have satisfied all the requirements of the Board, when they were obliged to meet various urgent expenses during the course - expenses that were a heavy and distressing burden to many of them who were of poor families? Why should they not be accepted now? Vacancies there were. What did the Board do? They granted no positions to the teachers who graduated the year before; they granted no positions in the order of merit; **THEY PREFERRED TO ENGAGE ENGLISH TEACHERS WHO RECEIVED THE LOWEST STANDING; THEY PREFERRED TO ENGAGE THOSE TEACHERS** even before they had been examined at the College as to their qualification. This is how they choose to treat us.

"They ignored our leading pupils, they ignored the contracts which the scholarship-teachers signed.

"The Dean of the School for Teachers at Macdonald was so kind as to warn our daughters - immediately before the end of the year - that there was small likelihood of their obtaining positions. But wasn't the warning rather a wee bit too late?"

(Incidentally, it tells us much of the measure of integration of the Canadian Jewish community, that so many of its young -- most of them girls -- had trained for a profession, one where placement was expected in governmental, public bodies. That would have been inconceivable a decade earlier.)

Mr. Figler was supported by Miss Pass, a teacher,

"A Diploma from Macdonald College School for teachers, was worthless, as far as Jews were concerned, if they did not thereby secure positions. There were about 18 of last year and about 28 of this year without positions. Most of these girls come from homes where the fathers were in trades that left them workless for about six months a year. Their parents sacrificed all to give their daughters a high school and Macdonald College education. Why should they and their daughters now be compelled to go through such injustice, suffering and economic and religious discrimination?"

Mr. Weinfield confirmed that "there was, under this head, undoubtedly discrimination. It was an insult, and it was really humiliating. We should get the staff positions in the proportion of our school population."

The matter of Jewish teachers went beyond the question of job opportunities for these young women. From the educational point of view there was something deeply effective for Jewish children to be brought up in a schooling world where all the teachers -- with all that this means in authority, status and wisdom -- are not Jewish.

When H.M. Caiserman told the prime minister that "the Protestant School Commission has not been engaging Jewish teachers," the Hon. A.L. Taschereau commented, "The teachers mean something in the education of a boy or a girl." (Abel Vineberg in Gazette, Jan. 22, 1930)

Yet things were not made much easier when the Premier was told repeatedly that some Jewish parents preferred not to have Jewish teachers for their children. (Eagle, Feb. 9, 1930)

Segregation

The roots of the segregation issue were tangled and emotionally complex.

As long as there were few Jews in the Christian school system, the problem did not arise. Through most of the nineteenth century the Jewish children were practically not identifiable in class or in school yard.

Until 1907, also, many Jewish children were concentrated in the school of the Baron de Hirsch Institute.

But when that school was closed, and the Jewish children were allocated in the schools of the Protestant system, when the proportion of newly immigrated among them became overwhelming, as it appeared that their educational needs differed from those of native Protestants, problems arose.

There was the simple matter of Jewish holidays. During the Rosh Hashanah, the Yom Kippur and the Succot and Passover days thousands of pupils were absent from classes, as were the Jewish teachers. When these liturgical festivals fell during week days, they could play havoc with a month early in the school year.

In 1924 School Board solicitor Laurendeau advised his clients that "your board has the right to adopt proper measures to remove the evil complained of, and for that purpose can pass and put into effect the regulations suggested... to pass regulations in regard to school districts governing the distribution of pupils in schools and classes in such a manner as will minimize, insofar as may be reasonably possible, the effect of Jewish holidays upon Protestant pupils."

It was an opinion upon the legality of a recommendation that was to run counter to the most deeply considered and felt interests of the Jewish community, as will appear, and was to result in intense Jewish-Protestant clashes for a decade.

There were also other reasons for Protestant desire to separate out their children from the considerable and growing Jewish enrollment. The schools were the locus where the Christian Anglo-Saxon tradition was being imparted to the young of this Montreal culture. It was difficult to do this in the presence of children without this Christian background, whose parents did not wish to subscribe to its creed or to have their children enter into this communion. Brig.-Gen. Smart explained this in a speech in the legislature,

"The matter is not a racial one. It was strictly speaking a religious one, and it must be remembered that the school was only an extension of the home. To-day it was difficult to impart

such religious instruction as the Protestant School wished to give, for in many classes there were only one or two Protestant scholars, the balance being Jews, and the teacher of the Jewish faith.

"In evidence of good faith the Protestant Board was willing to give the Jews privileges which they do not enjoy to-day... The Protestant Board was willing to place the schools at the disposal of Jews after class hours for religious instruction."
(Montreal Star, March 13, 1924)

Col. J.J. Creelman, for many years a leading member and counsel for the Board, formulated it,

"The schools of this Province are constitutionally Roman Catholic and Protestant. We know the Roman Catholic schools are very jealous of their religious rights, and their right to teach their own Christian faith in their schools.

"We Protestants are equally jealous of that right, but we are, for what I think are obvious reasons, very seriously handicapped at the present time in teaching as much of the Christian faith to our Protestant pupils as we would like.

"It is obvious the seventy Jewish teachers cannot be asked to teach the Christian faith to the Protestants in their classes. It is obvious the Christian teacher teaching the elements of the Christian faith to a class half Protestant and half Jewish is very much handicapped.

"It is only in the classes one hundred per cent Protestant, with a Protestant teacher, that the Protestant faith can be taught openly as we wish it to be taught to our Protestant pupils."

Some segregation developed out of the geographic facts of life, in the areas of Jewish residence and concentration. The area between Park and St. Denis, north of the heart of the city was the home of many Jews. But some of this separation was artificial, created deliberately. If Baron Byng High School was 95% Jewish, it was not solely because of the distribution of Jewish residence.

Indeed, the separation of Jewish pupils out of the High School of Montreal and into the Bancroft School had been openly and formally announced beforehand by the Rev. R.W. Dickie, chairman of the Protestant Commission, in a public address at the Y.M.C.A. in which he forecast that as a result, "the high school on University St. will then become 80% or 85% Protestant in its attendance, instead of about 65% Jewish, as had been the case in the past." (Canadian Jewish Chronicle)

As Col. Creelman put it before the Special Commission of Nine in 1924:

"I have here a calendar of the Jewish holidays based on particulars which we get each year from the Jewish authorities.

"Yesterday and today, September 29th and September 30th, are Jewish holidays. Every Jewish teacher and every Jewish pupil was out of our school yesterday and to-day. In this connection I might tell you we have seventy Jewish teachers.

"Wednesday, October 8th, will be a Jewish holiday. Monday, October 13th, Tuesday, October 14th; Monday, October 20th; Tuesday, October 21st, will be Jewish holidays. In other words, in the period starting yesterday, and ending October 21st -- a period

of twenty three calendar days -- there are seven Jewish holidays on school days.

"I might say that five years out of seven those holidays happen on school days; in the other two years out of seven they appear to come on Saturdays and Sundays, with very little resulting inconvenience to the schools.

"A year or so ago the Protestant Board of School Commissioners took cognizance of this, and instructed its principals wherever possible to divide the classes as between Protestants and Jews, so that the Protestants would be inconvenienced to the minimum possible extent by those numerous Jewish holidays falling on school days.

"Last year and this year the policy of division, whenever possible, has been created so that on Jewish holidays whole classes of Jews will be absent, and whole classes of Protestants will remain undisturbed going ahead with their class work. Up to the time we made that provision, the condition was absolutely chaotic. In a very large percentage of our schools education and advancement were disrupted during this period of holidays.

"Yesterday I visited most of our large schools in what we call the Jewish district, that is the area between Park Avenue and St. Denis Street running north from the lower part of the City. The policy of so dividing the classes as to bring about a minimum of inconvenience to Protestant pupils has proved very beneficial.

"But the facts as I found them yesterday were that in four of the Board's High Schools the school work of 224 Protestant pupils is interrupted on Jewish holidays, and in thirteen of the elementary schools more than 1900 Protestant pupils are obliged to mark time on those days. That is, there is such a percentage of Jewish pupils in the classes that the teachers cannot advance the pupils, and do not advance them, knowing that the work will have to be covered again when the greater number return at the end of the holidays.

"In classes where there are only two or three or possibly five Jews, as in the west end of the City, no difference is made -- those who come back after the holidays have to catch up. On the other hand, where there are ten or twelve or fifteen Jews in a class, that class cannot progress on the Jewish holidays.

"There is another point: the pupils are not only absent on those actual so called holidays, or holy days, but they begin to drop off the afternoon before the holiday commences, and they do not by any means all return the first morning after the holiday.

"The condition is very very disturbing, and the unfairness of it is easily seen in some of our schools. The Baron Byng High School, on St. Urbain Street, was opened about two years ago. In that school there are 848 Jewish pupils, and 42 Protestant pupils. I visited Baron Byng High School yesterday with Dr. Silver, and only 6 of the 42 Protestant pupils had appeared. The great majority of the pupils of the Jewish faith were away. I do not know why the Protestants were not at school, but the fact is as I stated to you, that only 6 out of the 42 Protestant pupils were there. That whole school will shut down absolutely from now on on all Jewish holidays.

"It is a much more serious matter in a High School than it is in an elementary school, because there are many pupils in the High School preparing for matriculation at the end of January, and a great many more who are preparing for University examinations in June."

To some Protestants, anxious to reaffirm in renewed legislation their threatened rights, their ability to implement this separation seemed a simple and basic phase of their administrative independence. By questioning this right before the public and the legislature, the Jews appeared to be undermining the foundations of the Protestant school system.

The Protestants argued that the present situation gave Jewish pupils undue privileges over their Christian school mates. The Jewish holy days gave them more days of rest, days when the Protestant children had to attend school, often just marking time waiting for the Jewish children to return.

Similarly, they argued, the Jewish children were excused from Scripture studies and this gave them the opportunity to concentrate more on other subjects, leading to higher marks.

Segregation would remove some occasions of this iniquitous competition.

But inmixed with this educational need for a consistent Protestant climate there was a simple desire to keep apart from these Jewish foreigners, and the Jewish community was sensitive to this xenophobia.

Decades before the Supreme Court of the United States was called on to adjudicate on equal but separate schooling facilities -- and that, too, not without Jewish involvement -- the Jews of Montreal were battling the issue against their own peculiar constitutional background.

In the light of their considerable historic experience, most Montreal Jews sensed in this separating out of the children into all-Jewish classes and schools a Canadian reconstruction of the Russian pales of settlement and of horrors forefelt but not yet experienced.

"I do not wish that a Jewish child in a Protestant school shall be told, directly or by the conduct of those in authority," Mr. Fitch told the special commission of inquiry, "that he is an inferior class of person, and must settle in another class, or another section of the place, or another school."

Speaking for the Jewish Workers Conference, Michael Garber said, "We do not regard it merely as a convenient arrangement for the purposes of holidays, but we place it with a number of similar incidents met with in certain countries against the Jews. We regard it particularly as a social problem. In no other country in which Jews are regarded as free are they limited in their school rights. In the United States, and in the other provinces of Canada, the Jews are at liberty to elect representatives to the school committees, and they are at liberty to have their teachers appointed to the schools."

As S.W. Jacobs put it, "Although it is not in the bill, I gather that it will be proposed to have separate classes for Jewish children, segregation or division in the schools. If there must

be a separation, the best plan will be to pull up stakes and make our own separation. Unless we can come to some better arrangement when the bill is before the house, I for one am prepared to pull out."

Reflection of the horror associated with segregation in the school occurs in a record a full generation earlier:

The 1903 act provided for the exemption of Jewish pupils from Christian religious instruction, and there is no indication that the Protestant authorities ever made it embarrassing for any Jewish child to excuse himself from such classes. It was indeed an important privilege. Nevertheless, because "our people have always sought to have their children educated along with those of other denominations... they are willing to sink national and religious considerations in order that their children should grow up worthy citizens of the land of their adoption. Although the statutes contain conscience clauses making provision respecting Jews, yet for the sake of peace and not to cause embarrassment, they are willing to allow their children to receive religious instruction from their school teachers. That this attitude is creditable to them will not be denied, especially as it is in marked distinction the the course taken by people of other denominations." (Jewish Times, May 3, 1907)

And again, on June 28,

"Although by the Act, no Jewish pupil attending the public schools can be compelled to read or study any religious or devotional books, or take part in any religious exercises to which its parents object, yet, in almost every instance, Jews have been willing to forego this proviso in their favor, in order not to embarrass the teaching staff in the schools which their children attend, and in other ways Jewish citizens have done everything in their power to prevent the segregation of their children, notwithstanding the efforts of the Protestant Board in the opposite direction."

Indeed, it makes remarkable reading to find that after the pact of 1903 the Jewish community knowingly accepted the teaching of the New Testament to their children in the Protestant schools, taking it for granted that attendance at these schools involved this concession of conscience to accommodation. It is not often in the long history of Judaism that we find such a Jewish compromise -- and this in a society where Jews prided themselves on their British freedom, even as they donned the labels of religious Jews, violently rejecting the label of secular Judaism.

All for the advantage of the children of varying faiths mingling in class.

Nathan Gordon, chairman of the Jewish Education Committee, told the premier that at the University St. High School of Montreal twenty-five Jewish children of one class had been formed into a separate class.

"With what result?" asked the premier.

"The result," said Mr. Gordon, "is that the boys stand up and look at each other, and get into rows both inside the school and outside." (Gazette, Feb. 5, 1925)

Henry Weinfield argued, "It is unjust and galling to our pride, to our natural sensibilities. Segregation smacks of pogroms, smells of the ghetto and of many other things which we have suffered in history. We resist every segregation of this kind because there may arise Pharaohs who may put into practice things which the law did not anticipate."

There was significance in the wording used by Mr. Bercovitch in opposing the separation of Jewish pupils, whether in Protestant schools or in separate Jewish schools to which the Jewish community might be forced if the Protestants pressed their demands. He was afraid that this would encourage a Jewish mentality. He preferred that Jews be brought up with Protestant ideals and in a Protestant atmosphere. Bercovitch had as keen a sense of dignity as any other member of the Jewish community, but he was using language that was acceptable to some of the Jewish societies of his time, and now would be inconceivable terminology for any Canadian calling himself Jewish in any sense.

Segregation was such a negative word that many Jews opposed separate Jewish schools on that ground alone. Avoidance of segregation was the great advantage offered by North American schooling. In Quebec it was the Protestant school system that was to fulfill it.

It is significant that in taking this educational position they were accepting as their norm the North American rather than the British form of democratic organization. In England, separate Jewish -- and other-- denominational day schools had existed for nearly three centuries and had been receiving state support since 1870. (S.S. Levin. "The Anglo-Jewish Day School" in London Jewish Chronicle, July 20, 1956)

But it was New York rather than Leeds that formulated the model for political and social thinking of the Great Migration of the 1880's and of New World Jewry. In the public schools of the American dream Jewish children would be trained at least with Protestant children, if not with all Canadian Christian children. Montreal Jews were to be the last to give up the dream of "national" schools -- public schools as they are known elsewhere in Canada -- while Catholics opposed them and Protestants despaired of them. Yet here segregation was threatened and practiced by the Protestant schools!

The very vexing issue of segregation was a concomitant of the representation question. There could be no question of segregation being entertained by a board on which there was Jewish representation. Per contra, a Protestant board on which no Jews were represented, for whatever reason, implied the authority to segregate Jews at will, for whatever reason.

Any move towards segregation ran counter to the most deeply considered and felt interests of the Jewish community, as will appear, and was to result in intense conflicts with Protestants and even within Montreal Jewry.

Pandora's Box

In 1921 the Protestant Board opened a Pandora's box when it proposed a bill in Quebec that would have the non-Protestants pay their taxes to the neutral -- higher rate-- panel, and would have the panel pay the Protestant board the deficit cost of educating these pupils. There was a slight attempt at securing Jewish consent to the measure, but this was not forthcoming.

The premier had promised to support this bill if the Protestants would delay it. But the bill was brought up, suddenly, in the fall of 1921, without notification to the Jewish representatives.

It failed because of strong Jewish opposition.

It so happened that other groups of Canadian citizens also found their current schooling situation unsettled. The Syrians in Montreal and the Greek Orthodox, -- being neither Protestant nor Roman Catholic -- were in practice free to pay their school taxes to the panel of their choice, but they had no legal claim to have their 1,000 children accepted by either commission.

In Jan. 1922 they laid their problems before the prime minister, arguing that no provision existed in law for the education of their children.

It was at this time that the Protestants of Montreal raised the Jewish problem.

The significance of the actions at the time was in the extension of the issues. Instead of confining themselves to the financial problem -- how to secure more moneys to cover the costs of educating the Jewish children in view of the inadequacy of income from Jewish taxpayers -- the question of the Jewish scholars was merged with that of other non-Protestant, non-Catholic children, with the constitutional position of Jews under the 1903 act, with questions of segregation of Jewish children, with the presence of Jewish children in Protestant schools, Jewish teachers, separate Jewish schools, etc.

But publicly it was formulated as a financial problem.

"It is fully realized, say the Protestant Board of School Commissioners, that the education of children of foreign-born parents is one of the greatest services that can be rendered to the cause of nation-building in Canada. It is considered by the Board that no better means of Canadianizing foreign children can be found than by inculcating Canadian ideals along with Canadian education.

"It is claimed, however, that this responsibility should be carried by the community as a whole, and that it should not devolve almost entirely upon one section of the community, particularly a section which is considerably in the minority.

"Representing the interests of the Protestant community of Montreal, the Protestant Board of School Commissioners has appealed to the provincial government to remedy the situation.

"The first appeal was made some time ago. Last January representatives of the board met the premier and the cabinet in Quebec and laid the problem before them. The government agreed

that the problem merited serious study and that remedial measures should be taken, but as the conference took place in the midst of a busy session, further study was postponed. Dr. R.W. Dickie, chairman of the board, and Col. J.J. Creelman again took up the matter with Premier Taschereau in September in Montreal." (Gazette, Nov. 1, 1922)

As Dr. Dickie later remembered before the Special Commission of Nine,

"The differences and unfortunate misunderstanding seem to me to have begun to emerge in 1921. At that time it was recognized that between 500 and 1000 children in the City had no school rights. I refer to Greeks, Syrians, Heathen Chinese, and so on. They had to pay school taxes -- that is to say their parents or guardians paid school taxes -- and the children had no school rights. This was recognized as anomalous and unjust, and representations were made to the Provincial Government to rectify the situation.

"About 1921 a large number of Syrians and Greeks seem to have come to the City.

"The question was, what were we going to do with a body of people who were neither Protestants nor Roman Catholics?

"Of course, the simplest solution was to put the load on the Protestant School Board, and that suggestion was made. We felt they had a good many children, and not many taxes, and we did not know but they were the forerunners of a great many others. We said the cost of educating those persons should not be put upon the shoulders of the Protestants, but should be spread over the whole community.

"When the question was once raised of educating those non-Protestants the whole question of educating all non-Protestants came up, because at that time there was some feeling that the education of the Jews was costing us a good deal. We could not determine exactly how much the education of Jews was costing the Protestants, but roughly we estimated that the Protestant Community alone was paying approximately \$30.00 per capita -- that was the cost of education over and above what Jewish taxes produced. We have since found our estimate was a very conservative one.

"In order to bring up the question of the education of non-Catholics, non-Protestants, we went to Quebec with a Bill, and these were the three principles of the Bill:

"First, give all non-Catholics non-Protestants rights to attend either of the established school systems. We recognized there were two school systems established by Law under Confederation;

"Secondly, to make all who are not actually Protestants or Catholics -- neutrals -- pay their taxes into the neutral panel;

"Thirdly, to take out of the neutral panel as the first charge upon it the cost of educating non-Catholics and non-Protestants; and

"Provide a Conscience Clause exempting those who so desire from religious instruction or from attendance at religious exercises.

"That measure which we took to Quebec was promoted by the Protestant Board, and it was actively supported by the Committee

of Public Instruction and by the Catholic School Board of Montreal. It was an agreement between the three parties.

"That measure did not succeed. My friend, Mr. Hirsch, perhaps knows why it did not succeed.

"Hirsch. Probably you know as well as I do.

"Chairman. Why did it not succeed?

"Dickie. In my judgment it did not succeed because of the opposition of our Jewish fellow citizens.

"Chairman. They were not consulted, I understand?

"Dickie. That is a matter upon which Mr. Hirsch and I have had some differences; but it is a personal matter.

"Hirsch. Let us clean it up now. We were not consulted. The Bill came to us as a matter of surprise. We had not seen it.

"Dickie. Someone has forgotten. It may be you, or it may be me. My memory is I took the principles of that Bill, not the Bill, to you. Mr. Goldstein and I, think, Mr. Gordon were there. I outlined the three principles of the Bill, and instead of getting help from my Jewish fellow citizens, I got discouragement.

"I thought it was a very fair thing. We were trying to get the matter settled. We had been in communication. It was said nothing could be done if you would not help us. Mr. Goldstein told us you would not help us.

"We took it further, because we had the promise of the Prime Minister the year before, and I may say it was given in this way: We took the matter of educating non-Catholics non-Protestants to Quebec, and the Prime Minister said to us: 'This is a very difficult subject, and requires study. I will bring in a Bill at the next session.'

"We said; Very well. We shall accomodate ourselves to the situation in the meantime, and educate without cost those persons who have no school rights."

"Mitchell. When was this?

"Dickie. It was the session before last this Bill to which I refer was taken down. In the fall of 1921, I think.

"Hirsch. You know it is a matter of record that the gentlemen to whom you have referred have stated the Bill reached them as a shock and as a surprise, and that they had never seen it.

"Dickie. I daresay they did, because they had not the faintest idea it was coming up. They had not the faintest thought the Government would entertain it.

"In place of that Bill another was passed which practically solved the financial question. The financial end of it was solved by distributing the cost of educating non-Catholics non-Protestants over the community.

"What seems to me to have been the stumbling block to our Jewish fellow citizens was their very great objection to having the Act of 1903 repealed, I suppose it is a fault of my viewpoint, but I have not been able to understand why they have such grave objection to repealing the Act of 1903. I know Mr. Goldstein, who is so much interest in education, and with whom I have had many

conferences on the subject, has referred to this Act as the Magna Charta of Jewish Education.

"The point of the Act of 1903 that Mr. Goldstein, at any rate, loves so much is that for the purpose of education Jews shall be recognized as Protestants.

"Under the Act of 1922 they are not recognized as Protestants for the purposes of education; for this reason: suppose we should have an influx of people from the Hebrides, who are Scots, and who would be Protestants no doubt for the most part -- or suppose a large influx of poor Protestants came to Montreal. They would have no right to have the difference between their taxes and the cost of their education made up out of the neutral panel. The mere fact that the Jews are so treated under the Act of 1922 implies they are not for all purposes of education recognized as Protestants.

"Before 1922 the neutral panel was divided in the ratio of the Protestants to the population of Montreal, exclusively of the Jews. We are not getting so much out of our proportion of the neutral panel since that time.

"It seems to me the only difference between the Bill which we promoted and the Act of 1903 so far as the rights of Jews to education are concerned is the difference that the Act of 1903 perhaps gives them the right to equal administration with the Protestants."

To settle disquiet in the Jewish community, Dr. Dickie wrote in the Canadian Jewish Chronicle of Feb. 17, 1922 that the Protestants intended only to spread the costs of educating Jewish children among the total population, so that not only Protestants would have to bear them. When that will be effected, this burden upon them "will be lifted whether the Jews choose to remain in the Protestant school panel or not." ("Our Canadian Letter," in London Jewish Guardian, March 10, 1922.)

But they took more effective steps on Sept. 29, 1922 when the Protestant Committee of Public Instruction was asked to appoint a sub-committee to "study the whole question of the education of non-Protestant and non-Roman Catholic children throughout the province, and particularly the cost thereof." (Report on Public Instruction, 1922-23, Pp. 397-400)

At an early meeting on this question between Dr. Dickie and Michael Hirsch, they agreed in their opposition "to the establishment of a separate panel and separate schools for our children. I pointed out that if that was the principle, it was high time some of his friends discontinued branding our Canadian-born children as foreigners. He replied that he had been guilty of that offense and that he was sorry to have to admit it, but that he had only used the term for want of a better word." (Hirsch report of the interview.)

But the action they took was far more radical.

A meeting took place on Oct. 9, 1922 between the Protestant Board of Montreal and this sub-committee of the Protestant Committee of the Council for Public Instruction where the principle of the repeal of the act of 1903 and the proposals for the financial relief of the Montreal school body were accepted.

The report was accepted without dissent by the Protestant Committee. This unanimity of support for the Montreal Commission did not exist later, as the problem unfolded.

At the meeting with the premier and members of the cabinet on Nov. 9, the Protestants complained that the presence of these children "during the past twenty years meant serious educational disabilities" to the Protestants: the Protestant and the neutral rates were increased three mills above that of the Catholics; it had not been possible "to make satisfactory provision for the children of the Protestants, ... and the value of these schools of the Protestant population has been greatly reduced by the large influx of the non-Protestant element.... The question of having a third panel with a separate system of schools for the non-Protestants and non-Roman Catholic population was considered and was found to present many serious difficulties."

In all these discussions "the rights secured to the Protestant minority by the Act of Confederation to conduct under their own management a system of schools which are Christian and Protestant" were carefully stressed.

It should be recorded that no one at this point suggested that the Jewish pupils constituted a fiscal burden upon the Protestant Board.

The thinking of the Protestant Board is revealed brutally in their memorandum of Dec. 16 Regarding Education of Foreigners in Montreal. It opens,

"Syrians, Greeks, Russians, etc., resident in Montreal have no school rights in either school system of the city, unless they are Catholic or Protestant. Many of them are tax payers.

"The Jews, who provide almost half the pupils in our Protestant schools, are a heavy charge on our Protestant ratepayers.. This feeling can no longer be disregarded, and unless something is done to remove its cause we shall in the near future be face to face with public demonstrations which would be good neither for civic harmony nor for good education."

Considering the possibility of a foreign panel, they fear "a foreign panel would be dominated by the Jews, and would be a most effective way of encouraging and promoting Judaism. It would certainly be wanting in Canadian sentiments and ideals. A foreign panel would not be a Christian system. To establish it would mean that the provincial government would be a party to creating either a system without religion (in case they forbade religious teaching in the schools) or a system that was non-Christian (for certainly the Jews would dominate the system) and would be a most effective way of encouraging and promoting Judaism."

The Protestants therefore proposed, as their first recommendation, to revoke the present law which makes the Jew for purposes of education a Protestant.

The radical action of the Protestant group came quite without warning to the Jewish community and as a shock to its leaders. They were quick to protest to the provincial government.

A meeting of accredited representatives of the Jewish community was assembled at the Baron de Hirsch Institute on Nov.

13 where very seriously considered memoranda were submitted by Hirsch and by Goldstein. The meeting asserted that the "conditions in no way alter the principles laid down by the act of 1903, and reduce the problem to one simply and purely of finance and nothing else.

"The 1903 act was the culmination of the serious consideration of all parties, was enacted after much negotiation and many months of meetings, and has to all intents operated satisfactorily. By that act we once and for all accepted the status of being Protestant for all purposes of education and insist that our school rights thus established be continued."

Even the current financial problem represented nothing new in principle: back in 1903, too, the direct revenue from the school taxes of Jewish proprietors was not sufficient to defray the cost of educating the Jewish children attending the Protestant schools. The same conditions existed then, although, of course, on a much smaller scale. The Protestant Board was entitled to full relief, but the meeting also raised the problem of representation, recalling "that, contributing in a large degree to the revenues of the Protestant Board, our people might be found to have among their number some few at least who, in a matter involving a financial question and a social problem, could lend some aid to its solution. Gathered together around a table with all the interests involved, and with all the facts fully established before us, we think, in all due modesty, that our leaders might be able to render some small help to find some way out of the present emergency. We feel that the legislature should provide for the addition of two members to the Protestant Board who should be of the Jewish faith... The addition of these two members to the Board would in no way change the aspect of the Commission as regards its religious convictions or the religious conduct of the schools under its jurisdiction. Such safeguards could very easily be made a condition of the appointment of these two members."

The provincial government convened several conferences of the Catholic, Protestant and Jewish representatives which were attended by members of the government, under the chairmanship of the premier.

The Protestant groups had studied the problem very thoroughly, and were aware of many of the concomitants of the proposed solution.

Col. J.J. Creelman foresaw that the establishment of a Jewish panel would involve the transfer of eight or nine of the largest schools in the competence of the Protestant Board to the jurisdiction of the Jewish body. Responsibility for the applicable portion of the bonded debt of the commission would be transferred to the Jewish panel. The teaching staff would be somewhat reduced, and the mill rate of Protestant taxation might be reduced by one or two mills. (Star, Sept. 7, 1923)

The Protestant Committee of the Council of Public Instruction noted "the desire of Jewish parents to extend to their children profitable means of learning the language of the majority of the people living in the Dominion. If the children are not given

education in schools where the majority of the pupils are English-speaking, it is difficult for them to learn English properly."

But the committee was also sensitive to the needs of Canadian Jewish intellectuals:

"In fact, it has been pointed out to the Protestant committee that though there are a large number of Jewish pupils graduating as professors, it is difficult to find employment for them, either in English-speaking schools or in institutions devoted to members of the Jewish community alone. According to some of the members of the Protestant committee, there lies the problem."

They foresaw, sympathetically, the broader issue arising from the establishment of a Jewish panel, an issue that was to become near central within the decade (Gazette, Sept. 7, 1923)

Another aspect the creation of a separate panel, provision may also have to be made later to give those separate schools a Jewish committee of the Council of Public Instruction, as they would neither fall under the jurisdiction of the Catholic nor the Protestant Committees.

"The matter is expected to be finally dealt with at the next session, and when the school year 1924-25 opens, expectations are that means of giving fair play to all those interested will have been found."

As they came to see it in the light of Jewish growth and Jewish claim, it seemed, in the words of Dr. Rexford,

"To constitute a violation of the guarantees given at Confederation to the Protestant minority for the continuation of their denominational schools. There is important legal opinion in favor of this position.

"If, for example, the Provincial Legislature should pass an Act declaring that for educational purposes all English-speaking Roman Catholics should be regarded as Protestants and should enjoy all the rights and privileges of Protestants in the Protestant school system of the Province--no one would hesitate to say that such an act was a violation of the guarantees given to the Protestant minority in this Province at Confederation.

"But if the incorporation of a non-Protestant, but Christian element of the population is illegal, the incorporation of a non-Protestant and Hebrew element of the population with full rights and privileges as Protestants would appear to be a greater violation of the guarantees of Confederation.

"The Protestant Board of School Commissioners demands that all uncertainty in this matter shall be removed and that the absolute and exclusive control of the Protestant Schools of the City by a Board composed of Protestant members be preserved as guaranteed by the Confederation Act.

"The Jews recognize that under the Act of 1903 they have secured a very remarkable concession and established an educational status which differentiates them from all other non-Roman and non-Protestant elements of the community, and they are, therefore, utterly opposed to the abrogation of this Act.

"Again the fact that the Jewish element of the community provides a large percentage of the 'Protestant' school population has seriously impaired the reputation of these schools as desirable institutions for the education of Protestant children, with the result that many Protestant rate-payers have felt compelled to turn to other institutions for the education of their children.

"The large number of religious holidays regarded by the Jews as 'fêtes d'obligation' seriously interferes with the working efficiency of the Protestant schools. It appears that some agreement was entered into by the Protestant Board in 1903 which guaranteed Jewish pupils from educational loss through absence on Jewish holidays.

"Another serious problem presented by the Jewish situation is the question of employment of Jewish teachers under the Protestant Board. The present act says that the Jews should be treated in the same manner as Protestants, and that they should enjoy the same rights and privileges as Protestants. And now that the Jewish children are passing through our High Schools in large numbers and are finding their way to Macdonald College for training as teachers, the Jewish population are demanding that their young women shall be given situations as teachers under the Protestant Board.

"But the employment of such teachers is beset with many difficulties. Many of them, being from a foreign population, speak English imperfectly, and even Jewish parents, in bringing their children to the Protestant Schools, often ask that they shall be placed under Gentile teachers. Moreover, in mixed classes it does not seem reasonable to place Christian children under direction of these Jewish teachers.

"Again the question of religious instruction and character building presents serious difficulties in these Jewish-Protestant schools. The first period of each day in the elementary schools is set apart for religious instruction and character development, specially designed for Protestant pupils. It is not fitting that the Jewish pupils should receive all of this instruction, and it is most undesirable that this instruction should be given to a few Protestant pupils in the presence of a large number of Jewish pupils who are simply listeners and onlookers."

The Protestants proposed a bill which, in its preamble, was quite offensive to the Jewish community. It made it appear that the provincial educational system had worked adequately for very long until, "in recent years in the city of Montreal there had grown up a large population" of non-Roman Catholics non-Protestants. There was no reference in the bill to Jewish rights but there was a reiteration that the Protestant Board had in 1903 refused to acknowledge any obligation to receive Jewish children.

The Jewish delegation led by Nathan Gordon submitted a memorandum drafted by Maxwell Goldstein and approved several days earlier, on Nov. 13, 1922.

This document noted that the fiscal complaint of the Protestant Board is based on uncertain information and requires much closer analysis. In any case, redress need not involve the abrogation of the act of 1903 which gives the Jewish citizenry a certain legal status. It was "the culmination of the serious consideration of all parties and was enacted after much negotiation... and it has to all intents operated satisfactorily. By that act we once for all accepted the status of being Protestant for all purposes of education, and we insist that our school rights, then established, be continued." It also called for the appointment of two Jews to the Protestant Board.

The original bill was killed as a result of this conference, and another bill was introduced on Dec. 14 by Brig.-Gen. Smart, member for Westmount. It quickly received the sanction of the legislature. (Star, Dec. 14, 1922) as 13 Geo. V. cap. 44.

The Protestant complaint that they were losing heavily on the education of Jewish and other non-Protestant non-Catholic pupils: the legislature amended the fiscal arrangements so as to ensure a greater income from the neutral panel to reimburse the commission for the difference between the income from Jewish tax-payers and the cost of the education of these children. Such pupils were free to attend either Protestant or Catholic schools.

Maxwell Goldstein noted, "The alleged inadequacy of the school tax received by the Board to defray the costs of such education has been remedied for the present by the act of 1922."

But the crux of Bill 150 introduced by Westmount member Brig.-Gen. Smart was the clause which provided that the 1903 act could be repealed by order-in-council after July 1, 1923.

The eighteen months delay in the abrogation of the 1903 measure was provided to allow the Protestants and the Jews to arrive, if possible, at a friendly solution of the problem which, the Protestants insisted, has arisen in recent years by reason of the large attendance of Jewish children in their schools (to quote the memorandum of Sept. 5, 1923 from Mr. Goldstein).

The act assented to early in 1923 was hailed as a determining victory for the Protestant antagonists. But Jews and the new moderate Protestants saw the measure not as shutting the door but rather as designed "so that those dealing with this very important question would have an opportunity of further discussing the matter between themselves, and, if possible, at arriving at a conclusion."

In Protestant terms, it would have restored to them mastery in the schools which bore the name of their creed. But Jews heard this differently.

In point of historic fact the order-in-council envisaged in the 1923 act was never issued, and 1903 remained in force until 1930. In the interim it was the nub of the complex school battle of the decade.

It was generally understood that the 1923 law was a temporary measure. The Protestants continued to seek the abrogation of the 1903 act as envisaged in the 1923 legislation. They sought further legislation fixing clearly their rights in the Board administration, enabling them to segregate their Jewish pupils at will and quieting for good the Jews' demands for seating with the commissioners.

To Dr. Smyth it seemed self-evident.

"In the conversations we had with the Jewish representatives in the past they all admitted it was reasonable. They said: 'Of course, your schools must be under Protestant Control', and it was agreed to then.

"I wish the Jewish community as a whole could realize that, because if they would, we should overcome a great deal of the difficulty. At our meeting the Jewish representatives said: 'This is a great system of yours, built up with labor, and sacrifice, and trouble. We do not want to take the control from you. Of course, it must remain a Protestant system of education'. Now, all the Protestants want is to have that control assured.

"If that be so, what objection can there be to having it black and white? I think, when you consider this great system has been built up by sacrifice and labor, you will admit it is only fair it should be perpetuated.

"Now, what is to be said about Jewish representation on the Board?

"In the first place, if the legal opinion obtained is correct, there would be legal difficulty in the way. It would be contrary to the provisions of the British North America Act, I think.

"Secondly, and here is where the Protestants feel the difficulty, it is very reasonable to say: 'You have such a large body of Jews in the schools; why not give them representation on the Board? Would it not be a great advantage to the Board to have

for instance, Mr. Michael Hirsch as a member?'

"It certainly would: but that is not the point. Once you admit the legality of the principle, you have to go through with it.

"I venture to say that in ten years there may be as many Jews as Protestants in Montreal, and perhaps considerably more. If representation is given it should in all fairness be given in proportion to numbers.

"What would the result be? In the course of time the whole system might be changed. There may be a majority of Jewish members on the Board, because of the majority in number of the Jews in the City as compared with the Protestants. And this majority in membership on the Board would control the whole policy."

Since the 1923 act did not close the issue, a number of proposals were placed in the hopper during the months of complex, widespread and far-reaching debate.

The new proposal of the Montreal Protestant Board appeared innocuous. It merely stated that children who were neither Protestant nor Catholic could attend either school system. The cost of their education, if it exceeded revenues from their school taxes, was to be relieved out of the neutral panel. No one expected or desired that Jewish children present themselves anywhere but in Protestant schools.

In effect it revoked whatever rights in education that Jews enjoyed. As Goldstein explained (in memorandum of Sept. 5, 1923), "Jews would have no rights whatever to education at the schools of either Board, and things be the same as when the judgment was rendered on the Pinsler-Protestant Board case by Judge Davidson in 1903. It was to remedy this injustice which the facts set forth in this judgment established that the act of 1903 was passed by mutual agreement between the Protestant Board and the Jewish community.

"In addition the Protestant Board seemed to insist that a segregation of the Jewish children in their schools has become necessary, and in fact such segregation is actually proceeding, as is instanced by forcing the Jewish children in the High School on University St. to attend the new Baron Byng High School on St. Urbain St., and also by dividing the classes in other schools into Jewish and Christian sections."

As the Rev. Dr. Smyth told the story to the Special Commission of Nine,

"The Act of 1922 largely remedied the financial grievances, and in it there was a clause which caused a good deal of difficulty. There was a provision that the Act of 1903 might be repealed by the Governor General in Council.

"A number of Protestants immediately determined that what was implied in that should be implemented, and inasmuch as there was a misunderstanding or a doubt as to the legality of the Act, why not remove it and wipe it out altogether, because no good purpose could be served by keeping it on the Statute Books?

"When we came to present our Bill last session our Protestant constituency expected us to do certain things. We were there in a certain representative capacity. There is no doubt whatever

that our Protestant constituency expected us to do certain things, and we were told it was our duty to do them.

"The first was to see that that Act which was believed to be ultra vires, and so declared by the legal officer of the City, should be repealed, in order to avoid future misunderstanding and to secure the Christian character of the School.

"The second was that it be made clear that the Board had power through administrative readjustments to mitigate some of the unsettlement caused by the Jewish holidays, and also to provide for better religious instruction. Also that we should remove any financial injustice, and that we should be paid the full cost of the education of those non-Protestants.

"The members of the Protestant Committee who discussed the matter with us agreed with us on certain great principles, and I think the Jewish representatives who discussed the matter with us felt there were certain great principles that we must stand by.

"When the draft Bill was prepared I think I suggested a copy be sent to the Jewish representatives, and that they should be asked to discuss it with us, and if there were any phrases which hurt their sensibilities we might try to have them modified.

"There were two or three things which I thought might hurt their sensibilities. For instance, it was said they should have the privilege of attending either the Protestant schools or the Catholic Schools. I said: 'As sure as you are alive, they will look at it from the point of view that they should have the right -- not the privilege -- of attending the schools of either system'. Of course, there may not be any difference, because a privilege given by Law is a right.

"I was told our legal authorities said we could not do that, because it was ultra vires, but I thought if we had a conversation with them we might come to some agreement on this point.

"I spoke to an eminent representative of the Jewish community, in my own studio, and urged him to come with the other representatives of the Jewish community and try to have the point settled. Copies of the proposed Bill were sent to them.

"They preferred to go and fight the Bill in toto, which they did, and they managed to defeat it for the time being.

"I regret that friendly discussion did not take place, because I think if they had pointed out the two or three things which annoyed them, we might have come to an understanding, and a friendly settlement."

S.W. COHEN: "There is a letter on record from Mr. Nathan Gordon to Colonel Creelman in which he protests against the fact that the Bill was introduced after the Jews had given their objections to it, and it was promised the matter would be discussed. Instead of the matter being discussed, the Bill was introduced without referring it further to Mr. Goldstein or Mr. Gordon."

DR. SMYTHE: "I think, Sir, you will find what occurred was this: as soon as the Bill was presented to our Board I moved that copies be sent to the representatives of the Jewish Community, and that they should be invited to meet us and discuss the Bill. At the next meeting I asked if there was

to be a meeting, and I was told that there was no intention and no willingness on their part to come to meet us."

COHEN: "A letter of protest was sent. The letter states the understanding at that particular meeting was that the Jews objected to certain things in this Bill, and it was intended to discuss the matter further, and the Bill was introduced without that further discussion."

DR. SMYTHE: "But, when we discussed the matter with the Jews there was no Bill at all in existence."

MR. COHEN: "But, a Bill was introduced without either referring it to the Jews, and without any further discussion, and it seems as a great shock to the Jews, following which Mr. Gordon wrote the letter."

During the dialogue Mr. Creelman, spokesman for the Board explained,

"The Bill we introduced last session, if passed, will entirely satisfy the Protestant School Commission. It guarantees to us Protestant control of Protestant schools."

HON. MR. MITCHELL: "What does it give you that you have not under the Act of 1922?"

"SIR ARTHUR CURRIE: "In the first place, it gives that the Act of 1903 be repealed."

HON. MR. MITCHELL: "Which is provided for in the Act of 1922, by Order in Council."

MR. CREELMAN: "When the Act of 1922 was passed, and the provision for the repeal of the Act of 1903 by Order in Council was passed, we were told perfectly plainly by the Prime Minister that the Act of 1903 would only be repealed if something were substituted, and our Bill as offered to the Legislature last year was an offer to substitute something satisfactory to us for the Act of 1903."

HON. MR. MITCHELL: "As a matter of fact, what are you asking for in the Bill of 1924 which is not in the Bill of 1922, other than the financial arrangement?"

MR. CREELMAN: "We are asking that the provision of the law which we are advised is unconstitutional, but which is nevertheless in the law, be eliminated, so that Jews will no longer be called Protestants for purposes of educations."

"Two years ago we had a request from the Syrians to agree to a proposed Bill by which Syrians would be called Protestants for purposes of education, to which we objected!"

MR. GEOFFRION: "What would be the position of the Jews under the Bill?"

MR. CREELMAN: Under the Bill as submitted last year all non-Catholics, non-Protestants were to be accepted either in the Catholic schools or in the Protestant schools, on the selection of the pupil through his parents.

THE CHAIRMAN: "That is to say, the Jews would be in your schools, and they would be in the Catholic schools."

MR. CREELMAN: "The Jews would have the privilege of attending the Roman Catholic schools as well as the Protestant schools, on their selection."

MR. GEOFFRION: "Would they be in the same position as the non-residents today?"

MR. CREELMAN: "Of course we do not admit the non-residents have any rights. We admit them, and charge them fees."

"Non-Catholics, non-Protestants -- whether they be Jews, Orthodox Greeks, Syrians, Chinese, or any of the other religions which go to make up a cosmopolitan city -- would have rights either in the Catholic School Commission or under the Protestant School Commission as the inclination of the individual."

The proposal of the Montreal Board enjoyed the support of the school boards of Westmount, Outremont and Montreal West. The Protestant Board measure would grant the Jews -- children, parents or the community -- no rights at all and rather tenuous and dubious privileges.

In Sept. 1923 Mr. Creelman, head of the Protestant Board, told Mr. Fitch informally that they could see separate Jewish schools very near. "The act of 1903 must be abolished. We would not take a contract for educating the Jewish children once the 1903 act is repealed. The schools must be more Protestant than heretofore. If your children stay with us, we'll have to segregate them, which is not desirable to us and not dignified to you." He would have the Jewish community know this frankly, because it is rather unfair on the part of the Jews to let them appear as unjust before the public. (Report by Fitch in the minutes of the Jewish Committee for Separate Schools, Sept. 13)

The militant Protestants met opposition within their own society.

In Quebec City the Protestant Committee of the Council for Public Instruction resolved that the conditions created by the 1922 legislation were satisfactory and called for no further legislation.

As the Rev. Rexford recalled that situation:

"Before the Bill of 1923 was presented by the Protestant Board of School Commissioners it occurred to the Protestant Committee of the Council of Public Instruction that this question might reach an acute stage, and it would be well for them to be thoroughly informed and be prepared to advise the Government if asked for their opinion. A Special Committee was, therefore, appointed to study the question and try to reach a satisfactory conclusion.

"This sub-Committee had several meetings on the whole question, and studied the proposed Bill sent in by the Protestant Board of School Commissioners.

"It took up each clause of the Bill presented by the Protestant Board. It went over the general contents of each clause, and approved of everyone of the clauses in general terms, But it said: 'The Jewish population feels keenly that the Act of 1903

should not be abrogated. Can we not get the real force of these clauses in some way without absolutely abrogating the Act of 1903?'

"It set to work to try to find some way by which the main points of the Act of 1923 could be conserved, and the strong feeling of the Jewish representatives also considered.

"A scheme was worked out which it was thought might possibly prove satisfactory, but when that scheme was presented to the legal advisers, they said in reference to clause 1 of the Act of 1903: 'That clause is illegal. It is ultra vires, and there is no possibility of amending a clause which is illegal and ultra vires except by abrogating it. You may add to it, and camouflage it all you like, but it will not meet the situation.'

"Therefore the suggestions were dropped, and when the sub-Committee came to the whole Protestant Committee it came without any report. The Chairman of the sub-Committee simply reported verbally.

"The Protestant Committee of the Council of Public Instruction seeing the wide differences of opinion outside of the Committee and the wide difference of opinion in the Committee, said: 'We think the matter had better be dropped.' And it was dropped...

"When the matter came before the Protestant Committee no action was taken upon the merits of the proposed legislation. In view of the wide difference of opinion, both within and without the Committee, the Protestant Committee recommended that no action be taken on this question at the then current session of the Legislature.

"Unless the Jewish population are prepared to avail themselves of these generous proposals of the Protestant Board there appears to be no practical alternative but the establishment of a third or Jewish system of schools in this Province, to the great disadvantage, not only of the Jewish population, but of the whole community."

The government was quiet but adamant in opposing further change.

The Jewish community was increasingly disturbed by the attack on its tenuous legal status.

As Nathan Gordon put it, "the bill has apparently been framed upon the same lines as submitted last year, and was then held over as being unacceptable to the Government and ourselves."

The months of 1923 and 1924 were the period of the great debate in Canadian Jewish history, a debate within the community, with the Protestants, with the Catholic church and with the provincial government; a debate that was conducted on a remarkably high level of political and social intercourse.

By mid-November of 1923 the Jewish Up Town group had submitted specific representations and suggestions to the Protestants which were ignored in the Protestant draft of the bill they had prepared for submission. On Nov. 30 Mr. Gordon wrote to the School commissioners "the Jews felt very much shocked and grieved at the rejection of their proposal that two persons of the Jewish faith be appointed to act with the Board in at least an

advisory capacity in solving any problem that may arise... such as the absence during Jewish Holy Days, appointment of teachers, religious teaching, class segregation, use of schools in Jewish districts on specified evening for literary and educational purposes."

At one point the Jewish spokesmen proposed the establishment of an all-island financial authority for the schools; there could be no constitutional ban on Jewish membership. on such an authoritative body; the Jews might have been satisfied with such representation, leaving the administration of the Protestant schools to members of these denominations. But there was a veto on this from the Protestants who scorned it as a Jewish attempt "to get in by the back door."

Segregation of Jewish pupils, whether in separate Protestant schools or in separate class rooms, was an eventuality intensely feared. The 1923 bill did not specifically threaten such segregation, but it did provide for authority for the Protestant board to regulate the conduct of the schools and it deprived Jewish pupils and parents of any statutory rights or status. As S.W. Jacobs put it, "Although it is not in the bill, I gather that it will be proposed to have separate classes for Jewish children, segregation or division in the schools. If there must be a separation, the best plan will be to pull up stakes and make our own separation. Unless we can come to some better arrangement when the bill is before the house, I for one am prepared to pull out."

In order to avoid arbitrary Protestant Board action against Jews, Dr. W.G. Parmelee of the Protestant Committee of the Council of Public Instruction recommended a Jewish advisory committee of three "for the purpose of considering questions which may arise from time to time having reference to the education of children of that faith." But his proposal was rejected.

The Hon. E.L. Patenaude suggested a way out of the impasse: that, possibly under the aegis of the Council for Public Instruction, schools be set up by the Protestant and Catholic commissions for the education of non-Catholic non-Protestant children. Thus, he argued, the Jewish children in any number would receive a proper education without impairing the legal status of the administration of the Christian schools. The prime minister questioned the legality of such an arrangement. (Gazette, March 24, 1925)

In an attempt to arrive at a measure which would receive common consent, the Jewish committee met with representatives of the Protestant Board and formulated some suggestions: retention of the 1903 act, Jewish support of any Protestant claims for compensation of deficits arising from educating the Jewish children, the appointment of two Jewish citizens "to act in at least an advisory capacity in solving any problems that may arise."

The suggestions were completely ignored as the Board drafted its bill early in Nov. 1923.

Another Jewish Voice

By this time a very important development had taken place in the Jewish community and in the thinking which was emerging there about this very profound issue.

Late in 1922 Montreal Jewry witnessed the formation of a new body representative of large sections of the community not identified with the groups for whom Goldstein, Hirsch and Gordon spoke.

Ostensibly arising from the need for better order in Kashruth and in other ritual matters, the Jewish Community Council came to involve itself in many other issues, most of them arising from the absence of a representative Jewish body such as a Canadian Jewish Congress. Another reason for the extension of interests of the Community Council lay in the composition of many of its sponsors, the Jewish lay revolutionaries who were at the root of the social ferment in Judaism of the time.

As early as December 1922 the Council convened a public meeting on the school question and communicated its views to the government, thus calling into question the legitimacy of the Hirsch-Goldstein mandate to speak for the community.

The Community Council raised strong objections to the 1922 measure even though the government had been led to believe that the bill had the approval of the Jewish community.

It was an open breach within the Jewish community, arising out of lack of confidence in the Jewish loyalism of the official spokesmen.

The Council began by challenging the basic Protestant assertion that the presence of the Jewish pupils was costly to them. It offered to prove at its own expense that no such loss was involved. "We look with horror upon the proposed changes which would make our children beggars of education at the expense of others, and would make of the Jewish community, established here for over fifty years, a foreign sect in the midst of the general community."

The Council placed its views before the government and the press. In this published statement they revealed that they had earlier been in contact with the government and had received assurances that no hasty steps would be taken prior to further consultation with them. "It was on the strength of this agreement with you that we did not press for the granting to us of a separate Jewish panel, our right in view of the proportion of our taxes, attendance in the schools and standing in the community." (Gazette, Dec. 15, 1922)

Michael Hirsch, Nathan Gordon and Maxwell Goldstein, K.C. of the Jewish Educational Committee telegraphed the premier to deny that "the persons calling themselves the Jewish Community Council of Montreal -- making exaggerated and unfair statements, showing their lack of proper understanding and study of the question at issue -- were empowered to speak, as they pretended to, for the community."

These notables were probably sincere and truthful when they said that "although we are members of many such organizations, we do not know of one with which we are connected that they are authorized to speak for." (Gazette, Dec. 16, 1922)

There were many walls dividing the citizenry of Montreal and many even within the inner ghetto of the metropolis.

The Jewish Committee on Education had been formed on Jan. 1, 1922 by the established leaders and spokesmen of the community when it had become known that new legislation would be proposed on the school question. It was an outgrowth of the Legislative Committee of the Baron de Hirsch Institute and, still further back, of the group which had negotiated the 1903 act.

Later, Jewish organizations were invited, during 1922, to send delegates, and some groups accepted the invitation to form the Jewish Educational Committee of seventy under the chairmanship of Nathan Gordon, with an executive committee of fifteen.

Basically, the Jewish Education Committee took as its objective the continuation of Jewish attendance at the Protestant schools.

As Hirsch formulated the objectives of the group, "to secure for the Jewish children of the province the advantages of co-education with the children of other faiths. The intermingling of Canadian children of all religious convictions during their school attendance cannot but result in the production of better citizenship and a closer blending for the public good. Any attempt to segregate at a disadvantage any portion of our school population cannot but be viewed with repugnance and alarm by the better thinking adults of the whole community."

They saw this as a right that was assured in the legislation which incorporated a contract with the Protestant commissioners; their right as residents of a British democratic society to have schools provided for them, schools where all children have the same status, schools ultimately administered by the parents and citizens -- all of whom, too, have equal status.

As Bercovitch put it in the legislature,

"The great majority of Jewish citizens want their children to go into schools with other children, so that the schools may be the melting pot where they will get their education and the ideals of this province. We only ask that you help us to make our children into good citizens.

"The Protestants of Montreal are extremely fortunate in having the task of bringing up 12,000 Jewish children to Canadian citizenship.

"To expect Jewish representation was just, since all Jewish taxes went there. It has not been an unworthy ambition on the part of the Jews to seek representation. They have felt that in virtue of the act of 1831, passed under King William IV, and the other acts, they had the same rights as others."

In the event this Jewish community saw the Protestant Commissions as the school system in which Jewish children and Jewish parents have these rights.

It was to a legal recognition of this that they strove, basically through patient intervention with the Protestant Board.

Their concern with the law was less to force their view upon society by the authority of the courts than to ensure that the law did not preclude the resolution they strove for. Essentially this history of the decade is the story of this "negotiation," if we may use this term for a dialogue where the other party, the Protestant, stands on the position that there is nothing to discuss. Its rights are basic and constitutional, and the Jews form no element in them except as a threat.

The outstanding figure in the Educational Committee from the first day to the last was strong-willed Michael Hirsch. A profoundly respected philanthropist, Hirsch was able to maintain contact with at least some of the Protestant leaders in education. The Montreal press no less than the established Jewish community were prepared to acknowledge him as unquestioned spokesman. Hirsch led the campaign, with the distinguished Henry Weinfield, K.C., as his loyal legal counsel. Nathan Gordon, lawyer-rabbi, cooperated as chairman of the committee; Samuel W. Cohen, associate on the Commission of Nine, Peter Bercovitch's tactics were affected by his political position as member of the legislature for the Down Town St. Louis constituency. This made it a delicate matter for him to oppose the separate schools which had such strong support in his ward. But, on the other hand, as their representative in the assembly and as lawyer for several unions, he was able to divide down town opinion through his Hebrew Political Association. (S. Belkin in the Shloimeh Wiseman Book. Montreal, Jewish People's Schools, 1961. Pp. 181-88) All in all, Bercovitch was loyal to the Jewish Education Committee as their man in Quebec. But even when he was absent in New York or in California, it was Hirsch who guided the Jewish Education Committee to the day in 1931 when he concluded his patient efforts of a decade of bargaining.

But in 1922 Jewish opinion was sharply divided.

At one public meeting the chairman told his audience that each of the five members of the Jewish committee had different points of view: "secular schools were wished for. The chairman insisted to fight off a separate panel for Jews, and wait for the future to get secular education. There was also a representative of the National Radical School idea. (This school had no religious instruction); he insisted that we should have separate schools. He was joined by the ultra-orthodox rabbi representative! How could they agree? The radical said that at least the Jewish national feeling would be maintained in separate Jewish schools."

These internal Jewish differences, of course, made resolution of the school issue infinitely more difficult -- not least for the government. As Taschereau told one delegation in all truth, "To-day we are receiving you. Tomorrow we may receive an equally important delegation, begging us not to do the very things that you ask. Is there no means of forming a committee in Montreal with whom we could deal authoritatively?"

(Star, Jan. 22, 1930)

A vivid example of the difficulty in communication between the two Jewries in Canada is to be found in 1933 letters from the history of the Canadian Jewish Congress in Toronto.

There the veteran Congress leader, author-businessman Archie B. Bennett succeeded in interesting "practically the very best material the Holy Blossom Temple has at its disposal," as he wrote to Caiserman (Nov. 20, 1933) "Mr. Egmont Frankel will be chairman. He is comparatively new in community work, but he is a very fine chap and carries a good deal of prestige in the community. He is a charming person to work with. He was chairman of the German Relief Campaign and was popular throughout the community. I believe he will be acceptable to the masses."

To continue with the interlude, Mr. Frankel accepted the leadership of the Congress then on the point of reorganization. The national plenary session took place in Toronto in mid-January. He travelled to Montreal to meet with S.W. Jacobs, M.P. and Lyon Cohen to discuss the Congress organization. The next day they invited Caiserman to join them because Mr. Frankel had a difficulty. As Caiserman reported to Bennett. "The second day I was called in, in conference with Mr. Frankel, Mr. Jacobs and Mr. Cohen. Mr. Frankel brought up the question of mass meetings which are contemplated in Toronto, and which he apparently dislikes.

"I tried to explain to him that if he referred to mass meetings intended to popularize the Congress Idea, we here in Montreal have such meetings every week and I saw no objection to them. As to the opening of the Congress, you will remember the magnificent opening at the first Canadian Jewish Congress in the Monument National, in the presence of 210 delegates and 2,000 spectators. I hope from the bottom of my heart that the Toronto opening will come up to the same splendor and impressiveness.

"Mr. Frankel also had some doubts whether it is advisable for the Congress to meet on Sunday. We all explained to him that there is really no reason for worrying, since the Congress does not do any work which is not done in churches.

"All in all, Mr. Frankel made a very fine impression. But he is apparently not acquainted as yet with the Jewish popular movements and with the technique and program of the Congress."

It took a generation of crisis activity to break down the barriers of thought, habit and tradition between the classes of Jewry, each conditioned by its own history and environment.

It was exactly the decade of the flowering of the divisive ideologies. The European-centred revolutionaries were at their freshest. The philanthropists at their most powerful and at their most optimistic.

By no coincidence 1922, the year of the formation of the Jewish Educational Committee, was also the year that the Jewish Community Council was formed down town, largely to fill the vacuum created by the failing of the Canadian Jewish Congress.

As a result of a deliberate decision, no platform existed where the contending Jewish groups could gather, exchange views, seek a common stand, or -- at the least -- find means to keep their disagreements en famille. An important part of the community had long ago decided against instituting such a community-wide Congress. They opposed the permanence of such an institution as an article of their creed, just as the proponents of a continuing Congress supported it as the inevitable conclusion welling from their ideology.

The opponents of the common platform had for a time agreed to the Congress in 1919 on the condition that it should not have permanence. The agreement was lived up to in Canada; there was not even a rump Congress, and the community divisions burst out fully.

As the Congress elements saw it, all the elements in the situation were building up to the very radical proposal that there be established in Quebec -- and only in Quebec, of the entire western world -- a separate legal system of Jewish-controlled, tax-financed schools for the general and Jewish education of the Jewish children of Montreal, equal in footing with the established Protestant and Catholic school systems.

It was a proposal for separation, and therefore went deeply against all the orientations of the New World, the New Society, the New Hopes for a unified, merged human universe. The single, "national", religiously neutral, race-blind public school was the great American-invented instrument for the achievement of this community of understanding.

But it carried with it the danger of assimilation for Jews. Its ultimate success would bring the ultimate catastrophe for a Jewish religion as witnessed to by thousands-year-old orthodoxy based upon a specifically Jewish way of life, inculcated by an education which pervaded the life of the infant, the child, the man. Hence in eastern Europe the battle of orthodoxy against government-ordained public education.

The secular nationalists differed in their vision of Jewish education. Hence the distance between Heder and National Radical Peretz School. But they, too, sensed the danger to the Jewish nation's survival in an educational system for Jewish children which consisted only of state schools. In Europe their response was the nationalist, Yiddishist, Hebraist school networks as a phase of their view of a pluralistic society with cultural autonomy for its ethnic, national and religious components.

In the New World the struggle was harder, especially in the United States. Orthodoxy did what it could with Heder and Yeshivah

and afternoon Talmud Torah. The secularists set up their Peretz and Sholem Aleichem and People's Schools. But they were groping toward day schools, (the U.S. Catholic term was parochial schools.)

In Quebec the constitutional situation offered a unique local resolution to the problem. Roman Catholic Quebec, too, opposed the Horace Mann ideal of the unitary public school, and it had prevailed in 1867, most fully as far as this province was concerned. There could be no talk of "national" public schools here. Even the concept of a governmental ministry of education was political taboo.

In Quebec there was separation anyway. The Catholics were educated away from the Protestants; those who spoke English were apart from the French-speaking. The melting pot was not even an ideal. Even the sick were separate in their own hospitals, and the poor had recourse to their own philanthropies. The Catholics were as anxious to keep their faithful within the flock as any orthodox Jew.

The proposal had deep social and ideological roots. It grew out of the revolutionary philosophies transplanted into Canada from the Haskalah revolution in eastern Europe -- the same philosophies which brought Zionism here, and modernized education and community organization, and developed Yiddish literature and trade unionism and libraries and the Congress.

Simon Belkin, probably the most consistent of the organizers of the community and of its educational system, relates the effort to establish separate schools to the social and national ideology of the secularist movement of the time as articulated, for example, by Dr. Chaim Zhitlovsky. He saw it as a basic step in the assertion of cultural rights for minorities in pluralistic Canadian society such as the French Canadians were also seeking to assert and to protect. It was part of the thinking which had led to the convening of the Canadian Jewish Congress.

Rabbi Hirsch Cohen placed this Canadian objective so high on the scale of Jewish priorities that he wrote into his last will that on the anniversary of his passing his children were to meet to recall his dedication to the ideal of separate schools.

Its potentialities were not limited to education, vitally important as this was. The facilities and standards that an official school network would bring would give dignity and form to Jewish culture which it sadly lacked then, decades before Medinath Israel arose to strengthen the backs of "krechtzing" Jewry.

Those engaged in Jewish culture, its creativity and its transmission would share the honours and the means available to the intellectuals and the philosophers of Canadian society.

Such schools were but a beginning of the recognition of the community and of the human value of its citizens. It would give it a status which would make the representation on the school board look trifling and ineffective.

It was a vision, the proponents felt, open only to those Jewish citizens who were participating in the profound national

endeavour of the age related to the ancient homeland of the patriarch-fathers of the Tribes of Israel.

For that important sector of the Canadian Jewish society, separate schools with official status and state financing were a God-sent opportunity, a blessing for the time limited to Montreal Jews. It was not a case of Jewish schools *faute de mieux*. It was a positive attainment of a means which was crucial to the creative survival of Judaism.

The plan was emerging.

As far back as 1909 the proposal for separate schools was seriously considered, particularly by the Protestants who brought the proposal into the open, somewhat as a threat.

Dr. Barclay is reported in the Standard of Apr. 24, 1909 as saying, "The only solution will be the Jews setting up their own separate schools, taking their taxes with them. The arrangement at Quebec (the Act of 1903) is not perpetual. There is a mistake in the mind of the public. The arrangement at Quebec is not the taking in of the Jews; we had that done already. It was the obtaining of their taxes."

On the other hand, Dr. Symonds' views are reported in the same paper. Asked if he thought that the solution of the difficulty would be separate schools for the Jews. Dr. Symonds said he could not favor the multiplication of schools. Nor could foreign populations ever be influenced in the direction of Canadian citizenship if schools were indefinitely multiplied. He rather hoped for leavening influences through contact."

The Witness opposed the separate school proposal in an editorial on May 10, 1909, as did the Herald on May 3.

Jewish opinion gave little consideration to the proposal, though the Montreal correspondent of the London Jewish Chronicle thought it might turn out to be the best solution for the Jews.

Bram de Sola was horrified,

"Does the Protestant community wish further to divide our population (already torn asunder into two factions, whose racial and religious prejudices not even the united efforts of the statesmen of the past forty years have succeeded in extinguishing) by school segregation? The development of a new and unnecessary line of cleavage, by forcing the Jews into a separate school system, would be nothing short of a crime against the nation.... Do you wish to force the Jews to remain foreigners for ever? If not, let us be done with this prating about a separate panel for the Jews; a suggestion which seems prompted by that spirit which has in all ages herded the Jews in ghettos, and forced them to wear a degrading badge as a mark of distinction from their Christian persecutors.

"We must remember that the principle would not stop at a Jewish panel. A dangerous precedent would be established. The next step would be to set up a Greek Catholic Board, and we should soon have the same privilege being extended to all the sects of which our population is composed; so that the state would come to the subsidizing of schools that teach every language from Yiddish to Chinese, and every religion from paganism to a most corrupt form of Christianity." ("The Jewish School Question," in University Magazine, vol. 8, no. 4, Dec. 1909, Pp. 556-57)

Mr. Goldstein spelled out his reasons for opposing separate schools,

"The figures of the Royal Victoria Hospital for 1910 -- lately published -- disclose the treatment of the following patients: Protestants 2551, Roman Catholic 1566, Hebrew 482; other faiths 70. How many religions are represented in these 70 patients of the other faiths is not shown. But surely in justice, they or their children would be equally entitled to at least an elementary education: how many panels and separate schools would then be required?"

It was at the sessions of the first Canadian Jewish Congress that the proposal was first formally put forth, and by one of the outstanding proponents of the Congress idea.

Mr. Belkin recalls that at the first sessions in March 1919, A.B. Bennett, of Toronto, activist Zionist intellectual, read a paper on national rights as the highest form of personal freedom and democracy. He proposed that the Congress demand such rights for the Jewish people.

He was followed by Belkin who discussed national rights in the Canadian context, envisaging such rights for the Jewish minority, parallel to the rights enjoyed by other minorities. In particular he urged action for a legally recognized Jewish school system. Belkin's proposal was supported by Louis Fitch, but was opposed by Lyon Cohen.

It was only after a fiery address by Yehudah Kaufman, who evoked a vision of Canada as a new creative centre of Jewish learning based upon such an educational institution, that the proposal was adopted, the opponents refraining from voting.
(Pp. 193-96)

In the eyes of many the 1919 Congress had been justified, even necessitated, by its several resolutions which transmitted Canadian Jewish support for such rights for European Jewry. As this group saw it, their activity was equally closely related to the modern Jewish school system and, in particular, to the day schools which they initiated on an international basis at a Montreal convention. (S. Belkin. "The Separate School Movement," in The People's Schools Book, issued on their fifteenth anniversary, 1929. Pp. 54-55)

At about this time the Canadian Poale Zion became aware of their particular Canadian environment, and the challenges and opportunities this posed. It was not enough to be a local Montreal branch of the "national", continental central committee. This insight was only realized twenty years later, in 1939, when the Actions Committee of the Labor Zionist Movement in Canada was set up.

But about 1919 a paper was read before the Montreal Poale Zion which included,

"The constitution of our country recognizes, albeit not very clearly, two national groups in the dominion: the English and the French. Some half of the population is not English-speaking.

"True English chauvinism is growing. Attempts are made at creating a melting pot and a homogeneous 'Canadian nation.' This will never succeed because French Canadians dominate Quebec and constitute a third of Canada's population. Widespread political education can produce results in time if the ideas of national, or at least cultural, autonomy will be put forward. Quebec can serve as a good example. The difficulties are lesser here. Jews already have the right to a separate school system. A coordinated program by a united Poale Zion Party in Canada can win a hearing from the national minorities here."

Remarkably, the premier of Quebec was open to the concept of separate schools for Jews from the beginning, in spite of the opposition expressed by men whom he trusted so easily, such as Bercovitch, the men of the Jewish Educational Committee, the Protestant Board and the Catholic authorities.

As early as 1922 he concurred with the possibility of a Jewish panel if satisfactory arrangements could not be made with the Protestant Board. In effect, this was the view held by Lyon Cohen and S.W. Jacobs and claimed by Bercovitch and, at times, by the Educational Committee.

To anticipate, in the crunch Taschereau lived up to this view as Bercovitch and the Committee did not.

At this point the organization of the Canadian community became important even if only for the secondary question of Kashruth and the painful public scandals similar to those so often connected during centuries of Jewish history with the preparation and sale of kosher meat.

It was the secular revolutionaries of this time, notably the Poale Zion -- themselves probably little concerned with the ritual values of Kashruth -- who inspired the formation of this Jewish Community Council (the Va'ad Ho'ir), rather than the religious element.

The Congress resolution remained on paper for years. Even in the Poale Zion, the ideological home of this thinking, not all were equally enthusiastic; Belkin and Wiseman were consistently supported by L. Zuker and H.M. Caiserman, but not so consistently by Dickstein.

They planned a democratic Va'ad which would concern itself with social and cultural matters as well as with draining the morass of Kashruth matters.

At frequent conferences the principle of a Jewish panel was approved and it was decided to establish an experimental school in accordance with this thinking. We have here an early step in the birth of the Jewish day schools, the Jewish parallel to the American Catholic parochial schools.

In Nov. 1922 the Poale Zion nailed their flag to the mast when they responded to a proposal for a referendum on the school question: "The issue of a separate panel cannot be decided by a referendum, for our positive attitude on a Jewish school panel is the condition of our participation in a Kehillah in Montreal."

To carry their proposal, the tactic that developed was in stages: to solidify Labor Zionist discipline; to win the labor organizations, then the "societies" and popular groups down town,

then to approach the west end community, then the government.

Towards these ends the Labor Zionists convened conferences of labor groups on Oct. 21 and 28, 1922, just when the schooling of Jewish children was coming before public attention and was receiving legislative action.

They were concerned with the dignity and the appropriate organization of community affairs. The religious element in the city, touched less strongly by the far-reaching revolution of the Jewish century, was not yet imbued with the organizational ideal and with the very ideology of organization. (Report of the Montreal Branch of the Poale Zion to the Central Committee in Yew York, Oct. 4, 1924)

It was a worker-led initiative which brought together the unions and the orthodox of the newly arrived immigrants from eastern Europe. Included in this Council were 66 labor unions, Zionist groups, mutual and sick benefit societies, fraternal groups, synagogues, Yiddish schools, rabbis, journalists, scholars -- and most of the plethora of organizations in this sub-society.

By agreement a third of the Council was composed of labor men of whom half were Poale Zionists, Within this labor caucus there were conflicts with Communists and with followers of other ideologies not so deeply committed to the Jewish idea.

Belkin records that it was no simple matter to establish a coalition of bearded orthodox, of atheistic socialists, of anti-Zionist cosmopolitans, of Bundists and Zionists about an organization structure to rationalise the distribution of kosher meat. It was not easy to secure and to hold their commitment to separate Jewish schools in a Canadian society constitutionally based upon confessional schools for Quebec.

Their opponents could always split the synagogue men from the Council by reminding them that the People's School and the Peretz School were radical and atheistic. They could split the socialist and the communist groups from the alliance by pointing to the nationalist "reactionary" commitment of the Poale Zion and to the Hebrew taught in their schools. They could torpedo the project by challenging the separate school curriculum being proposed: A secular or an atheistic program would repel the orthodox and would antagonize the government; a religiously based educational program would offend the socialists and even the Poale Zion. A Zionist program would alienate the Bundists and the Communists.

Even after a shaky agreement was worked out in June 1923 by the partners in the Community Council, dangers of rifts which were deliberately broadened by the opponents continued to the very last days of the movement.

Similarly, an internal dispute within labor supporters of a Jewish panel: should they cooperate towards this end with Jewish bourgeois, non-labor groups, many of whom were religious Zionists and nationalists and, therefore, opponents of cosmopolitanism, internationalism and assimilation? Should they put forth, now, the secular program and curriculum of the separate schools to be administered by the Jewish panel? Should the

elimination of religion and dogma from such schools be asserted now, and as a condition of cooperation?

Belkin formulated the Poale Zion formula: separate Jewish schools unconditionally. To insist on secular, non-dogmatic schooling now was to play into the hands of the opponents of separate Jewish schools and to run headlong into the religion-oriented constitution of Quebec.

It was an issue that divided the "separatists" to the end, perhaps fatally. Even such Poale Zionists as Dickstein and A. Parnas were among the leaders of the labor radicals whom the Poale Zion Party had to combat. This split within the Poale Zion came to engage the attention of the Central Committee in New York.

A conference of 32 labor and educational groups on Oct. 28, 1923 formulated their stand:

"Since there are not, and are not likely to be, governmental schools in Quebec; since the act of 1903 which assured equality for Jewish children has been abrogated; since the Protestant Board will not recognize us as citizens with all full rights; since 80% of all Jewish children do not receive the Jewish education which is essential for them to mature as progressive citizens and as Jews, -- the conference concludes that: the sole appropriate and practical solution is the establishment of separate schools where Jewish children will receive a sound, secular and Jewish education which will embrace the wide areas of Jewish culture, in a spirit free from dogmatic and religious ideology, governed by a democratic administration chosen by the Jewish public, and which will avoid placing an undue financial weight upon the largest number in the community."

The dates of these documents are significant. They were hammered out at labor conferences convened, at times by the Workmen's Circle, after considerable negotiation.

One of these sessions, at Communist insistence, took place on Yom Kipur afternoon, at Yiskor time. "My eyes are still smarting from the tobacco smoke that filled the hall, and I am still sickened when I recall the shallow atheistic arguments we had to answer," Wiseman recalled many years later.

Their memorandum to the government spelled out their reading of the Canadian constitution with considerable sophistication:

"With our greatest respect for the Fathers of Confederation who, in the year 1867, for the sake of unity, harmony and justice, found it necessary and fitting to grant hereafter the right of each minority after the Union to retain their own denominational schools which they had had before, and forbade any interference with this sacred right -- it is our opinion that the law of general progress of this province demands of its inhabitants a sacrifice which time will more than compensate for: a change in the laws of this province, or an amendment to the B.N.A. Act which would call for 1) government controlled, non-sectarian schools, 2) compulsory free education through public, high or technical schools, 3) a board of education elected by the general vote of parents.

"Realizing, however, that such a radical change cannot be effected, either immediately or in the very near future, owing to the unpopularity of this idea among the vast majority of the population of this province... we therefore suggest that an act be passed granting the Jewish population of Montreal a separate panel... Under a separate panel we would have the possibility of teaching our children not only the traditions and history of Canada, but also our own ancient and modern literature and national traditions, quite independent of religious dogma and ideology; at present they can obtain this education only outside of the schools, at home or by attending a separate Jewish school at the sacrifice of time and often of health... The psychological effect thus created is by no means desirable, and is certainly not conducive to the best educational results possible."

The caucus of labor organizations reaffirmed their position on Sept. 13, 1924,

"Since religion in regard to the Jewish education is but a question of curriculum which will arise after the separate panel is established; since the fundamental laws and constitution of the province for the present exclude any non-denominational schools, and since any demand for a separate panel with a curriculum in open conflict with the laws and practices of the province will, in fact, hamper the establishment of a separate panel, -- the caucus determines that the question of religion shall not be raised in the memorandum to be submitted to the School Commission of Nine."

"The attempt by the Protestants to deny the Jewish minority of Montreal a separate school panel is specially unwarrantable, coming as it does from a board which is itself representative of a minority established only as a result of the progressive and wise legislation sanctioned by the British North America Act."

The quickest reading of this statement of the immigrant labor view tells us very much about the distance in sheer articulation and cultural adjustment which these denizens of their native Shtetel have come since they crossed the Atlantic.

One of the ultimates in the thinking of those favoring separate schools was voiced by Moishe Dickstein: the education of Jewish children as if they were Protestants is a distorting influence on the mentality of the young thinking Jew. It prevents the development of his intellectual freedom and constrains him into "careerist" patterns when he finds rewards in conforming to an authorized reaction which is not rooted in his own culture or in his historic experience. "This does not produce a Jewish manhood with staunch idealism and with a sincere will to be of service to his own people and country."

Rabbi Herman Abramowitz did not hesitate to compare the lack of Jewish rights in public educational control to the condition of the Indians on reservations and of negroes down south.

Louis Benjamin, translator of Romain Rolland into Yiddish, blamed the generation gap, which was at its most tragic in this period of our history, upon the existing school system, and suggested that it could be narrowed by a separate school organization. The children do not study the languages or the culture of their parents in the schools, and many of these parents, newly arrived, do not speak English well. Separate schools would elevate the culture of their ancestors in their eyes, and would stimulate respect for their parents and for their world.

The far-ranging scope of the concern of the Committee for Separate Schools is reflected in the contents of one of the bulletins issued by the committee: Rabbi J.L. Zlotnik on "The Struggle for National Rights the World Over;" Leon Rubinstein on "The Evils in Current Jewish Education;" Wiseman on "The Great Hour of Canadian Jewry;" Belkin on "The Financial Aspects of a Separate Panel," and Caiserman on "The Protestant Attitude to the Jewish Presence in the Schools."

A public school which did not include the French-speaking Catholic majority was a partial public school, a contradiction in terms and ridiculous in the Quebec context, Fitch argued. Only a separate school system for Jews offered peace with the Protestants, dignity for the Jews and an integrated system of education for Jewish children.

The present condition, wrote W. Nadler, "amounts to an alliance, for educational purposes, of the Jews with a small minority of the population of this province. Where the Jews are a minority amongst a few nationalities, the alliance of the Jews with any one of the nationalities, no matter for what purpose, has always been denounced as an alliance against the other nationality, and has always fostered fierce antisemitism. From bitter experience we already know that it is a serious political mistake to take sides with any separate ethnic group among whom we may happen to live... A separate Jewish school system will give us the opportunity of being in the friendliest relations with both Catholic and Protestant neighbours... We are being deprived of, Jewish education and, as a direct result, we are producing, instead of the idealistic and scholarly type, a new type of Jew: engrossed in materialism and in a philistinism which kills the spirit of Judaism and brings no contribution to the country. This new type of Jew is more repugnant to his own people of which he is the degenerate than to others to whom he is a nuisance." He pointed to the systems of Switzerland, Belgium and Czechoslovakia as examples of working examples of multiple schools.

With all their kaleidoscopic variations, the newly arrived community agreed on challenging the right of the Jewish Education Committee to speak for the entire community in this very complex and important issue.

Nor was this difference of opinion kept within the Jewish family. The opponents of separate schools were labelled as focussing their loyalties on philanthropy rather than on constructive Judaism.

H. Wolofsky bluntly called them "assimilationists who stand on the threshold between Judaism and Christianity."

"When the school problem arose -- when the Jewish children from the east end were subjected to various humiliations; when Jewish teachers were refused employment; when Jewish children were taught the New Testament, and Christmas had become the greatest holy days for our children -- all these things did not cause a single blush to rise in the faces of our assimilationists. They were satisfied with existing conditions, even when the Protestants openly declared they did not desire us.

"One thing, however, the assimilationists could not tolerate, and that was the prospect of the Protestants introducing a system of segregating the Jewish children. They were even ready, in the event of such a system being enforced, to demand separate schools.

"And now, that which they so dreaded has come to pass. Jewish children were sent away from one High School to an almost exclusively Jewish High School, and even in some Public Schools Jewish children were segregated from the non-Jewish. True, the Principal very courteously explained to the class that this was done, not out of a dislike of the Jewish children, but because the Jewish holy days were interfering with the studies of the non-Jewish pupils.

"It is possible that our assimilationists will not easily endure this, since it is so difficult for our Christian friends to distinguish the child of a Reform parent from one of an Orthodox parent. We may, therefore, expect to see some of them crossing the treshold into the Jewish camp, while others may go over to the other side. We believe, however, that the majority of the assimilationists will henceforth be with us." (Canadian Jewish Chronicle)

Some of the vehement controversy descended to the personal. But even this, in some cases, is sociologically revealing. As when the very Canadianized Dr. A. Maxwell Lightstone wrote in the Gazette about the recognized spokesmen of the community,

"I can't for the life of me understand on what authority they base their claims as representing the Jews of Montreal regarding the school question. They belong to the Montefiore Club, the Shaar Hashomayim Synagogue and Temple Emanu-El. They have no direct interest in the Jewish community that send their children to the Protestant schools, except through the Federation of Charities, which has no bearing on the case. I think the Jews living in the centre of the city and the north end know better what they need than those who live in the west end or Westmount."

Support also came from the outstanding Toronto lawyer and social thinker J.L. Cohen who wrote in reply to a Montreal rabbi,

"The Montreal school question arises out of a very distinct and purely local set of facts which has not its duplication on this continent.

"The basic fact is nothing more or less than that the predominantly Roman Catholic population of Montreal is emphatically religious in its schools. In this respect Montreal is peculiar -- a law unto itself -- and so far as any social program is concerned must have its own peculiarities considered... In Montreal, parochialism is the norm, it is the accepted thing... The introduction of a separate Jewish school panel to separate the Jews from

their fellow-minority, the Protestants, would add very little. Separating the Jews from the few Protestants will have much less serious results than the separation of the Jews from the many Catholics would already bring.... Is it not true that the Jews find themselves, if anything, better situated there than in any other section of the dominion?...

"A suggestion for parochial schools in the main portion of the United States would be unwise because the majority is relentless in its desire to dominate. An open attempt to frustrate this desire would invite controversy and strife.

"But that cannot be said of Montreal. The majority of Quebec professes or practices no desire to dominate its character on others who reside within its boundaries. On the contrary, they assert merely their desire to retain their own individuality, and indicate their willingness that others follow for themselves a like course.

"Is the aim then so bad, or is it not very much the object of all those who attempt to cope with the American Jewish problem?... So soon as it is proposed to give the sanction of public law to what they are trying privately under insuperable difficulties to accomplish, they weaken with fear and cry 'Away'.

"Instead of welcoming the possibility of properly organizing for ourselves an important social function introduced under ideal social-economic conditions, the rabbi urges instead that the Protestants establish 'Chadorim' for their children. Shades of Simcoe Street!

"The Protestants of that province very wisely refuse, and insist on accomplishing effectively in one effort what they would fail to do by divided energies. The Jews of Montreal will serve 'opportunity' ill in return if they fail to follow suit.

"The opportunity of securing a separate school panel for the Jews of Montreal should be welcomed. It is an opportunity of carrying out a constructive experiment in diaspora relationship which may prove of profound significance to Jews generally.

"The development of the Montreal school system may give a text for students of social adjustment."

A very remarkable view on this came from the bench. When Fitch, representing Schubert before the Court of King's Bench, argued in favour of a Jewish panel, presiding Justice R.A.E. Greenshields interrupted him,

"It is not necessary to argue that the Quebec government had the right to provide a separate Jewish school panel. This right of the government was clear, and that not only was it a right, but it was a duty of the Province to provide separate schools for the Jews, just the same as it accords this right to the Protestants and to the Catholics."

"That is perfectly true, My Lord," Fitch told him. "And if your colleagues were of the same opinion, I would be able to sit down and not have to say more. But not being positive of this, I desire to prove to you the legality of this right."

It was at this session that a significant bit of repartee revealed many of the issues in question.

The judge asked,
"Tell me, Mr. Fitch, would you like to be called a Protestant?"

"No, My Lord. No more than you would like to be called a Jew." (Canadian Jewish Chronicle, Feb. 27, 1925)

The feelings of Down Town can be better understood when read in conjunction with the vast current issue in Europe involving minority and cultural rights. Most European Jews had seen their future secured or destroyed on the continent insofar as such group rights were respected and utilized. The alternative would be destruction, if only because this indicated that anti-Jewish elements were determinant in the Europe between the wars.

Therefore Jews on the European continent and in the Americas saw this as a major Jewish battle front for survival. This, together with the Palestine issue, had been a major impulse for the convening of the Canadian Jewish Congress. For those with this vision this was the meaning of the Montreal school question.

So it was that all over the continent the Yiddish press in particular followed the Montreal developments very closely. The American Poale Zion Party and its official publication, The Jewish Worker supported the Montreal effort, as did Reuben Brainin ("Jews and Protestants Quarrel in Montreal as Catholics Enjoy Looking On; Jews Wait to be Thrown Out with Insult and Humiliation", in New York Day, Apr. 8, 1924.), the New York Morning Journal and the Tageblatt, the Cleveland Jewish World, the California Jewish Voice and Abraham Rhinewine's Daily Hebrew Journal of Toronto.

Henri Bourassa supported a Jewish panel on religious grounds, as it would grant Jewish parents and the Jewish society the fullest capacity to transmit their religious heritage.

"The Jews are divided into two groups," he wrote, "the fusionists and the proponents of separate or confessional schools. Without any hesitation, it is the latter we ought to favour. The school must remain the extension of the family and of the church, or the synagogue. We should look askance at Protestants and Jews who are prepared to put aside their religious principles and their family rights to save a few miserable dollars. Let us respect and favour those Jews and Protestants who seek to raise their young in conformity with their beliefs.

"Is it permitted to advance the teaching of Judaism?... The Jews are with us and cannot be suppressed, any more than can the problems which their presence among us raise. They have no school rights here, strictly speaking, but they have the same natural rights and the same political rights as all other categories of British subjects and Canadian citizens. It will not be now, after forty years of fighting in the defence of minorities, wherever they may be, that I will go back on my position.

"Besides, did not we recognize the existence of Jewish synagogues? They have all received their charters from our legislature. They all have the right to worship in their manner, to keep civil registers. Is it not within the logic of our government to permit them, in the same manner, to maintain schools for their own followers? Under our circumstances it is better to

grant this right to non-Catholics than to permit the principle of the non-religious school which will lead to the anti-religious school. So, each in his own way, it is towards the school as state institution which will turn the child into the property of the state that the Catholic centralizers and the Jewish and Protestant fusionists both lead us." (Le Devoir, Jan. 17, 1925)

The polarization of forces about the issue of a separate Jewish panel was more than emotional. It was revealing of philosophies which subsisted in various sections of the Jewish community.

This division was very sharp, possibly the harshest in Canadian history. It ran largely along class lines. The traditional orthodox groups down town joined the Poale Zion and other pro-labor bodies in supporting separate schools.

The more Canadianized elements, who were less centrally concerned with the Jewish education of their children, were more intensively aware of the dangers of separating out Jewish children and Jewish adults. Their vision of society presupposed the free intermingling of the citizenry. It was the notables, who were scattered among their English-speaking neighbours in the western end of the city, who opposed a separate Jewish panel.

And then there were problems of costs, of the feasibility of administration.

The more recent immigrants were less sensitive to the threats of discrimination than were those brought up in the secure Canadian atmosphere, even though they had felt the scourge on their own backs in Europe. Concentrated as they were down town in such wards as Laurier, most of them were supporters of the separate panel. They were led by the Poale Zion and had as their articulate spokesmen such men as Michael Garber, Louis Fitch, H.M. Caiserman, Rabbi Hirsch Cohen, Simon Belkin, Israel Rabinovitch, Shlomoh Wiseman, and other communal workers.

We can describe the other leaders of the community in the words of their Maxwell Goldstein as he introduced himself to the Commission of Nine appointed by the government to study the problem, "I say it with a certain amount of modesty, I think I represent the old, the wise and the sane idea, and that portion of the community which is a responsible, and a large portion of the Jewish community." They were battling for a vision of a national school system in a unitary society -- the American dream that was so valid, so fully justified, so fully realized in their personal lives and in the life of the entire Jewish community.

But the proponents of the separate schools had another vision of society, of Quebec society and of their immediate society.

Fitch was eloquent as he told the select leaders of Quebec: "You cannot in a matter of education and a semi-social institution say to a Jew, 'By an act of legislation you will be a Protestant, or you will be a Catholic.' You can no more remove the elementary and fundamental difference which exists between Jew and Gentile than you can turn a negro into an Aryan by applying a coat of ochre. We ask you to recognize this difference, which transcends

all differences between different nationalities.

"It is true there are many Jews who will tell you that the faith of the nation is the faith of reconciliation. We believe these men are professional popular optimists; we believe they are gullible pacifists who do not recognize the state of affairs. It is a matter of generations and generations of conditions which had created a psychology among you and among us, with which we must reckon, and which exists."

During the months of 1923 and 1924 tactics were difficult to develop, as some of both groups proved lukewarm and recalcitrant. The story of the movement becomes, in part, the interplay of tactics, the clash of personalities within alliances, temporary retreats to avoid undesirable votes and decisions.

An attempt was made by the separate school commission as late as August, 1923 to establish coordination with the Up Town Committee, but with no success. (Reports of L. Fitch in minutes of Aug. 16 and Oct. 12, Committee for Separate Schools.)

In Sept. 1923 Zuker reported on another such aborted effort when the "labor members found it impossible to negotiate with Mr. Weinfield, an avowed enemy of the Jewish unions." Possibly some syndically-inspired citizens lost sight of the common Jewish good, something less likely to occur with Zionist labor men, deeply committed as they were to the Jewish causes.

Nor was the committee any more successful in establishing contact with the Protestant Board.

It was long one of the tragedies of the Jews newly arrived on this continent that they often found it difficult to obtain a direct hearing from the government, the media or other authorities. This liaison has always been preempted by the better established, and has served to distort public Jewish expression for two centuries, not least in Canada. This condition continued until well after the firm establishment of the Canadian Jewish Congress -- nearly twenty years after this date.

Those Montreal Jews who were less intensely concerned with the political ideologies of the European scene could not share in the orientation of the newly arrived and were more strongly impelled by the questions of immediate neighbour -to-neighbour realities and prospects.

In another sense, too, they were not so immediately involved in the problem or in the proposed solution. They were resident in areas of low concentration of Jewish enrollment. Even if Jewish schools were established, these would exist only in the areas of dense Jewish settlement, where the "Protestant schools" were already largely Jewish in attendance. They were not envisaged for districts where few Jews were residing. These Jewish children would presumably continue in any case in Protestant schools.

The very vigilant Jewish Committee on Education which met frequently at the Montefiore Club was adamant in its opposition. It formally decided "to do all things in its discretion... including written and oral propoganda, to educate all sections of the community against the acceptance of an additional separate panel and against segregation." It formulated its civic and educational philosophy:

"Quebec was a hundred years behind the times with its separate school panel system. There should be a public, common school teaching a non-sectarian, patriotic curriculum, and the Jews in Quebec must go on record as opposed to the present denominational educational system which are breeding ground for class and racial hatred among a united race.

"The intermingling of Canadian children of all faiths is likely to be productive of a better citizenship. The committee desires and is determined to use every constitutional means in its power to secure for the Jewish children of the province the advantages of coeducation with the children of other faiths and a closer blending for the public good of the various elements which go to make up its component parts.

"Any attempt to segregate or to place at a disadvantage any portion of our school population cannot but be viewed with repugnance and alarm by the better thinking adults of the community. We hope that our appeal to prevent such a disastrous condition of affairs will not fall on deaf ears.

"Furthermore, the Jewish community could not afford to support their own schools at present, and it takes from 75 to 100 years to learn how to run schools along sane lines." Mr. Gordon produced figures to show that, with all their school taxes and the small share of the neutral school panel they would be entitled to, the Jews could not afford to even think of educating their own children decently. He opposed the separate school system as retarding the progress of the country and counteracting the democratic tendencies of Canada. "The private, secular school breeds class prejudice; the public school breeds democracy."

"Its first consideration is the educational welfare and advancement of the thousands of children to-day, and the thousands of children who in the future will be seeking the elementary right to be educated as Canadian citizens and as British subjects.

"The Committee has laid down as principle the broad platform of Equality in all that the term implies.

The principles herein enunciated will have the endorsement and entire support of the citizens of Montreal of all faiths and of the Legislature of this Province whose duty and privilege it is to see that justice is done to all its constituents.

"We therefore protest against any attempt to create a special Jewish Panel or Commission, or to segregate Jewish children in matters of education."

Rabbi Corcos might have been immoderate in his public attack, but a reading of his arguments carries us back deeply into the real sentiments which moved the men of his period. He attacked "the unwise movement" to create a third or Jewish panel as a further division where one, unhappily, already existed. It is a "very serious and dangerous agitation of unwarranted, unjust and unmerited discrimination... which emanates from irresponsible Jews who for personal interest and self aggrandizement are creating all the hubbub... The originators of this mad scheme, whoever they may be, are not only enemies of God...but they are also the worst enemies of their country, since nothing but calamity and misfortune can come to a country that is divided against itself...They would mean the creation of a state within a state. They would mean the revival of a ghetto and the return of the dark ages of ignorance and superstition; they would mean the perpetuation of their horrid jargon known as Yiddish, and thus the province of Quebec will become a veritable tower of Babel with so many confused dialects...I protest vehemently against a Jewish panel or any other innovation which may separate and estrange our children from those of our Christian brethren.

"We want our children to be Jews in their religion only, but Canadians in all secular thoughts and actions. We want them to grow up useful, industrious, earnest, faithful, active and loyal members of the community. We want them to grow up true Britishers...

"We would deprecate the formation of a Jewish panel as we would deprecate the formation of a political Jewish party, since both would be harmful to this country."

Henry Weinfield formulated the opposition in a few sentences,

"Were we Jews to run our own schools, that would be a course derogatory to the very principle of Canadian citizenship. Our children ought to be permitted to mingle with children of other denominations, and I feel satisfied that in this way will our children be enabled to grow up better citizens and better Canadians. No segregation should take place. 'Segregation' will mean the 'ghetto' principle, and for that reason I am against the principle of 'Separate Schools' apart from the monetary, which is a very serious one...I consider that the practice of 'segregation'

(within the Protestant schools) is a national insult. It is a mark upon our national pride. I don't think it ought to be practiced. We are Canadians; some of us may have been born in the country, others are nationalized Canadians. We are all under the law entitled to as full measure of rights in the schools as the Protestants, and no segregation should be practised. I for one would recommend on no account to even think of segregation being practised...Speaking for myself, I may say that I have read the New Testament, I have studied it, and I have passed examinations on it, and with all due respect, I feel that in my conscience I am every bit as good a Jew as the average of those who want Separate Schools simply because they object to Christian religious instruction."

A remarkably revealing formulation of the feelings and of the thinking of these opponents of segregation occurs in the minutes of a July 1923 joint meeting of representatives of the Westmount Committee and of the Va'ad Ho'ir, chaired by Nathan Gordon.

Mr. Gordon told of the intense Christian instruction given Jewish children in Westmount schools and of the segregation instituted even within classrooms, but "we should not hurry. We must negotiate with the Protestants and we may win a system within the system. This would be easier financially also."

Goldstein raised the financial aspects of the problem. Belkin had estimated that under existing legislation there was provision for a fiscally viable Jewish school commission, and Caiserman produced figures which reflected this. Caiserman admitted that the question would well stand fuller investigation under community sponsorship. The Va'ad offered to defray half of the costs of such a survey.

But this was rejected by Mr. Goldstein. "If forced upon us I would accept it under protest because I consider it the worst that could happen," he said; a Jewish system would operate on a lower educational level, would further segregation and separatism.

"I hate a school which is Jewish by virtue of having broken windows," he said, in a vivid formulation of how he conceived the Jewish institutions which were founded on the thinking of Down Town. Factually he may not have been all that wrong. One differentiation his Sha'ar or Temple from the People's School on St. Urbain St., may have been in the physical condition of their buildings. His understanding of Europe-centred Judaism was that it was based on the undignified traditions of Shtetel poverty. He could not see the other values and visions inspired Down Town, and he rejected the plans for a dignified, sublime Jewish educational system.

For a fair understanding of Mr. Goldstein we need to situate him in time: before the Jewish State, before the Hebrew University, before the fine synagogues and Talmud Torah and Library buildings. Nor was he aware of the dignities of Brainin and Rabbi Zlotnik and J.I. Segal. For A.M. Klein and Dickstein and Zuker and Belkin and Garber and Bennett and Bronfman had not yet conveyed to him the values, beauties and the riches that underlay the Judaism that was Jewish not only by virtue of its broken windows.

The value system implicit in the debate within the Jewish community was frankly stated by one rabbi at a public meeting. The opponents of separate schools "wanted their children to get a good secular education. A separate school system would mean the superimposition of a Jewish culture over the general Canadian culture, which would be a bad thing."

The confrontation was not always forthright, for the opponents found it politic sometimes not to identify themselves as such.

At the very least the opponents of separatism might use the concept as a threat of last resort: they would pull the Jewish children out of the Protestant schools if they could not get the concessions they sought. If this did not impress the Protestant Board it might force the government to apply useful pressure upon the Protestants.

As Bercovitch put it several times, "I am opposed to separate schools. I do not want separate schools in this province. But I come from a proud race, and if my Protestant friends, the Protestant population of this province, feel that they no longer want to carry on with us, I will be the first to ask for our own schools, despite the fact that I am opposed to separate schools." (Gazette, Jan. 6, 1930)

The so-called West End was probably more unified in opposing separate school than the Down Town was in supporting the idea. But even here there were significant differences in view.

The usually articulate voice of S.W. Jacobs was remarkably silent on the issue.

His close associate of many years, Lyon Cohen, had his own views on the question. On the assumption that at the core the Protestants were seeking to satisfy deeply felt Jewish needs, he had developed a solution which would safeguard the constitutional requirements and rights of the Protestants and would also give the Jews a measure of control over the education of their children.

But he was not committed in the intra-Jewish dispute and, indeed, was the largest contributor to the Committee for Separate Jewish School even while stating clearly that he opposed a separate panel. "I believe there is enough separation now."

Bernard Figler notes that "Cohen found himself in a difficult situation, as his views were more in sympathy with 'Down-town' Jewry than with Westmount Jewry and his own Congregation. To help bring about greater mutual understanding he arranged a symposium on the subject in his own synagogue, in October 1923, with the participation of Louis Fitch, leader of the separate school movement, Nathan Gordon and himself.

"Lyon Cohen, as always the compromiser, deplored the fact that extremists on both sides of the school question had aired their views in the public press, instead of coming together and discussing the matter dispassionately and with a view to achieving a desirable solution of the difficulty. Mr. Cohen pleaded for unity in the community, for a better understanding between East and West.

"He boldly suggested his idea before a Committee of the Provincial Legislature:

"I recognize that the Protestants have a grievance and I want to remain on the friendliest terms with them. It was in the Protestant schools that the Jews of Montreal received their education. I recall that in 1903 there were only 1,375 Jewish children in the Protestant Schools, and now there are ten times that number, and the situation which had developed had caused irritation.

"I would therefore suggest a solution whereby in those Protestant schools where the Jewish pupils are 75 per cent or more, there be a Jewish sub-committee in charge, which would create a Jewish atmosphere.

"In this way, 10,000 Jewish children would be provided for in what were known as the congested districts. The Protestants would have the right to withdraw from such schools and the Jewish sub-committee would make the schools as Jewish as the other Protestant schools would be Protestant in atmosphere.

"The general curriculum of the schools would not be affected but instead of a Christian atmosphere, Christian ethics, there would be a Jewish system. This would satisfy the Jews who wanted a Jewish atmosphere for their children; it would satisfy the Protestants because it would relieve them of the difficult position in which they found themselves, and would not affect the Jewish children in the west end of Montreal, who would continue as now, and the status quo would be maintained.

"Where the separate school idea was wanted it would be obtained. Where it was not wished it would not obtain; the Protestants would be relieved of a great difficulty and there would be no extra obligations as regards school panels."

"But he was balked by his own Congregation.

"At a meeting held in November 1923 they rejected his views and voted against a separate Jewish school panel, despite his plea that they remain neutral, in the hope of bringing about understanding and unity of action.

"True to his convictions he at once submitted his resignation as president."

(B. Figler. Rabbi Dr. Herman Abramowitz, Lazarus Cohen, Lyon Cohen. Montreal, 1968. Pp. 120-21)

During the legal proceedings of 1925, the Canadian Jewish Chronicle called on Lyon Cohen and on Jacobs to mediate the issue within the community. Wolofsky noted that they had remained "hors de combat" on the school question. (Jan. 16, 1925.)

This independence and regard for the men down town was shared by his younger brother, A.Z. Cohen.

This came to the fore late in 1928 when he was brought into a committee, together with Allan Bronfman and David Kirsch, to further the very delicate negotiations which Hirsch had set on foot.

In spite of the general acceptance which these tentative agreements had received from the body of the Jewish Educational Committee, A.Z. Cohen insisted on having the entire matter reopened first, together with Caiserman and Zuker, at meetings in the home of Lyon Cohen in an attempt to secure the widest community accord.

A dramatic confrontation of the two Jewish views on separate schools occurred -- of all places -- before the Protestant Board in October, 1925. Very impressive committees from both factions presented their views before the Board meeting which was also attended by members of the Protestant Committee of the Council of Public Instruction.

A colourful report by one of the participating partisans, Rabbi Hirsch Cohen, describes a confrontation of the two opposing Jewish groups in the presence of the Protestant board. This white-bearded, gleaming-eyed Talmudist, although far from being a connoisseur of la nouvelle vague, recorded that he wished movies had been taken at this meeting which he found humiliating as a Jew.

An instant in the debate: one Jewish spokesman pointed out that Jews are so divided that they could never agree on administering their own schools system. Rabbi Cohen reminded him that Protestants, too, have their divisions; yet they had never come to the rabbis to ask them to mediate. ("Frightening how History Repeats Itself!", in Eagle, Oct. 26, 1923; Montreal Star, Oct. 19, 1923.)

When, in fact, legislation was later introduced for a Jewish school commission authorized to set up separate schools but also with the power to negotiate other arrangements for the education of Jewish children, Garber and Caiserman told the premier that "the matter of separate schools for Jews is far too important to rise out of any failure to negotiate with other school bodies." (Star, Jan. 22, 1930)

This ambiguity in position, which was, however, no secret to any of the parties, made cooperation between Jewish groups more difficult to achieve than would an outright contradiction. Apparent coincidences of position proved only illusory and misleading and festered suspicion.

One Canadian who appreciated the full uniqueness of the proposal, while opposing it, was Sir Arthur Currie. He recognized that "there is a psychological objection when Jewish children go to school and feel that they are discriminated against. However, if you try to get separate schools, all the boards of education from Halifax to Vancouver would fight against it, and Jews from all over the world would flock to Quebec for this Jewish school."

In the Roman Catholic world, too, the Montreal Jewish problem was considered of very great importance. The Catholic Educational Review devoted a long article to a review of the situation, and in America James Wardlaw wrote,

"Can Catholics do anything to solve the problem? The truth is that we are in sore need of more schools for our own children...We have therefore no room for the Jews. Further, as Catholics, we would not and could not sacrifice the priceless advantages of a Catholic training to aid non-Christians in their education, however great the need might seem to be....The Catholic authorities acted wisely when at the outset they foresaw that the attendance of Jewish children in Catholic schools would have brought about, insensibly perhaps, a considerable modification of the proper ideals of Catholic training and instruction. Only

today are the Protestants realizing that instruction in religion has greatly suffered from the presence in ever-increasing numbers of Jewish children in their schools."

There was strong opposition from the Catholic Church in Quebec. Archbishop Georges Gauthier of Montreal, in an anti-Communist sermon at the Oratory, warned that red influences in the city, dangerous to Quebec society, were largely confined to the foreign-born. He went on to speak against "an absolutely unjustifiable sympathy bestowed upon the Jews" in granting them school rights. He feared that this would adulterate the Christian character of Quebec education.

The Catholic interest was also expressed by C.J. Magnan, inspector-general of the schools of the province. "We have to guard the rights to confessional schools which Confederation has accorded us, rather than a single system," he said. "The strangers who come to live here must bow to our laws or they must go." (La Presse, Oct. 27, 1924)

This Catholic opposition to separate Jewish schools appears to-day to have been particularly short-sighted, blinded by the "teachings of contempt" which have since proved so costly on the universal arena.

The churchmen were so intent on limiting Jewish dignity that they played right into the process of secularizing Quebec education and limiting church control of schools.

Catholic L.A. Taschereau seems to have been the only one to realize the consequence for confessional education of having a large number of Jewish pupils in Protestant schools.

"No matter what might be thought by some, and said by others, he for one, and his colleagues, thought it necessary to ask for legislation to give Jews their own schools, and the main reason was that he did not believe in the neutral school. He believed by putting children of different beliefs in the same schools, neutral schools would come. It had been said that to create Jewish schools would lead to neutral schools. But his belief was that in giving the Jews their own schools we were leading away from neutral schools. The best way to avoid neutral schools was to give to each of the three big religious beliefs schools of their own." (Abel Vineberg, in Gazette, Apr. 2, 1930)

Several weeks earlier the premier had written to Cardinal Rouleau, archbishop of Quebec, in the same vein,

"You are afraid that this system might lead to neutral schools. I am profoundly convinced that the manner of maintaining confessional schools here, to which we are so profoundly attached, is precisely by maintaining this principle in the way we are proposing. And I ask what effect our refusal to accord confessional schools to Jews here because of opposition by the Catholic episcopate would have in other provinces where our compatriots are fighting for them.

"I seem to remember having learned in my philosophy classes that one of the most respectable principles of natural law is the right of the father of the family over the education of his children. While we are fighting in our province and in neighbouring provinces for the recognition of this principle, are we going to

say that it does not apply to Jews and that they must send their children to schools of which they do not approve?

"I do not hesitate at all in saying to you that, if we do not find a satisfactory solution to this problem, we are going to give birth in our province to excessively dangerous agitation whose consequences it is difficult at this moment to foresee."

While at it, he put to rest another objection to the Jewish panel,

"I also ask which are those other religious faiths or anti-religious sects which will also be able to come and ask the same favour? We have none in our country who count either in numbers or in influence, and I do not foresee any in the future."

"Regardless of our opinion on the immigration of Jews, once admitted to our country we need to let them educate their children according to their beliefs."

"The difficulty will only be resolved in one of two ways: by the absolute secularization of the minority schools, by the disappearance of all Christian tones which still mark them, or by the creation of Jewish schools."

"In our view the only solution compatible with justice and the respect for the rights of all people is the setting up of independent Jewish schools."

"But we have it on excellent grounds that a number of Jews do not want to hear of separate schools for their children. We can therefore expect a lively campaign for the secularization of the Protestant schools."

The thinking behind the Protestant opposition was complex.

A Jewish panel was a further step away from "National Schools," which were recognized as unattainable in any case. Separate schools for Jewish children would be a diminution of the large Protestant school system, and the sorting out process would be difficult and painful. There was a reluctance to grant the Jews -- a minority favoured with no little contempt by tradition -- the dignity and the recognition of full equality.

Probably each Protestant person had his own ruminations on the question. The formulation of Dr. Rexford, for decades a leader on many levels of education, are of interest.

"It is impossible for the Legislature to give the Jewish population all the rights and privileges of Protestants in educational matters without destroying the Protestant denominational character of the schools of the religious minority in contravention of the principles of the Act of Confederation."

"The most that can be done for the Jewish population under existing conditions is to provide standard education privileges for the children of the Jewish population under certain conditions."

"A separate school panel has been suggested as a solution of the present difficulties. At first sight this appears a simple solution of the situation, and would be welcomed by a large section of our Protestant population."

"But it would not be in the interests of the community at large, and it is probably not practicable at the present time."

The Jewish population now provide about 40% of the children of the Protestant schools, while they pay only about 20% of the school tax. In other words, they would require to double their school tax in order to maintain efficient schools.

"Again the establishment of a separate panel for Jewish rate-payers would involve a complete organization for a Jewish system of schools from the Department of Public Instruction through the Protestant Committee, school inspectors, Normal training school and boards of school commissioners.

"The Government and the French Roman Catholic majority of the Province find great difficulty in managing two systems of schools for the Province under the existing law, and they would be strongly opposed to face the additional difficulties and implications involved in the organization and administration of a third system of schools."

Among those who notably approved Jewish schools was Henri Bourassa who, at that time was coming to break with the French Canadian antisemitic nationalists:

In the House of commons he expressed his "hope that the generosity evident in Quebec will find its way east and west, north and south." His eyes were probably west, on Calgary, where the Quebec school situation was watched by such as the editor of the Star with unfriendly eyes.

"A new problem in the social order presents itself to us: Shall the Jews have their separate schools?"

"Some would want the Jews to go to school with the Protestants; others want confessional schools. Given the constitution of our country which permits the Jewish religion, the Jews have, without any question, the right to their own confessional schools by virtue of natural right, of the civil law and of good sense.

"Catholics should logically give the Jews here that which they claim for themselves elsewhere.

"The system of sending Jews to school with Protestants is, in fact, a poorly disguised religious neutralism. It is practically a neutral school.

"Better a Jew and a Protestant who wish to educate their children in the faith of their ancestors than a Jew and a Protestant who say, 'Let us throw our creeds away in order to educate our children better.'

"The best educational system is the family school, dependent on the priest, the minister or the rabbi, under the authority and supervision of the parents. The excellent reason of being able to purchase 100,000 scribblers or 100,000 slate pencils cheaper is not good enough to bring about the abolition of the family school, to free the parents from the care of watching over the integrity of the education of their children."

(Le Devoir, Jan. 6, 1925)

At the Anglican Diocesan Synod regret -- even condemnation -- of separate schools was expressed. Canon E.I. Rexford told the synod that there had been absolutely no proselytising of the Jews; the latter were the richer by their associations and by the principles instilled into them by their contact with the Protestants.

The creation of separate schools will be a serious loss to the Jews themselves. Not for years would the Jews be able to place their schools upon a comparable footing, and during a decade or so they would suffer serious handicap.

This at a meeting where the city Anglicans were also told of missionary effort among Jews in Canada and overseas. In Palestine, it was reported to the synod, a Sanhedrin has been formed to hold a retrial of Jesus. The verdict of the Jews who cried "Crucify Him!" nineteen hundred years ago will be revised, and in consequence vast numbers of Jews would recognize Jesus Christ. In Europe large numbers of Jews were breaking away from the Synagogue. They were finding a deeper, more satisfying faith in the church. (Gazette, May 1, 1930)

More formally, Dr. James Smyth, chairman of the Protestant Board, said that they "would not oppose separate schools if the Jewish committee wishes to have them, though as Canadian citizens we shall deplore it. For we believe that the self-segregation of the Jews would not be in the best interests of this province, of the country as a whole, nor of the Jews themselves."
(Gazette, March 24, 1930)

Prof. H.E. Reilly told the Kiwanis Club that adding another panel might make the Quebec educational system as bad as that of Holland.

Another voice that was raised publicly against a Jewish panel was that of the commercial community.

"The Canadian Manufacturers Association, investment brokers and joint stock companies had several interests in the question; the buildings of the Protestant school board were mortgaged as security for bonds issued by the board. If these emptied buildings should become alienated from the commission, or if tax revenue accruing to the commission should lessen, the value of these securities would be affected.

Furthermore, the variation in tax rates for citizens of various faiths, and the higher rate paid by corporations could create chaos in the real estate world.

But, very frankly, to undergo all this not for Christian purposes but for Jews? The Commercial Community strenuously opposed any money from the neutral panel being diverted to maintain separate schools devoted to intensive Hebraic instruction. This would meet with strong opposition among the commercial concerns... I tell you frankly that the joint stock companies and the financial concerns will not stand by silently and agree that taxation set aside for schools where intensive Judaism is the prime object. The section of the Jewish body which is asking for separate schools frankly admits the reason they want them is that they may teach an intensive Judaism in those schools -- Jewish tradition, Jewish religion, Hebrew language, Jewish literature, and so on...

"There is no objection on the part of the joint stock companies to pay twelve mills or even more, although it should be limited... There will, however, be very strong objection on the part of these organizations to seeing their money diverted for the support of such separate Jewish schools as is being asked for."

Within the Montreal Council of Social Agencies a concerted campaign against the separate school plan was on foot. Its Education and Recreation Division put itself on record in the matter and asked the Board of Directors to pass a similar resolution on the grounds that: that such schools "would retard Canadianization and assimilation of Jewish children; result in segregation of foreign Jews in schools and in areas surrounding Jewish schools; there would be inferiority of teaching; ... it would widen the breach which already exists to some extent between Protestant and Jewish children; a further handicap to compulsory education: increased expense." (March 3, 1924)

Supporters of separate schools listened very carefully to these voices and thought they heard offensive overtones and a reflection upon Jewish dignity and upon Jewish capacity; not to speak of a failure to appreciate cultural pluralism. And this from serious practitioners of the social sciences.

With all the intense and deeply rooted differences of opinion within the Jewish community, there seemed to be one underlying concept, adopted with near-unanimity, implicitly and often boldly stated: given a choice between the existing Quebec confessional system of denominational sponsored schools on the one hand or a "national" or American-style public school system on the other, all would choose the unitary system for all the pupils in society. Only a very few rabbis and a very few Poale Zionists might opt for the Quebec system.

But it was universally agreed that no such option existed, and hardly anyone proposed that such an option might be sought by amending the Canadian constitution. So far unanimity.

Under these conditions, many felt that the Jewish community ought to seek a non-Catholic school authority to replace the Protestant board. Some felt that this was the intention of the law; some felt that this ought to be the objective of the community: to transform the Protestant board into, in effect, the neutral school along the American pattern of the public school.

And some Protestants feared that just this was the Jewish community's intention and direction.

An attempt was made by some, such as Marcus Sperber, to smudge the divisions by noting that, instead of being religious or denominational, the legal distinctions were, or ought to be, linguistic. They could make peace with a French and English school differentiation. In such a system Jews would have full equality; this would remove the accumulated heritage of religious difference. The violence of linguistic nationalism was not yet on the scene.

But this was merely a concept at this time, thrown out as seed in the hopper of ideas.

At the time it was accepted that the prospect of national schools was chimeric. But when the development of the Quebec school system is viewed in the long perspective, the Jewish situation and stand on this fundamental question is seen to have remained from the beginning, and has been not without issue.

Commission of Nine

To return to the legislative history of 1924.

The new Protestant bill came before the legislature on Jan. 17, 1924 and received first and second readings. On Feb. 5 it reached the Public Bills Committee under the chairmanship of the premier where the real debate on the measure took place.

Clearly, a long and possibly an unpleasant battle was shaping up with the Protestants. The Jews, too, were divided. The Jewish Community Council had already taken a position in favour of separate schools, as had the Council of Rabbis. The group known as the West End Committee or the Jewish Educational Committee had rejected this plan.

In preparation for this session Lyon Cohen had sought to bring about a united Jewish stand of the entire community. He brought both Jewish groups together on Feb. 3, 1924. It was his hope that an agreed upon compromise might enable a single delegation to represent the entire community.

The Jewish Community Council (The Va'ad Ho'ir) accepted his proposal, but the Jewish Educational Committee did not, and two delegations from the Jewish community proceeded to the provincial capital.

The humiliation of the Jewish citizenry was not modified by a statement made at this time by the Catholic authorities that Jewish children could not be admitted in their schools -- the question was quite hypothetical and the rejection gratuitous -- for lack of space for their own children.

Government was caught between the two religious denominations. Throughout the Liberal administration, led by Prime Minister L.A. Taschereau, Provincial Secretary Athanase David and Provincial Treasurer A.R. McMaster, acted with all propriety, courtesy and energy. Nor did the Conservative opposition in any manner hamper the search for a resolution. The assembly in effect followed a bi-partisan policy in fulfilling the role of government.

Given the constitution of education in Quebec, and the rights and duties of the leaders of the Christian confessions under this system, "I also recognize," said Mr. Taschereau, "that it is the duty of the state to provide schools. It is the duty of the state to do so in this province, and in every civilized country. We understand it, and we are not giving way under our obligations." (Gazette, Apr. 2, 1930)

In response to a direct question from the premier Mr. Gordon, who headed the Jewish Educational Committee, said that they were in favour of maintaining the status quo. Mr. Weinfield pointed out that the Protestants had never plainly stated that they did not want the Jewish children in their schools. The Hon. Mr. Taschereau said, "The Protestants have not said that, but some Protestants have."

Mr. Fitch, who headed the delegation from the Jewish Community Council, said, "It might be possible for the legislature to force the Protestants to keep us, but that would not be a very wise thing. A gentlemanly separation would be the best remedy."

The government made every effort to persuade the Protestants to withdraw their bill, but they refused, insisting on clarifying their rights to full, unshared control of their schools in order to retain the Christian character of these schools, including the right to segregate Jewish pupils. Some of them made no secret of their gratification at the prospect that the Jewish pupils might leave the Protestant schools.

The premier broached his plan for a Study Commission and stated that, failing their devising an agreement, he would consider a separate Jewish panel. "If there is a burden on the Montreal Protestants they do not want -- and I am the last to put a burden upon them which is repugnant to them -- then I will recommend another panel. But before doing so, we must seek all means of solution." (Nadler. The Jewish-Protestant School Problem. MS.)

The premier reaffirmed that "Jewish children had the same rights as Catholic and Protestant children to receive an education in schools which would not wound their religious sentiments. We have preached that far too much not to give to others what we have asked for ourselves."

As he put it later before the chamber, "This leaves the Jews at the mercy of the Catholic Commission to go to their schools, or at the mercy of the Protestant Commission if they go there."

In support of the position of the Jewish community the premier pointed to the differences within the Protestant community, between the views of the Protestant Board of Montreal and the Protestant Committee of the Council of Public Instruction.

A conference sponsored by the Protestant Committee early in Jan. 1924 had aired the issues and had recommended that no alteration be made in the current law, but rather that further negotiations take place. The Protestant Committee began to examine the bill which was proposed by the Protestant board clause by clause, but quickly found such discussion fruitless and unanimously decided that the bill be put aside. The measure requested by the Board would have given it the right to segregate or scatter Jewish pupils, would annul the act of 1903, would relieve them of the Jewish demands for representation on the board, while assuring the Board of an adequate income.

The unpleasant and useless debate which had taken place in committee was repeated in the legislature when Gen. Smart brought the bill up for third reading on Feb. 20 and again on March 12.

Premier Taschereau proposed the suspension of debate on third reading and suggested placing the entire matter before a special commission which would be charged with inquiring into this and several other matters touching education on the Island of Montreal. The commission would be composed of nine, an equal number of Protestants, Catholics and Jews.

From the beginning the Montreal Protestant board insisted that the proposed Commission of Nine was unnecessary and useless; that Protestant rights and authority over their schools equal to Catholic authority over Catholic schools was essential, immediate, legal and not subject to delay or discussion.

The Premier stated that if the Commission could not agree upon another solution after studying the problem, the government would remove the burden of educating the Jewish pupils from the shoulders of the Protestants, if they so wished, by naming a Jewish school commission.

Nine men, headed by former Premier Sir Lomer Gouin, were named by order-in-council on July 31, 1924.

The choice of the three Jewish representatives to this special commission was the subject of considerable discussion.

With typical directness, Rabbi Hirsch Cohen told a Jewish gathering that he would prefer the commission of inquiry to have no Jewish members; nor was he favouring Jewish representation on the Protestant board.

The Jewish Community Council had suggested the chairmen of the two Jewish factions -- Louis Fitch and Nathan Gordon -- together with Lyon Cohen, who had a totally different view on this question from the other groups.

But the premier did not follow this suggestion. Instead, he took the advice of Mr. Bercovitch.

There were loud objections to the composition of the commission: Mr. S.W. Cohen was an American citizen, quite unknown in the community; both he and Mr. Michael Hirsch were committed members of the Jewish Educational Committee, one of the parties to the dispute.

It became necessary for the premier to attest to the Va'ad Ho'ir, which had objected that there were no orthodox Jews on the commission, that "the Jewish representation is composed of two orthodox Jews and one Reform Jew." The Va'ad Ho'ir would have been hard put to it to find the "two orthodox Jews" among the three, but it would have been unseemly to enter into that discussion with the Catholic premier.

There were protests, meetings, press releases and other reactions in the community. Many found it offensive that men so out of touch with large sections of the community should speak, negotiate and act for Montreal Jewry. They had been named on the recommendation of a political person!

The attitudes on one side of the fence are expressed eloquently by the colourful Rabbi Hirsch Cohen who was the leader of orthodoxy down town but was also the brother of Lazarus Cohen, the uncle of Lyon Cohen, of the family of Horace Cohen, of Leonard Cohen, of Carl H. Goldenberg.

His feelings were never restrained by the forms of expression as he wrote to the Jewish commissioners,

"I have in recent communication tried to convey to you by logical arguments, that our demands before the Quebec government can properly be only for separate schools for Jews. To my utter sorrow, you have totally ignored my plea.

"The matter, though, is so important to me from both the Jewish religious and from the national point of view that it robs me of my rest by day and sleep by night. I have decided to make another attempt. Possibly, where logic has failed, sentiment might prevail.

"I hereby appeal to your Jewish inner feelings which you undoubtedly possess, unconscious to your selves. You gentlemen must admit that your appointment on this commission has been made because you are Jews, in the belief that you will express the Jewish desires.

"But you cannot deny that with your Jewish education, lack of Jewish environment and superficial knowledge of the Jewish past and aspirations of the future you are not competent to express the Jewish desires. You naturally must listen to those who are imbued with a more thorough knowledge and view of these matters. Your own private opinions, as well as those of your few counsellors who are as backward in Jewish knowledge as you are, must bow before others.

"Also, no consideration should be given to a certain resolution adopted some time ago at a meeting in the Baron de Hirsch Institute, because that meeting was called by people who demand nothing, and those who know what they want were not invited. Speeches were then held in English which were not understood by the majority of those present. The situation was not clear then.

"Politically, it was a fine piece of work, and can be made use of when found necessary. But we are considering sincerity of actions, and in that light the said resolution has no value.

"According to my opinion you must express the desires of the majority of the Jewish population in this province, which is backed by the Jewish press all over the world. And that is for separate Jewish schools, although that might not agree with your own personal convictions.

"If you think that it is not conscientious to demand that which you deem is not good for us, you should, at least, make it clear to the government that your own views are in conflict with those of the majority of the Jewish population whom you are representing, and you are, therefore, not capable to hold the entrusted position, and therefore, tender your resignation from the commission. This would be an honourable, justifiable and true Jewish act.

"I appeal again to your Jewish conscience, Do not take upon yourselves the responsibility in so important a matter that affects the future of generations. Consider it well. You might possibly discover the mistake you are making.

"If there are in my letters, or in my speeches, on the question remarks which you find insulting I humbly beg your apology. I assure you that my intentions are as sincere as those of an older and more experienced brother who is trying to bring back his brethren who have taken the wrong road."

To assure the soundest legal basis for their studies and for their conclusions, the Protestant members of the Commission consulted eminent counsel, in the event M. Eugène Lafleur, and the Jewish commissioners sought the advice of Mr. Wallace Nesbitt of Toronto. These solicitors clarified many of the legal issues which were contentious during the balance of the decade.

Most usefully, the Jewish Commissioners conducted a series of public forums which openly ventilated the issue in the Jewish community, in the presence of hundreds of interested citizens, with the participation of representatives of various groups. These hearings, fortunately preserved stenographically, are among the most colourful and articulate documents in the archives of Canadian Jewry. They also met in private conferences with some three dozen citizens from all sections of the Jewish community for a most frank exchange of views. These were a true reflection of community opinion.

By and large these proceedings were mutually respectful, but tempers did get heated at times. Even in cooler moments the opponents of separate schools labelled the proponents as unpatriotic; later they sought to withdraw the unfortunately worded documents. Nevertheless, to Jews such as Garber and Fitch, whose Canadian commitment no one could easily question and who in addition enjoyed the semantics of continental experience, the incident smacked of Messirah, of informing against Jews to the enemy-authorities.

Even though they did not lead to any agreement, they created a sense of community by their very meeting in confrontation. Following as they did by years the sessions of the Canadian Jewish Congress, these gatherings were an effective moulding of Montreal Jewry.

In addition to these initiatives of the Jewish Commissioners, the full Commission of Nine held public meetings of its own where English-Language Quebec spoke out on the Jews. Much of it consisted of the formal statement of the Protestant Board position, but underlying a good deal of it was stark hostility. Coming as this did from ministers, lay leaders, judges and educationalists, it presented a surprisingly brutal picture even when it was intended only to bolster a tenable legal position.

It is true that some Protestants spoke in terms very close to the Jewish position, and it is difficult to measure the support which this or that Christian voice enjoyed within the intimacy of the Protestant community or the Protestant conscience.

So Dr. Best of the seminarian community told the Special Commission of Nine,

"It is primarily the responsibility of the Church to provide for the religious education of the young, whether on Sunday or week-days; our efforts in regard to religious instruction in connection with the public schools should be directed chiefly at this stage towards the establishment of a system of instruction under church auspices rather than as an integral part of the curriculum of the school.

"Under these circumstances it is quite clear that there is no necessity for a break with the Jews on religious grounds.

"As a matter of fact a large group of informed Protestants have long desired a radical revision of moral and religious instruction along lines which would not be unacceptable to Judaism. Where vital differences do exist, they believe that these can best be handled by the Churches and should not be a part of public

school instruction. This province has too high a reputation for religious toleration to give way to either of the extreme groups now seeking to force separate schools in order to teach dogma or to further sectarian ends.

"I wish to protest against the policy of the Montreal Protestant School Board as embodied in the Bill of 1923. There is no economic necessity for the attempt to rob the Jews of the educational rights they have enjoyed for the past twenty years. There is no insuperable administrative difficulties, nor indeed any very serious ones. The problem of religious instruction only exists because an attempt is being made to carry forward a policy which is contrary to the carefully considered and official pronouncement of the following Protestant bodies co-operating as the Religious Education Council of Canada: 1. The Baptist Convention of Ontario and Quebec; 2. The Church of Christ; 3. The Congregational Union of Canada; 4. The Evangelical Church of Canada; 5. The Methodist Church of Canada; 6. The Presbyterian Church of Canada; 7. The Young Men's Christian Association; 8. The Young Women's Christian Association; 9. The Student's Christian Movement.

"I question whether the Bill really represents the mind even of his own colleagues. Even if this is true I think the Government should be guided by the official pronouncements of the Protestant Churches rather than by the opinion of individuals on a local Board. This is particularly true when one half of the Board is appointed for other considerations than their expert knowledge of either education or religion.

"Much as I respect the members of the Protestant Board---- and some of them are my personal friends -- I think we should go forward in accordance with British traditions of representative government to the election of a School Board by popular vote. The motives which guide an electorate in selecting an alderman, seldom include a consideration of his qualifications as an educational authority. An intimate practical experience with public schools in Manitoba and Ontario, in New York and Massachusetts, as well as professional study of educational systems has convinced me that the British System of responsible government is based on sound principles.

"I would like to remind those who fear to admit Jews to a share in educational leadership that the supreme figure of Christianity was a Jewish teacher. It is also on record that half a century before he was born there was a school in every Judean village, and an earnest attempt to enforce compulsory education in Jerusalem. Since that time history shines with the names of Hebrew scholars, scientists, philosophers, statesmen and artists, and I know of no race which is so desperately in earnest about securing the highest and best in education. The admission of one or two Hebrews to the Board would smooth the pathway of educational administration and demonstrate that the Protestants of Quebec are as ready to exercise toleration towards a Jewish minority as they are anxious to receive toleration from the Roman Catholic majority."

On the other hand, Judge Howard claimed to speak for the vast majority of Protestants who were opposed to any compromise in the Christian education of their children. Before the same tribunal he said,

"It is perfectly idle for us to talk of National Schools. We have not National Schools. We have, on the contrary, denominational schools, and we are going to have them just as long as our Roman Catholic fellow citizens feel that ethics, and standards, and loyalties, and manners (in the broad sense of the old English word "Manners") are bound up more or less in religious teaching.

Taking the situation as it stands, it is perfectly idle to talk about the Protestant Schools being a melting pot (as the word has been used) out of which we are going to bring one hundred per cent Canadians, although there is such a small element of Canadians compared with those who have recently come into the country and who differ from us.

"Going back, there was a time the non-Christian element was educated in the Protestant Schools, and the Protestants were fully in accord with the idea.

"There were two reasons for this; in the first place, there was a comparatively small percentage of the non-Christian element-- five or ten percent, perhaps; and ninety or ninety-five percent being Protestants still maintained the Protestant Christian standards and Christian ideals in the Schools.

"Another was that the non-Christian element at that time had for generations lived in Christian countries, and had been trained in Christian standards. Their ancestors had for generations lived in Spanish, or Portuguese, or British, or other Christian countries, and when we met them in the schools we did not feel there was very much difference between us. The public opinion of the school, the standards of the class, the ideals of the class, and the tone of the class were all the same.

"The whole thing changed, however, when a different class began to come into this City, say twenty years ago, from the central part of Europe. They had not the same standards, I am not saying they are lower standards. I simply say that the non-Christian element which began to come in then and which was received in our Protestant schools, and which came into our schools as a matter of course, had not the same standards, they had not the same outlook upon life, they had not the same social standards, they had not the same mentality as we had.

"What do we send our children to school for? I was a school teacher myself, and I found in teaching school that you could not rule a school as well with the rod as you could by developing the public opinion in the school itself. If I could impress upon my students that a particular thing was the right thing to do, and if they all thought with me, or if the leading minds in the class felt I was right in this rule I laid down, that governed the school.

"It is the public opinion of the scholars in the school that sets the standard.

"We send our children to school to obtain certain mental attainments, and for certain mental discipline. We send them to learn a certain amount of arithmetic, a certain amount of Latin, a certain amount of French, a certain amount of physics, a certain amount of algebra, and so on. We like to have them go to places where they will attain the greatest mental efficiency.

"But there is something very much more important than that, and it is the influence which is brought to bear upon the development of their characters. This is by far the most important.

"This moulding of the character is due partly to the teaching in the school, but it is due very much more to the public opinion in the school. If the standard of the school and among the pupils is Christian, that type of character is going to be developed. In so far as it is not Christian, some other type (it may be a better type, although I think it is not so good) will be developed.

"We think in so far as a class is composed of a predominantly Christian element, the public opinion of that class is going to develop what we as Protestants consider to be the highest type of young manhood and young womanhood.

"With another element in the class -- another aggressive type too -- a different moulding is given to the children at school.

"I think the public schools of this City are splendidly equipped, splendidly staffed, and I like their curriculum and their text books. I think they are better equipped, better staffed, and offer generally a better mental and intellectual training than do the private schools; but when I find my children in a class where the public opinion of the class is not Christian, and not Protestant, what do I do?

"As much as I admire the system, I cannot leave my children there to help bring up the rest. I am not willing to expose my children to absorbing other standards than those I approve of myself. Therefore, I take my children out of the public schools, and put them in an exclusive private school. Now, I do not want to do that, and I am sorry to do it.

"I do it, because I do not think I should give my children the task or put upon them the burden of moulding into one hundred per cent Canadians those who have recently come to our shores and who hold entirely different standards from us.

"I think they should be given every chance, but I do not think our Protestant children, being in such a small minority, should have that burden imposed on them.

"In some classes the proportion is very large. I was told only today of a class in which there were only two English Protestant girls out of a total number of over thirty. The public opinion in that class cannot be English, and cannot be Protestant. It must be something else. The standard must be something else. The manners must be something else. The loyalty must be something else. Two cannot mould thirty. It is the thirty who will mould the two.

"I admire the character, the mentality and the disposition of our friends who are not Christian.

"They have their ideals and their standards, and I think they ought to have the right to schools in which they can teach those ideals and those standards if they choose to do it.

"Their ideals are high ideals, and their standards are splendid standards, but they are very different from ours.

"I think a separate panel for the Jews is inevitable; and I should think they would prefer it. But, of course, they must speak for themselves.

"We cannot possibly continue to welcome 40%, or 45%, or 50%, or maybe more of students into our schools who are non-Christians, and not give them a voice in the administration of the schools.

"The moment they have this, and appoint teachers, the schools cease to be Protestant schools, and become something else -- and they are not National Schools.

"We Protestants are entitled to our schools, and ought not to have our schools taken away from us. We are quite willing to do more than our fair share in developing into true Canadians those strangers whom we welcome to our shores. There is no doubt of this.

"My greatest desire is that those who come to our shores should become Canadians, but I do not feel we are going to accomplish that end any better by continuing to keep the two races in the schools of the minority together.

"The Protestants of this city will insist as strongly as they can upon having their Protestant Schools remain Protestant and under Protestant administration.

"We feel the non-Christian part of our community have a perfect right to have their schools, and to administer them as they choose, and have a perfect right to teach their standards in those schools.

"I have not been able to find a single person in my acquaintance who advocates for his own children that the schools should continue to drift away from Protestantism, and Protestant training, and Protestant control, and become neither Protestant nor anything else."

The commission meetings were even less encouraging. There was no true discussion. Only unbending extreme restatements with no attempt to see another side, to seek compromise or to harmonize conflicting needs.

The Jewish commissioners searched for various forms of solution, but no plan was examined seriously.

Lyon Cohen proposed Jewish participation in the administration of some of the schools.

Another failed proposal was for an advisory board with Jewish members to act at the side of the Protestant Commission. Such an advisory board would make its suggestions in regard to religious training and administrative matters affecting Jewish pupils or the Jewish community.

Later, during the hearings before the Court of Appeals, the solicitor for the Catholic commission made an alternative proposal that was not followed up: they were ready to do for the Jews what they were doing for the Chinese; the Chinese were opening a school

and were running it themselves, but under the formal control of the Catholic commission.

On Dec. 27, 1924 the Special Committee handed the government the report which was, in reality, a series of reports; one from the Protestant members, one from the two (majority) Jewish members, and one from the third Jewish (minority) member. Predictably each restated their prior position; the Protestants formulated their demands and claims. Messrs. Cohen and Hirsch stated the position of the Jewish Educational Committee -- both reports supported by opinion of eminent counsel; and Mr. Schubert presented a plan for a metropolitan school commission to deal with financial questions, which commission could have Jewish members, and a Jewish section within the Protestant panel with jurisdiction over schools with a majority Jewish school population.

The Protestant report held that the 1903 agreement enacted into law had been ultra vires, and that Jews could have no status within the Protestant Commission or in its school system. They insisted on the continued exclusion of Jewish members from the Protestant Board of School Commissioners and on the full Protestant retention of all rights over their schools for the absolute maintenance of the Christian education they offered in their schools.

The 1903 act should therefore be formally repealed; Jewish claims to rights equal to those enjoyed by Protestants in the Protestant school system should be denied to ensure that no "provisions of the law are open to attack on the ground of unconstitutionality.

"Questions of Jewish holidays, Jewish teachers and of segregation are matters of administration, and as such should remain subject to the discretion and control of the Protestant Board. The control of the Protestant schools by Protestants as contemplated by the British North America Act" must be assured.

Satisfactory financial arrangements should be made to continue the education of Jewish pupils in the schools under Protestant control, and the board should be compensated for any losses it incurs in the education of non-Catholic, non-Protestant children. Jewish citizens might have the right to petition the Protestant Commission with the right to appeal to government in case of dispute.

They opposed the establishment of a separate Jewish panel.

Noting that Mr. Nesbitt had given a differing interpretation of the validity of the act of 1903, the Protestant Commissioners suggested removing doubts by submitting the issues for judicial determination -- a fateful suggestion indeed.

The Jewish "majority" on the Commission, Hirsch and Cohen, in their report asked for the continuation of Jews' schooling in Protestant schools, with no segregation of Jewish children, and with Jewish members on the school board.

They recommended the continuation of the status quo under the 1903 régime and felt justified in their position because, after all, the Protestants had not stated absolutely that they do not want the Jewish children in their schools; to break with the existing arrangement is to threaten the entire school system; the

intermingling of all school children is generally recognized as conducive to better citizenship. They opposed a separate Jewish school system because the differences in outlook among Jews are too great to be unified in a single educational system, and the financial resources of the community are insufficient for an independent panel. 1

The third Jewish member of the panel, Ald. Joseph Schubert, in his "minority" report, suggested either the division of the Protestant Commission into two sections, one for the schools with a Protestant pupil majority, and one for those with Jewish pupil majorities, continuing the present central financing control, or, alternatively, a third panel. This later proposal would accord Jews virtual equality with others by establishing a separate Jewish school panel and a school system parallel and equal to those of the Protestants and Catholics.

Even before the reports reached the premier, the Jewish Community Council convened "a conference of forty-two organizations, including synagogues, loan societies, benevolent political and cultural groups," and advised them of the alternative proposals that had been formulated by the Jewish members of the Commission of Nine.

This conference strongly objected to the two Jewish commissioners who had libelled the proponents of separate schools as "reactionary, unpatriotic and un-Canadian." These two commissioners had no mandate from the community, could not speak for Montreal Jewry and were not representative in any sense, the conference charged. Their proposals were therefore inadequate and failed to assert "the educational rights to which we are entitled both constitutionally and as a matter of fair play." The conference supported the position of the third commissioner, Alderman Joseph Schubert, as "in the absence of separate Jewish schools, the best safeguard of Jewish educational rights in harmony with the school system and the ideal of education prevailing in the province."



The Courts

The Commission of Nine did not harmonize the divergent views of its members of ambient society. Indeed, there is no evidence of serious consultation or discussion within the commission.

All that emerged of agreement is that there were legal phases to the problem. The varying opinions they had secured from counsel reflected that much; nothing of other aspects of the educational question.

In point of eventual fact, to anticipate, when the legal problems were resolved, the school question -- Taschereau called it the most difficult problem to face the government in many years -- was not a whit nearer a solution. The commission had only noted the deepcleavage in view among its own members and had recommended to the government that the conflicting claims of the parties concerned, and the proposals put forward, be placed before the courts for decision as to what is possible within the law.

The government accepted this recommendation and referred the issues, carefully formulated in a series of legal questions, before the judges of the land and of the empire.

The process passed through the stages of judicial hierarchy. The reference was put before the Court of the King's Bench, appeal side, on Feb. 1, 1925 and judgment was rendered on March 11. It went on to the Supreme Court of Canada which handed down its findings on Feb. 2, 1926. The questions were then appealed to the Judicial Committee of the Privy Council in London in 1926. Mr. Louis St. Laurent, later prime minister of Canada, was counsel together with Mr. Bercovitch, for the Jewish majority commissioners; Mr. Fitch and Mr. Garber acted for Mr. Schubert.

A moment out of this legal history:

When the Court of the King's Bench ruled that the setting up of separate schools for non-Protestant, non-Catholic children would be ultra vires, the Jewish appellants defended the validity of a Jewish panel -- this in spite of the known opposition of these gentlemen to the erection of such a Jewish school commission.

Further, the wording of Judge Rivard justifying this conclusion is of social interest, quite apart from its legal content,

"Doubtless, our state recognizes freedom of religion. But the freedom to practice the doctrines does not imply necessarily the right to teach them in public schools, with the aid or under the protection of the state. And if our schools are of Christian faith, if the principles of Christianity are the principles of the education imparted there, if they are designed to shape the subjects of a sovereign who for four centuries prides himself on the title of Defender of the Faith -- how could we permit those who treat as blasphemy this very faith, these beliefs, these teachings and very title of Defender of the Faith? So, by law, the freedom of worship stops at the threshold of the school...."

"Furthermore, there would be a conflict between the education which the state assists with its moneys, its prestige and its authority and the very principles placed at the foundation of the constitution of the land and which inspire its laws. What are we to think of a legislation which, on the one hand makes blasphemy a crime for which its truth is no defence and punishes it severely, and, on the other hand, would admit the teaching the blasphemous as if it were true? Of legislation which makes polygamy a crime and would permit Mohamedans to teach it to children as a normal rule of conduct?"

It is not surprising that such a gutter periodical as La Croix reprinted comments of Judge Rivard on its front page, finding in it comfort and aid in its battle against sanity, in preparation for Arcand, for the Key to the Mystery, for support of Hitler in Germany and in Canada.

We see here vividly the channels which lead from the intellectual study, from a high court, down to the mob and into the hell circles of concentration and torture camps.

A very important position was taken by the unfriendly but very influential Action Catholique. In its issues of May 17, 18 and 19 it carried articles by the notorious Abbé J.-Antonio Huot on the school question. The position he took -- and often the very wording -- were to be cited in the years to come by other Catholic opponents of the Jews' school rights.

The significance of these articles lies in their being the voice of high church authorities -- and in their choice of a spokesman.

For Father Huot was one of the leading antisemites of his community. His early pet hate was the order of freemasons. As early as 1906 he issued a 179-page volume on Le fléau maçonnique (Quebec, Typ. Dussault & Proulx) with an entire chapter (Pp. 117-31) on Jews and freemasonry, in which he told his readers,

"The Jewish invasion always follows closely upon the masonic invasion. The Catholic land which freemasons have sworn to destroy is sure to see its territory swarming with Jews... Today everybody knows that it was the Judeo-masonic press that brought the revision of the Dreyfus trial... In Canada the Jew still carries his sack. Give him a little time before he climbs into his automobile. They will then be aldermen, legislators, members of the Council of Public Instruction... When he will have your house, he will try to catch the souls of your children by voting for neutral schools."

Similarly in his Le poison maçonnique of 1912. (Quebec, Action sociale, 34 p.)

In 1914, at the time of the notorious Plamondon libel case, the Canadian contemporary parallel to the Beilis trial of Kiev, when the Jews were accused of horrendous, Talmud-authorized crimes such as ritual murder, Father Huot appeared like a voice out of the medieval cloaca. He chose ritual murder by the Jews as his topic for a lecture before the Cercle Garneau of the Association canadienne de la jeunesse catholique at the Académie St. Joseph in Quebec.

Among other aspects he faced the report submitted by Cardinal Ganganeli to the Holy Office which discredited the horrible libel and had always been accepted as the Catholic quietus of one of the shameful stains on Christianity. But not to the satisfaction of the Quebec priest, who was armed with support from Les cahiers romains of 1913: the cardinal was only expressing a personal opinion, not at all binding upon others; indeed, an opinion that ran counter to the views of others and, above all, counter to the historic record. In truth, it is a testimony to the lively conscience of the prelate that he told what he personally felt to be the truth so boldly when the facts argued strongly in the other direction. He spoke his conscience even though it ran in favour of the worst enemies of the church. "Here is sparkling proof of the love of truth and of justice as we find it in the Catholic church. But that is all. The historical question about the existence of the ritual crime will not be decided by the personal opinion of Cardinal Ganganeli." (Le Patriote, May 30, 1935)

By this time Father Huot was director of the official publication of the church in Quebec, La semaine religieuse. Significantly, it was Father Cyrille Labrecque who signed the nihil obstat for the publication as censor deputatus; Canon Labrecque in due course succeeded Abbé Huot as director of La semaine religieuse and published many antisemitic articles in that bellwether periodical of French Canada.

These articles were reprinted in Action française of June 1926 and in pamphlet form by Action sociale of Quebec (1926. 16 p.): La question juive chez nous, avec une lettre d'un lecteur de l'Action catholique a l'auteur. That reader seems to have been only a little more deranged than the priest. An English version appeared that year from the same press in the translation of John O'Neil.

Even the title of the pamphlet on the school question is significant: it is practically the same as his defence of the ritual murder accusation against the Jews.

The conclusions of Father Huot:

"It appears of capital importance that no legislation should breach the Christian character of our public education. Whatever the decision of the Privy Council, the legislature should not vote any law for the establishment of neutral or separate Jewish schools in our province, since the control of public education must remain in Christian hands, whether Protestant or Catholic, represented in the Council of Public Instruction as constituted to-day.

"It would be too painful for the French-Canadian people, the pioneer people of Canada, to see our legislators provide newcomers to our country with school rights and privileges which are refused our people in Manitoba and in other provinces.

"Doubtless, we must not violate the natural rights of the Jewish father of his family over his children. But to safeguard this right it is not necessary to break up our Christian public education, so dear to both Protestants and Catholics in this province.

"In fact, the state offers Jews the common schools of the

province, both Catholic and Protestant, for the education of their children. If these schools do not suit them, they can have their children educated at their own expense and in their own style at their own schools.

"If such recourse to private schools is not satisfactory to the Jews what can practically and appropriately be done in Montreal, where this question arises at this time?

"Insofar as equity demands it, and within the conditions of a Christian state like ours, we ought to recognize the rights of the Jewish heads of families over their children. If by an arrangement of internal administration either of the two school commissions, or both, would permit at their discretion or by tolerance, we ought to approve the establishment and maintenance, under their control, of distinct schools for Jewish children offering an education which suits them, but which does not contradict Christian verities or -- above all, the fundamental principles of the social order, -- the school taxes paid by Jews being allocated for the maintenance of these distinct schools.

"Again, it is of prime importance, to safeguard the Christian character of public institutions in the province, that no law of the legislature consecrate the setting up of neutral or separate Jewish schools.

"The great thinker de Bonald had written, 'Let us beware that the liberation of the Jews does not become the oppression of the Christians!'"

In due course the rulings came down: the act of 1903 was indeed ultra vires in effect; Jews had few if any rights in the existing school systems other than what they could reach by negotiation or by any legislation the government could formulate which did not affect the rights of the school commissions; the Protestant or Catholic boards were not bound by law to accept Jewish children as of right, nor need they engage Jewish teachers. The government could, if it chose to do so, establish a system of separate schools for Jewish children.

Such, in effect, was the decision of the Judicial Committee of the Privy Council as handed down on Feb. 2, 1928.

During the years of negotiation the Uptown Committee on Education had repeatedly stated, as a threat and as a promise, that, failing what they considered basic Jewish rights such as representation on the school board, they would, for lack of a tolerable alternative, support separate schools. This had been said repeatedly, not only to government and to the Protestant board, but to the Committee for Separate Schools as well.

Now that the negotiations no longer seemed promising and the court judgments were coming down with ever greater finality against Jewish rights to representation or to other guarantees, the Separate School Committee approached the Jewish Educational Committee for joint action to secure Jewish schools.

But the Up Town committee was not withdrawing its opposition to such schools and refused to work together with the separate school committee. They still hoped to keep the Jewish children in the Protestant schools one way or another.

They felt that the maximum concessions which could be secured from the Protestant Commission were all that the Jewish community could expect; separate Jewish schools were inexpedient in a country where Jews have equal rights and implied the creation of a state within a state, a return to the ghetto with its ignorance, superstition, horrid Yiddish; they feared that a separate Jewish panel might lead to other separate panels; some were actually afraid of pogroms in consequence of Jewish school separation; it was a step away from a national public school system; the children of Quebec society were best educated in a single school system, at worst in a double system; they feared that Jews could not agree on a single curriculum, nor could they finance a school system; they accused the proponents of a separate school panel of entertaining personal ambitions and hope of gain; arrangements satisfactorily arrived at with the Protestant school authorities were not ignoble or demeaning. The negotiating group of the Jewish Education committee felt that they "had no axe to grind, was looking for no favours or stepping stones. They are acting purely in an honorary capacity and in the best interests of the entire Jewish community, and as anxious to uphold the standards of Judaism as are any other section of the Jewish community."

Without the knowledge of the Separate Schools Committee, "informal and unofficial conferences of school commissioners were being held with representatives of the Jewish community" under the chairmanship of the Hon. Athanase David at the end of 1928. These were noted succinctly but formally by the Board on Dec. 12, 1928 and again on Jan. 9, 1929.

The discussions were begun by Mr. Hirsch. In his absence from the city, David Kirsch assumed the chairmanship of the negotiating group which also included Allan Bronfman, A.Z. Cohen, S. Ogulnick and A.H. Jassbe.

An agreement was indeed hammered out by Jan. 14 which provided for "a Jewish Committee on Education of five members to make representations to any school board or educational authority where the interests of the Jewish people are involved." The agreement also foresaw, without commitment, the use of certain of its schools for the religious instruction of Jewish children after school hours, if it is found to be administratively feasible. (Gazette, Jan. 15, 1929, and Robert Rumilly. "L'Affaire des écoles juives, 1928-31," in Revue d'histoire de l'Amérique française, vol. 10, Sept. 1926, Pp. 222-44)

But when this agreement came to be known -- as it had to at some time -- there were protests, in the press and beyond.

One objection came from Peter Bercovitch, M.L.A., who for some reason had been left out of the final consultations. He had been invited to the last negotiating session in the office of Mr. David on Jan. 14 but had been unable to attend. Bercovitch had long felt that the solution of the Jewish school question lay in the Council of Public Instruction and in the Jewish presence there. Failing such provision, he felt that the Jewish negotiating committee had not secured the necessary, the possible and the feasible safeguards and had indeed exceeded its functions in

concluding the agreement. He spoke out to the press accordingly. (Gazette, Jan. 16, 1929.)

But Bercovitch was manageable. After discussions during the fortnight, peace was restored, and he joined "in the belief that we will be able to unite our efforts in trying to find a solution which will be fair to all concerned and in the best interests of the Jewish community." (Gazette; Jan. 29, 1929.)

But the Committee on Separate Schools was another matter. Two days after the agreement was reached in the office of Mr. David, the Separate School Committee under the chairmanship of H.M. Caiserman publicly disavowed the Kirsch committee as spokesmen for the Jewish community and notified the government accordingly.

The separate school committee submitted to the Hon. L.A. Taschereau, prime minister of Quebec, a statement again urging the establishment of a separate Jewish panel in view of the fact that the Privy Council ruling left no alternative course consonant with equal rights for the Jews of the province. The prime minister "read the memorandum with interest" and the cabinet met with a delegation on the 22nd. of the month.

The composition of the delegation which met with the cabinet, headed by Mr. Caiserman, reads like a roster of that section of the Montreal Jewish community: Rabbi H. Cohen, Michael Garber, Shloimeh Wiseman, Leon Cresthol, I. Bobrove, Simon Belkin, Israel Rabinovitch, Jan Abel, H. Wolofsky, Dr. M. Wiseman, Zelig Wolofsky, Mrs. Sarah Caiserman, B. Goldberg, J.K. Mergler. The Jewish legislators were conspicuously absent from the meeting concerning a measure which the government was to sponsor within a few weeks.

A mass meeting on Jan. 27 at the Prince Arthur Hall, under the chairmanship of Michael Garber, confirmed the repudiation of the agreement and repeated the demand for separate schools after hearing Fitch, Belkin, Schubert, Zuker, Caiserman, Rabinowitch, Dickstein and Shurem.

By the beginning of February Kirsch found it necessary to recall the plan he had signed with the Protestant Board and, in great embarrassment -- arising, again, from the absence of a single platform to unite the Jewish community -- wrote to the Board to withhold the action they had agreed on.

In the absence of such unity, Dr. Smyth replied to Kirsch, "You propose to come together definitely to find a formula entirely satisfactory to the different sections of the Jewish Community. I feel bound to say that, in view of the apparent uncertainty of the status of the various people who have spoken to us purporting to represent the Jewish community, it is impossible for us to deal further with the situation."

The government truly found itself in a quandary.

The courts had limited its options. Catholic and Protestant were concerned for their basic rights under the constitution. The Jews were divided. As the premier told Caiserman and Garber, some Jews feared a "Jewish Reservation;" other threatened to inscribe their names on Christian panels to keep their taxes from a Jewish panel and to send their children to Christian schools;

some Jews felt that only Christian teachers could properly educate their children to become good Canadians and to rid them of certain undesirable characteristics which are the product of Jewish historic conditions; many do not wish any Jewish education for their children.

Nevertheless, the government had decided to act in the direction of setting up a Jewish school commission.

They encouraged their trusted Jewish member of the legislature, Peter Bercovitch, to draft a bill which would be acceptable to all, including the entire Jewish community. He had sought, not without some success, to remain on good terms with all sections of Montreal Jewry, although he had strong views of his own.

On Jan. 21, 1930 Mr. Bercovitch gave notice of a bill which would create a Jewish section of the Council of Public Instruction and a Jewish school commission.

The bill offered a way out of the impasse, by having resort to the opening created by the Privy Council. As Joseph Cohen, M.L.A., wrote to the Eagle, "We all find ourselves on the same path because, simply put, we have no alternative. All roads now lead to separate schools, whether some of us like it or not." And the editor commented, "The intransigence of the Protestants is relentlessly driving the Jewish status quo party into the arms of their former enemies, the separate school group." (Feb. 9, 1930) I. Rabinowitch wrote, "Some go gladly, some as to the slaughter." (Jan. 24, 1930)

One of the major discussions about the bill arose from the proposal to include Jews on the Council of Public Instruction.

At first this was seen as one means of granting Jews representation in education. But the proposal raised problems. Would it be legal? The Privy Council seems to have declared favorably. But some read it differently.

Secondly, how do Jews get unto the Council which was presently constituted of two committees, a Catholic committee composed largely of the bishops of the province, and a Protestant committee? Is a third, a Jewish committee, to be established? Or are Jews to be named to the Protestant Committee?

From the beginning the Catholics, watching the discussions from a distance, showed concern. The Catholic Committee of the Council formally stated that they wished to be consulted on any arrangement worked out in the question. As early as Feb. 28, 1930 Cardinal Rouleau wrote the premier of the "disquiet" raised by the proposed school law.

But Bercovitch pressed hard for the naming of Jews to the Protestant Committee.

Hierarchical opposition to granting Jews their own school was strong and public. The heads of the church in Quebec and in Montreal showed none of their usual reticence or reserve. There was an avalanche of episcopal letters to the premier, probably orchestrated, from the bishops of Rimouski, Trois Rivières, Gaspé, St. Hyacinthe, Nicolet. The identification of Jew and Communist is not absent from these communications. In their tone towards the government they bordered closely on the imperious.

The churchmen had reason to be concerned about the ultimate control of the Jews' schools. When the cardinal asked that a report on the state of the Jewish school question be prepared for the Catholic Committee of the Council of Education, Judge Martineau voted against it. The Catholic committee should not meddle even this much, he held. His colleague, Judge Thellier, called him out of order. (Report of the Superintendent of Education, 1930-31, P. 230)

Taschereau respectfully objected to Cardinal Rouleau's "Manner of stopping a procedure on our part which we consider just and legitimate. We certainly do not wish to enter into controversy with the episcopate. But we must say that if we will require to withdraw our bill, that this will be done because of the opposition of the Catholic episcopate, leaving the weight of responsibility for all the consequences upon shoulders not ours."

As Quebeckers, the prime minister said, it was preferable to have the Montreal problem settled in the provincial capital rather than by the Privy Council in London.

The major concerns of the churchmen had been to prevent a non-Christian presence in formal Quebec education; to avoid giving Jews a status equal to that of Christians; to prevent an all-Quebec status for the Jews, but to confine it instead to the Island of Montreal; to keep Jews out of the Council of Public Instruction with its all-Quebec authority; to prevent the Protestants from gaining any authority over any Jewish body that may be instituted; to ensure that the supervisory or liaison apparatus of government with the Jewish body is not endowed with power which may, in time, creepingly develop into control of the Christian schools by government.

The nature of this hierarchic campaign became clear from an appointment: Mgr. Gauthier, archbishop co-adjutor of Montreal "engaged a young journalist, Adrien Arcand, a collaborator in the little newspapers of Joseph Ménard, to fight the bill -- a step which launched Adrien Arcand into antisemitism." (Rumilly, P. 230)

A reading of Arcand's many inflammatory articles indicates his very close collaboration with, and guidance from, some very well informed source in the episcopal palace. Certainly these articles differ greatly from his other writings.

In his Histoire de la Province de Quebec Rumilly noted, "The tabloids of Ménard and of Arcand were denouncing Jewish immigration, Jewish monopolies, the Jewish plan for world conquest -- in a word, the Jewish peril. Mgr. Gauthier kept on warning against communism and everyone knew of the part the Jews, the eternal revolutionaries, played in communist propaganda among the unemployed. Finally, the bishops and the curés accused David of undermining the influence of the Council for Public Instruction in order to replace his title of provincial secretary with the official title of minister, as minister of public education. David understood the seriousness of this question, the dangers of such rumours when they are exploited by the opposition. He was alarmed and indignant.

"But confidence between the bishop co-adjutor of Montreal and the provincial secretary was shattered. Mgr. Gauthier would not forgive the minister for preparing the first draft of the Jewish school bill without consulting the Council for Public Instruction. The minister would not forgive the bishop for his protestations in public."

Rumilly places the event within the character of the archbishop,

"Mgr. Gauthier had never openly taken a step against the public authorities. This priest of profound faith never missed his morning prayer. He has made himself master of his own nature so as to follow faithfully the discreet processes so dear to his Sulpician teacher. His position as administrator of a diocese whose titular bishop was still alive troubled him. When he wished to influence a legislative or an administrative issue, he courteously sent for the premier, and Taschereau would come to the archevêché on the set day, at the set hour. Consequently Mgr. Gauthier was more influential than appeared.

"But this time public action seemed necessary. Mgr. Gauthier is not content to write to the premier. He reads and comments on the letter at a ceremony at the Oratoire St. Joseph. He reads and comments on the letter with a fullness that is natural to him and which befits his sacred character."

On March 15 the Archbishop of Montreal, Mgr. Georges Gauthier, wrote the premier that the proposed law, arising from the local Montreal situation, would affect the entire province. It is coming into being, he wrote, "after having surrounded the Jews with an unjustified sympathy." The measure would alter "the understanding which has been arrived at between Catholics and Protestants. We have a considerable interest in not modifying the character, the physiognomy and the function of the educational system in force in the province. The bills need to be modified and a study should be undertaken on a new basis."
(Gazette, March 19, 1930)

Three days later the archbishop released this letter to the public in the course of an address to thousands of worshippers in St. Joseph's Oratory on the mountain, in the course of which he conjured up great dangers.

"One may believe that our fathers, who have willed to give this country a Christian character, would feel aggrieved, if they could see Christians and non-Christians sitting side by side in the Council of Public Instruction.

"The real aim which, evidently is to be seen in the projected law, is to obtain a share of the neutral school taxes.

"It is clear that we are no more in the precincts of justice; we enter into the regime of privileges. I know the rather dolorous history of the Jews. We, Christians, know what is the cause of the burden they carry, and God forbid that we may be unjust to them.

"but we may well ask in what province of Canada, in what country of the world in possession of its history and constitution and laws, people would think of giving to the minorities similar privileges, and where the minorities would think of asking them?"

"Hundreds of non-Christians emigrate to the United States and in other provinces of Canada? Are they exempted from accepting the constitution of the country which they chose to inhabit?"

"There is a paramount consequence which is seriously envisaged by all thoughtful and judicious men, and that is the establishment among us, with these extraordinary innovations, so much confusion and such complications that the state may be brought to say: These neutral taxes, I will take them and will establish in this province a unique system of schools, with a minister of public instruction and a department under his orders, who will take charge of all schools."

The same fears were expressed in Quebec City by Cardinal Rouleau in a statement he published the same day in L'Action Catholique:

"It is doubtless legitimate to give children the type of education desired by their parents, provided always that the parents respect the laws of God, of social order and that they attend to the charges of their schools. It is necessary that such schools be submitted to an efficient control of the Council of Public Instruction.

"But to assure such an education is it really necessary to to complicate, even to falsify our educational system by the addition of a special committee of five members which will doubtless come between the two existing committees of the council? Moreover the favor accorded to the Jews today will perhaps be demanded tomorrow on similar pretexts by other religious sects or even by anti-religious sects.

"Once started along this road where shall we stop or end?"

"Some day, to overcome certain embarrassment will there not be an attempt to impose on us the neutral school so often condemned by the Popes and specially decreed against by His Holiness?"

Churchmen were anxious that their intervention in the school question might be seen as an undue attack upon the rights of Jewish parents in the education of their children. Canon Cyrille Labrecque, later editor of La semaine religieuse de Quebec, the official organ of the old archdiocese, wrote in L'Événement of March 28, 1930, expounding Catholic thinking on this question which was ill designed to reassure. (Also reprinted in his Consultations théologiques, 2nd. ed., Quebec, Action Catholique, 1946, Pp. 181-83):

The Cardinal had written the premier on March 18 that: "It is doubtless legitimate to give children an education desired by their parents, always provided that the parents respect the law of God, the social order, and that they contribute to the costs of these schools."

But the canon further cites papal statements which limit

parental rights more specifically. Pius XII stated that these rights are "inseparably subject to the final purpose and to natural and divine" law, and Leon XIII had formulated that above all parents have the duty of putting the instruction and the education of their children in perfect accord with the purpose for which they have received them as a gift of God....

"It is therefore subject to the judgment and authority of the Church, and also the vigilance and the legal protection of the state in regard to the public good."

As the good canon put it, "the rights and duties must be balanced under the vigilant protection of Church and State.... The rights of God have precedence over the rights of parents. The child has the right to be taught in conformity with the sovereign will of the Creator. Such education was to the advantage of the individual and of society. The state is duty bound to seek the rights of the child.

"It is obliged to control the schools to prevent at least anti-Christian teachings, anti-social doctrine and all revolutionary ferment, to support the actions of the Church.

"In Jewish schools the Bible may be taught, by tolerance, as the Jewish religion had been a preparation for the Christian faith before the coming of Christ. What must be forbidden are anti-Christian commentaries which appear often; that is, doctrines opposed to Christ and to His Church. This is also true of anti-social ideas of certain groups and persons... The state must take effective measures to prevent any teaching which is contrary to the Christian faith. To avoid injury to Christian society, no anti-Christian teachings should be permitted in Jewish schools, nor should Jewish schools be permitted to constitute a system of non-Christian education. Let Jews have their own schools, but these should be distinctive and private under the control of a Christian section of the Council of Public Instruction.

"That, we believe, is the thinking of our bishops."

As David wrote Cardinal Rouleau of Quebec,

"I have noticed so much will to harm in certain quarters and so little to help that I turn to you for encouragement. I believe that I can hope for nothing from anyone else but you. All that can be done to plant discord, to set passions on fire has been done.

"I have not believed that it would serve any purpose to make public certain unhappy things that would in no way have remedied the situation but that would have revealed some oppositions in their true light."

He sought to cut the Gordian knot by establishing a closer bond with the cardinal, an attempt hampered by an automobile accident which immobilized the cardinal hours after they made their first minuet approach. So it was in writing that the provincial secretary told the cleric dignitary,

"You know, Eminence, that one word from you -- a single word -- when you are assured of our good faith, when you will be, and I hope you are, convinced that our only wish is to end an intolerable school situation -- one word from you will suffice to

reestablish the good relations that all of us desire to maintain between the spokesmen for the clergy and the spokesmen for the state, whatever anyone may say or anyone may think."

Was it only diplomatic form, political strategy or personal convictions that dictated the Hon. Athanase David as he wrote,

"My communications have proven, I trust, that I can bow to an authority I consider superior, and that in my case there has been only the wish to be useful.

"It matters little to me that in certain spheres they smile at the rumours about me, that I have turned far from the church, and that I am seeking to diminish -- eventually to abolish -- the Council of Public Instruction. If it did not exist, Eminence, I would ask you for authority to create it."

The premier even wrote Cardinal Rouleau "that the projected law will not come into force except by proclamation of the Lieutenant-Governor-in-Council; this latter disposition permitting us to negotiate again to see whether another disposition might be found. The Jews should understand that, having no normal schools for forming teachers, it would be rather difficult for them to organize themselves." (Star, March 30, 1930)

The cardinal appreciated this "cordial loyalty" and promised to consult his colleagues, "as the Jewish school law is of interest not only to me." In due course he would "forward such suggestions and modifications of the text of the law as may appear to us to be necessary or useful."

As a loyal Catholic from Quebec, Bourassa sought to put the best complexion on the matter. Speaking in the Commons on the Manitoba school question on Apr. 29, 1930, he said,

"When the question of Jewish education began to crop up, I am proud to say that I was the first one in the Dominion of Canada to advocate that our Jewish fellow-citizens should be given the same rights which we claim for Roman Catholic and French-speaking minorities in the English provinces, and which have always been acknowledged and granted to the Protestant minority in the province of Quebec. I am proud to say to-day that this has been accomplished; and although there have been some little difficulties of interpretation as to details of the law, I am happy to say, as regards the hierarchy denounced so often as a dominating power and as a power of intolerance, that Cardinal Rouleau, in the last letter which he wrote to the Premier of Quebec, stated that all the bishops of Quebec were glad that the Jewish minority were given the same rights as the Protestants to educate their children in the public schools of the province in conformity with their religious convictions. That is the spirit of Quebec and of the Roman Catholic hierarchy of Quebec."

There was a flurry of controversy as Bercovitch continued to seek Jewish representation "at least" on the Protestant Committee of the Council of Public Instruction.

The problem of Jews on the council had become more complex.

It was not only a matter of dignity and authority accompanying representation. In fact, the Council was the link between government and the schools.

If Jews were not on the Council, the schools would be subject only to direct governmental control. But there was no government mechanism for this purpose. So the Jewish schools would be uncontrolled, or subject to naked political pressure.

In this event, if the government chose to exercise its influence through the Superintendent of the Council, this would give the government and the Superintendent power in education almost as if there were a ministry of education. This was anathema to the social philosophy of Catholic Quebec at this time. Fifty years earlier Quebec had briefly had such a ministry. The province learned from this experience to avoid a repetition for a full century.

On the other hand, if the Council admitted Jews to the authoritative body directly as a third committee, this would give Jews province-wide authority and a status many Christians resisted. It would also give the Jews a measure of authority over all schools, including Christian schools, the same authority which the Catholic bishops possessed.

If the Jews were admitted indirectly, as part of the Protestant Committee of the Council, they would additionally exercise authority over Protestant schools and, again as members of the Council, over all Christian schools.

In this complex knot of antagonism there was still another calculation. The Catholics did not want the Jews within the Protestant Committee because this would serve to strengthen the Protestant stand. It would give the Protestants a measure of control over the Jewish schools as well as over their own.

In fact, the close bond that has been existing between the Protestants and the Jews in the realm of education has not made the Catholics happy even in 1903. Montreal's Mgr. Gauthier had even said to the Hon. David, "The separation of the Jews and the Protestants would not have displeased the bishop." (Rumilly. "L'affaire des écoles juives," P. 226)

In any case, the Jewish presence on the Council would introduce at least the social and pedagogical principles favoured by Jews into Quebec education, even if the Jews did not intend specifically to act in this direction. Indeed, this influence would be there quite aside from the existence of the Council. The very existence of Jewish schools dominated by Jewish leaders could not but effect all schooling in the province.

To the myth-dominated mentality of many Quebeckers, even among the highly placed, Jewish influence meant Communism, however the word was defined by each person or group.

This appears not only in the periodical rags of the time, but no less in the missive Cardinal Rouleau sent the premier on Feb. 38, 1930; His Eminence speaks of the risk of Communist propaganda in which Jews specialize.

The government claimed that the Council was an inactive body. It had not met for ten years. It would be unjust to place the Jewish commission under its control. The assurances desired by the church existed in the fact that the superintendent is necessarily a Catholic.

Protestant opposition to having Jews on their committee was expressed by Bishop Farthing of Montreal and Bishop Williams of

Quebec. The Protestant Committee, in the past generally favorably disposed to the Jewish needs, also passed a strong resolution to this effect, to the disappointment of some Jewish citizens.

Even Jewish support of Bercovitch's efforts in this direction, especially in the temporary absence of Michael Hirsch, was not enthusiastic. The Canadian Jewish Chronicle saw him as the politician.

The partisan situation in the ward entered into the situation. Fitch ran against Bercovitch in May 1927 for the seat in the Quebec legislature. Fitch's role in the school question was also at issue. He was defeated even though the Eagle and the Chronicle backed him. The campaign had split the Down Town, the separate schools movement and the Poale Zion. His defeat discouraged the separatists.

The outcome embittered Fitch and he withdrew from communal activities. Caiserman took up the chairmanship of the committee for separate schools when Fitch retired. (Belkin, in Shloimeh Wiseman Book, P. 196)

Although Bercovitch's position in the capital was strengthened, Hirsch's negotiators ignored his efforts and continued to hammer out some agreement with the Board. They were more interested at this point in securing approval of an advisory committee of Jews who might have some status before the Board than in membership in the Council of Public Instruction.

It was probably to help the premier out of his quandary the the Jewish members of the Legislative Assembly, Peter Bercovitch and Joseph Cohen, telegraphed him on March 30 that "After hasty deliberation and consultation with some prominent Jews of our community we desire to inform you that we accept modifications of Bill as suggested by you to us this morning. We reiterate in accordance with judgment of Privy Council our right to representation on Council of Public Instruction, but we do not press for same at this time since the main problem is at present only local. We are actuated by a spirit of attempting to solve harmoniously with Catholic and Protestant authorities a very difficult and to us vital question, and likewise by the appreciation of the sympathy and consideration the Jews have received from you personally."

The political implications of the school issue were rising dangerously to the surface. The official Conservative opposition was not above harnessing the powerful latent ultramontanist and even more reactionary sympathies of important sections of the population.

A dramatic meeting took place on March 21, 1930 at the cardinal's palace where Taschereau and David met the cardinal and Bishops Gauthier of Montreal, Courchesne of Rimouski and Comtois of Trois Rivières. They made peace, at least for a very short time, by agreeing to limit the jurisdiction of the bill to Montreal, so that the question of the Council of Public Instruction fell by the wayside.

Taschereau convinced the bishops that separate schools for Jews would satisfy the principle of parental rights over the

education of their children, a principle long dear to the Quebec church. Jewish schools would also divert Jewish energies and interests from the promotion of neutral schools.

As a result of this mediation of the clergy, Jews were excluded from the Council of Public Instruction, a condition that was to last for four decades, in point of historic fact.

That day the Protestant Board and the government agreed at a conference -- Jews were not present -- to an amendment to the David Bill to the effect that only failing an agreement between the Jewish commission and the Protestants within a year would the Jewish schools come into existence and this automatically. (Gazette, vol. 159, no. 74)

The Société St. Jean Baptiste represented an important sector of Quebec opinion. Guy Vanier, president of the Montreal General Council, telegraphed to the premier that the proposed bill was "excessive, for it provides for the participation of the Jewish colony in Montreal in the general directorate of all education in the province. Our Society holds that the extensiveness of this article is not justified since it deals with a purely local issue. The Society further submits that, in order to remain within the Christian tradition of this province, the law should assure that the Jewish commissioners will organize and maintain in their schools religious instruction based on the Ten Commandments which conforms to the Jewish faith and would parallel to a certain extent the confessional schools which the Catholic and Protestant committees have established. In regard to the natural taxes, equity demands that these be divided pro rata according to the number of children attending the schools; economies in the cost of conducting the schools should properly benefit those with the courage or ability to impose them. Would it not be advisable to postpone a definitive solution of this question to the next session?" (La Presse, Apr. 1, 1930)

A wave of antisemitism was sweeping the province. The middle twenties saw Catholic Action engaging the attention of the Catholic right the world over. In Quebec the sickness of the century's race hatred -- often called zoological for more than one reason -- found its own incoherent expression in such a periodical as Joseph Begin's La Croix.

Probably no one has been able to convey to a reasoning reader the quality of its consistent insanity, the moral horror, the tissue of conspiracy and fiction, the parody upon morals and faith and, above all, the lethal potentialities of this antisemitic periodical press.

La Croix seized upon the current school debate to attack Jews and Liberals, to create and to mobilize fanatics, to give a mythic semblance of truth to its world view. So the attacks on Joseph Schubert and on S.W. Jacobs were associated with terror of Communist usurpation and with anxiety for the fate of Catholicism.

Nor was La Croix alone. Quebec was tuning up for the cacophony of the Fascist thirties.

The revised bill was presented to the legislature by David on Apr. 1 with this one question unresolved. It appeared to be a

technicality, but it was taken to be basic by the hierarchy. Even as the bill was before the house the cardinal wrote,

"The Jewish school commission comes under the competence solely of the superintendent of the Council of Public Instruction. He must of necessity be a Catholic. Very good. But what a variety exists among Catholics! To-day the superintendent is an excellent Catholic. But to-morrow, or the day after? Men pass, they change, but principles remain. And will a nominal Catholic raised to this position be competent to judge on religious and moral teachings? And will he have the moral strength to proscribe them? The influence of the Council would be a powerful safeguard in such circumstances.

"Unless the nature and the powers of the superintendent in regard to the Jewish schools are profoundly modified, will not public opinion view this as the first step towards a Ministry of Public Instruction? Your archbishop is disquieted and pained by all this."

Rumilly notes that activist forces within the church were mobilizing.

Bourassa was restrained from expressing his approval of Jewish schools in his own Le Devoir, possibly by Bishops Gauthier and Courchesne.

Mgr. Paquet asked the director of La semaine religieuse of Quebec City to prepare a series of strong articles on the question; the cardinal put the brakes on at this point.

At the eleventh hour David worked out an acceptable formula and the bill was passed by the Assembly on Apr. 2, 1930 and by the Legislative Council the following day.

Camillien Houde, leader of the Conservative Party in the province and mayor of Montreal, opposed the school law discreetly. He saw it as a threat to the classic Catholic theory of the organization of education as it had developed in Quebec. Compared to some of his supporters, he sought to be moderate, and pictured himself as the mayor of all the people, not excluding the minorities. This espousal of these lesser groups, and even his definition of a minority became an issue not only for Houde but no less for Bourassa. In semantics, and even in law, some of his supporters felt that the term denoted only French Canadians and English Canadians in their respective conditions of being outnumbered by the other group in one or another area. In such cases they understood that the outnumbered members of the basic Canadian race were privileged and were properly protected by clauses in the constitution, by law and by custom, and had specified rights.

The other, more general, definition of the term referred to any outnumbered group of whatever origin. Their status and rights and their stance vis a vis the English and the French groups were subjects of discussion. Among the semantic complications of the period was the fact that in international law and in current world affairs the term minorities was involved in the European context with great issues which eventually exploded into World War II and in the holocaust for Jews.

Houde sought to avoid confronting politically dangerous and divisive issues and contented himself on the school issue by urging that the matter be removed from the agenda of the legislature by reference to the Council of Public Instruction.

The government claimed that the Council was an inactive body. It had not met for ten years. It would be unjust to place the Jewish commission under its control. The assurances desired by the church exist in the fact that the superintendent is necessarily a Catholic.

When the bill came up for voting Houde was absent. It is in this context that we read his statement to a Toronto newspaper:

"A big problem faced our province. It is the school problem. Many quarters hold that the government has surpassed its powers in according scholastic privileges to a minority group.

"In fact, the government has surpassed its powers in acting as minister of public instruction. The ministry of public instruction was abolished in 1875; direction of our schools was lifted from politicians and confided in our principal educators. Mr. Taschereau has broken with tradition. He did not place confidence in our Council of Public Instruction, pretending that he could do better than our educators.

"In the name of our Conservative Party, I claim repeal of this school law and reference of it to the Council of Public Instruction, and I act thus in accordance with the party's recommendations. This is no anti-Semitic fight we are undertaking, but a fight for the preservation of our rights. We wish to give justice to everybody, but without sacrificing our dearest rights. The fight undertaken by certain newspapers can lead to nothing but furious race struggles."

Houde exploited the school law very effectively for his political purposes. He rejected the principle of equality for the Jews, of "putting the immigrant and the man who cleared the land, the sons of Isaac and the sons of Champlain" on the same footing. Manuel Levitt of the Conservative Association openly regretted his support of Houde as a man of broad sympathies; by opposing the Jewish school law Houde had proved he was not that. (Rumilly, vol. 32, P. 62)

The 1930 act was introduced by the government and passed with near unanimous consent (only 5 members voted against it) of all political parties, of the Jewish members in the house, of the Jewish Committee on Education, of the Catholic Church and of the Protestant authorities.

The Law of 1930

The measure was a masterpiece of political and social legislation. It was constitutional; it could satisfy the proponents of separate schools; it could meet the needs of the Protestant school commission; it left the decisive power in the hands of the Jewish notables; the Catholic church was assured that its wishes would be met. The Jews could sit to negotiate an agreement with the Protestants with some clout in their position. The final authority was the government.

Even as the bill was being considered at Quebec City, with its far-reaching provisions towards setting up separate schools under Jewish auspices, a word of warning for the proponents of such schools: speaking at a meeting of the Poale Zion on March 25, I.M. Bobrove warned that the measure included the elements of danger; the real intention was not to set up separate schools for the Jewish children; the opponents of the proposal will yet betray these pupils. (Minutes of March 25, 1930)

On the other hand, the Jewish Educational Committee the same month convened a meeting "of representative Jews" to whom the situation should be made clear and from whom expression of opinion should be obtained with a view to making representation to government which we feel the government will welcome and are entitled to receive before definite action is taken on bill." The roster of some 120 citizens thus invited is a directory of that section of the community.

The two Jewish members of the legislature, Peter Bercovitch and Joseph Cohen, conveyed to the community the oral assurances of the premier that the Jewish school commission would have the same rights as the Protestant and Catholic Committees of the Council of Public Instruction. But, as the Committee for Separate Jewish Schools pointed out in a letter to Taschereau, no such protection was incorporated into the bill. (Israel Rabinowitch. "The History of the Jewish School Question in the Province of Quebec", in Jewish Daily Eagle, Dec. 12, 1951, P. 5)

The 1930 law (21 Geo.V, chap. 63) created a Jewish school commission of Montreal, consisting of seven members, with perpetual succession, possessing all the rights and privileges vested in similar corporations, a commission which will not be dissolved even by the disappearance of all its members, vested with the rights to make such regulations as it may deem necessary for the government of its schools, capable of recommending the setting up of a Jewish Central Board of Commissioners for the examination of candidates for teachers' diplomas for the education of persons of that faith.

This commission could also enter into an arrangement with any board of school commissioners for the education of Jewish children in the schools controlled by such other board.

The Jewish commission was entitled to the school taxes on the properties of Jewish rate payers and also to the shares of the taxes thereon paid into the neutral panel, on the same proportionate basis as fixed for Protestants and for Catholics.

This Jewish commission could admit other non-Protestant, non-Catholic children and receive payment for this from the neutral panel as do the other commissions.

Jewish children residing in areas where the Jewish school municipality has not been erected may attend Protestant schools and the Protestant commission was to be compensated for the cost of this instruction from the neutral panel. The neutral board proceeds were to be divided among the three boards -- including the Jewish -- in proportion to the population. Assessors shall indicate the faith of Jewish proprietors by a J (Jewish, instead of P.-J., Protestant Jewish). Provision was made for the negotiation and disposition of school sites, school houses and the equipment therein.

The new law made a clean sweep of existing legislation governing the education of Jewish children on the island of Montreal. The act of 1903 was finally abrogated, a clear victory for the Protestants.

In spite of all the consultations, courtesies, clearances and agreements, the churchmen were not satisfied with the bill. As if to give the lie to the reports that "the bishops are satisfied," Cardinal Rouleau told the press,

"It appears useful for me to add that the episcopate would have wanted a clearer and more precise formulation of certain points, and that it has not approved the amendments proposed at second reading. Is it not strange that non-Christians can intervene, if only in a 'consultative capacity' in a problem which involves the entire population, that is, the education of baptized children, both Catholic and Protestant?" (Le Goglu, May 2, 1930)

The extremist supporters of Jewish schools felt that they had not got enough concessions from the government and that the Liberals might yet derive political benefit from the arrangement. The moderate opponents -- a relative term which might by extension include Cardinal Rouleau -- were afraid of the whip, possibly in the hands of their servant, Adrien Arcand and sought to dissociate themselves from the law.

Bishop Gauthier reproached the premier for stating that the measure was the result of an understanding with the bishops. In Quebec Action Catholique wrote that "the bishops did not edit the document... They only expressed their opposition to the admission of a non-Christian element into our Council for Public Instruction." (Apr. 5, 1930)

Hence Arcand's campaign on the question, "Les évêques sont-ils satisfaits?"

B.K. Sandwell of Toronto's Saturday Night formulated the effect of Quebec's school law: "On all important issues the local boards are controlled by either the Protestant or the Catholic Committee of the Council of Public Instruction... The schools of

the Jewish Commission will still be under a very large measure of specifically Christian control. The powers of the Commission will be no greater than those of any other local school board. But in all matters of major policy the local boards are controlled by the Superintendent of Education who merely registers the decrees of either the Council of Education for matters of common interest, or the Catholic or Protestant Committee of the Council for matters of interest to Catholics or Protestants only.

"The affairs of the Jews will come under the heading of general interest, and the Superintendent will, in the words of the act, 'comply with the direction of the Council.' This consists of all the Roman Catholic bishops in the province, an equal number of Roman Catholic laymen and an equal number of Protestant members. The Catholics form two thirds of the Council."

To prevent some future Superintendent, not as disciplined a Catholic as he might be, a Catholic in name only, from exercising an influence over Jewish schools, this officer was placed, for the purposes of the Jewish school system, under the direction of the Council. Sandwell concludes, "The Jewish schools will therefore be under a much more definite Roman Catholic control than the Protestant school system."

Israel Rabinovitch noted that the school question provided the occasion for antisemitic attacks by the Verdun Guardian and the emergence of the rabid anti-Jewish press published by Adrien Arcand and by Joseph Ménard, including the Chameau, Le Goglu and Le Miroir which were to plague Canada for two decades.

These rags became more vicious as they dwelt persistently on the evident good will of the Taschereau Liberal government in seeking a reasonable issue for the school problem. They therefore simultaneously furthered antisemitism, backward-looking social views, anti-liberalism, anti-Liberalism and the cause of the Conservative Party. Nor did the import of this fail to communicate to the sensitive political men of the government party. (In his series on the school question in the Jewish Daily Eagle of December, 1951.)

After the David Bill of 1930, as it came to be known, was passed, the antisemitic rabble led by Arcand, his voice magnified by his Miroir and Le Goglu, unleashed a truly frightening attack on the Liberal government.

It was a significant moment of the Arcand career.

Arcand was associated with Joseph Ménard in Le Miroir, founded in 1928. (In 1933 this weekly became Le Patriote, until 1938. After 1935 Le Patriote also appeared in an Ottawa edition. Le Chameau was published in 1930-31 as the humorous illustrated edition of these publications, even though the others were also profusely provided with caricatures.)

Le Goglu began in August, 1929 as an insipid rag, with little political direction, no apparent social philosophy, little nationalistic concern, pandering largely to a taste for descriptions of crimes of violence.

Even when he proclaimed his Patriotic Order of Les Goglus in December, 1929, it was almost as a journalistic joke, with no indication of any objectives, tactics or other evidence of serious

purpose. It is most unlikely that anyone, no matter how low in intelligence or sophistication, no matter how prone to coupon mailing, would be enticed into association. Certainly there was no mention of Jews or anything smacking of antisemitism in the many early months of Le Goglu.

His anti-Jewish writings began with his series on the Jewish school question in the 35th. issues of the first volume of Le Goglu on Apr. 4, 1930 and in Le Miroir. "Le Canada est la Patrie des Canadiens et non des Juifs." It was followed in the next issue with a cartoon showing Premier L.A. Taschereau and Provincial Secretary Athanase David kneeling before Peter Bercovitch and Joseph Cohen, M.L.A.s, together with an article, "Québec Livrée aux Juifs." His first signed article in Le Goglu, "Pourquoi le Sémitisme est un péril," appeared in May. Followed months of continuous attacks upon Montreal Jews and upon the government which had sought to regulate the complex Jewish school question by setting up the Jewish School Commission.

It is perhaps an indication of the confusion within the community and an unawareness of what was happening that the federal government was helping to maintain Le Goglu by inserting large advertisements in its pages (May 29, 1931). Even one large Jewish firm paid for one full page which was illumined by the photographs of its high officers.

These series of articles ran in spurts. For a time each weekly issue carried a long article on the Jewish school question in the same position in the weekly, with caricatures, then these stopped. Months later they began again, again for a term. The attacks were clearly orchestrated.

Furthermore, these articles were particularly well informed, clearly reasoned, serially organized and related to tactics and positions taken in the controversy -- as compared to his other writings. They suggest a planned, possibly exterior, strategy of an authoritative source. They were probably more directed, specific and factual than they were ever to be again. He skillfully related the education issue to the mechanics of government and of social action, sought to tie the school issue to the broadest questions of Canadian constitutionalism and of Quebec traditions, and then to connect the situation to his myth of the conspirative Jew in history. Probably never again did the propagandist have an issue so close to day-by-day, here-and-now life. Later he became lost in the madness of the devil-Jew legend.

He concentrated on constant insults and calumnies of the lowest form against the traitorous ministry which he saw destroying the Christian character of Quebec education, bowing to Jewish pressures and making Jews the equals of French Canadians. The government men were legitimizing the Jews as an official minority, and thus attenuating the rights of the Christian groups, in violation of the intent of the Confederation Pact.

Arcand became the defender of the faith, if not its spokesman, publishing episcopal statements in full, and by his commentaries pushing the hierarchy towards his extreme positions of hostility to Jewish public schools, and to Jews.

"To admit the David law is to admit that when we fight for Catholic religious schools in the west we are fighting for a battle for Jewish religious schools... We have run and are running great economic dangers which, however, can always be avoided or corrected. But we have never faced a graver national and religious peril which may not be redressed once the precedent is established in tradition." (Le Goglu editorial, "The People Wait for a Saviour," May 30, 1930)

In 1774, he wrote, the Catholic bishops had won privileges and a special status for the church. Now the government is diminishing them by destroying the rights of Christianity and by forcing them to share their hitherto exclusive status with Jews. ("Sharing is seizing." July 18, 1930)

"Jewish educational and school questions are removed from the competence of the Council... Only the government can intervene, but on the recommendation of the Superintendent. But if he does not recommend anything? If he does not condemn anything? We shall see the Jews act as they please, do what they wish, without control or surveillance -- in short, with an independence not granted even Catholics or Protestants.

"Having only Jews to advise him in regard to the Jewish schools, he will necessarily become Jewish and will turn our entire educational system into something Jewish; the more rapidly if he is as feeble and as pliable as David and Taschereau who have permitted the Sheenies to run circles about them in a few months....

"The Jewish commission has full, uncontrolled powers: administration, management, regulation, curriculum, teachers, examiners, etc., while the Catholic and Protestant commissions do not have these powers.

"The Jewish rabbis themselves will be unable to supervise the religious nature of their schools. Mr. Taschereau justified the bill on religious grounds, but he leaves the new Jewish religious commission entirely in the hands of laymen under the complete control of the government. It is an absurd situation, explicable only by his desire for political intervention and control." (July 25, 1930)

The Jewish schools became one of the issues on which Arcand broke with Camilien Houde. As both of them told it, Arcand had supported Houde in his previous election campaign for the mayoralty. He may have been only a minor scrivener for Ménard, although he did take a share of the credit for Houde's first victories. (Oct. 17, 1930)

As late as Jan. 17, 1930 he still spoke of Houde as a man of destiny.

But when the mayor refused to follow Arcand's policies, he turned on him as viciously as on Taschereau, on David or on the Jews. For a time there was relative silence in his press about the Jews until May 1931. For in Feb. 1930 Houde formally disavowed Le Goglu and Le Miroir and their antisemitism and reiterated that citizens of all origins, and particularly the minorities, are entitled to the protection of the institutions of

the free country. He reiterated his stand which he had formulated two years earlier when he had been elected, that he considered himself the mayor of all the citizens, and opposed raising racial questions. (Le Devoir, quoted in Le Goglu).

In October Houde again attacked Arcand, questioning the sources of his income. Arcand replied on the 17th.: "M. Houde, L'Ingrat."

Indeed, for months on end Houde was the object of Arcand's sickening invective, replacing the Jews completely from the columns of Le Goglu.

Arcand was dissatisfied with the "weakness" of Houde's opposition to the David Bill. The mayor criticized the bill for showing a lack of confidence in the Council of Public Instruction and tilting towards a governmental ministry of education, unknown in Quebec since 1875. But Houde recognized that "the Jewish minority here is entitled to the protection of all our institutions."

Arcand was outraged. "There is no condemnation of the Bill, no declaration of principle. The breach of the pact of confederation, the pillaging of the neutral taxes, Taschereau's trapping and betraying the bishops -- on all this there is nothing. He does not care to define where possible rights in this province begin and where they end... Houde's declaration goes further than the David Bill; he opens all doors to the Jews instead of just one; he sanctions and confirms the principle at the root of the famous bill. The reason Mr. Houde invokes for the repeal of the Jewish law is futile compared to the true reasons which militate towards abrogation... Let him tell us if he would concede to all the Israelites the same rights and privileges which French-Canadians here have! Let his say once for all whether our national and Christian traditions should dominate in this province, and whether Jews can participate in our national life as Jews...

"Whether Mr. Houde likes it or not, we will keep hitting at the voraciousness of the Jews until they end their insolence, such as sabotaging our school laws and keeping their stores open on Sundays; we shall preach boycott of Jewish stores until French Canadians have again become masters of trade in their homeland.

"Mr. Houde is concerned that Jews may suffer an injustice. Bout for our part we prefer to see the French Canadians prosper in their country rather than the Jews." (Le Goglu, Oct. 17, 1930; Le Devoir, Oct. 8, 1930)

Indeed, Arcand withdrew his electoral support of Houde. Later, in the 1934 campaign, Salluste Lavery, K.C., ran against Houde under the banner of the Arcand National Christian Social Party and secured 13,000 votes.

Houde was not the only power whom Arcand challenged, probably from his confidence that he had real Quebec power behind him -- not the intellectual base, not finance, not numbers of organized masses, but authority more effective than these.

So he dared take on Henri Bourassa -- the man born as the elder statesman and knightly standard bearer of Quebec identity and dignity.

By 1930 Bourassa was becoming dissatisfied with the ethical tone of those he led, and began to sense the violence and the injustice they were prone to. A changed relationship with other thinkers, spokesmen and organizers in the movement led to an isolation. He was not one to manipulate and to polemicise with his own. Rather to withdraw, to meditate and to explore. He was aware of the anti-Jewish sentiment gathering in the lowest reaches of his people. The school question seemed the core about which this hate movement was crystallizing.

For his sense of fairness to the Jews contradicted his diocesan church authorities and conflicted with the implicit views of the younger generation of the Groulx-led nationalists. "Bourassa no longer in agreement with the Bourassists," as his biographer put it.

The founder of Le Devoir, the man who had impressed English Canada with respect for the French Canadian position, saw no harm in the principle of granting school equality, too, to the Jews. He remembered that his grandfather, Louis-Joseph Papineau, had moved the measure for rights for Jews a century earlier, and now the grandson approved giving the Jews of Montreal the rights which he demanded for the French Canadians in the west.

For this word of justice to a Quebec minority Bourassa was exposed publicly to a lecture from a myth-ridden, young journalist, Adrien Arcand who patiently explained to the tribune of French Canada the true meaning of "a minority." ("Bourassa et les minorités," in Le Goglu, June 27, 1930)

Arcand was teaching Bourassa: it is one thing to be just to strangers and guests of society; it is quite another matter to give to Jews as a group the privileges and rights enjoyed by the founding races of Canada, the French and the English.

At first Arcand was mildly respectful. His reply of June 27, 1930 was at least grammatical. In November his address at the rally at the Monument National on the same theme of Jews as a minority honoured Bourassa by not mentioning his name.

But in the months to come Bourassa was to fare no better than Alderman Schubert or Joseph Cohen, M.L.A., from the pencil of Le Goglu's cartoonist.

By April, 1932 Pophnuce Bourassa had become the subject of a full page satire depicting him as a sanctimonious fraud.

In December the Bourassa who had defended the French Canadian race from the pulpit of Notre Dame at a Marian Congress was caricatured as addressing an enthusiastic audience of Jewish Communists in New York. "No longer applauded by his own whom he had calumniated, he was now going to be heard by Protestants, schismatics, Free thinkers and Jews."

The following month he was described as "attacking the bishops and many of our insitutions, but careful not to speak of the Bolshevism of rabbis and of the anti-national character of many Jewish institutions. Hearing him preach in favour of the Soviet Five Year Plan, apparently in order to counter an anti-Bolshevik encyclical of the Pope, it is not surprising to

find the great defender of the Jews advancing their work in this province by theories such as he had recently maintained." The caricature shows a Jew feeding Bourassa "Christian Socialism" from a baby bottle.

His juniors were rebelling against Bourassa. Their voice and their intent were the insane brutality of Le Goglu, the heralds of Hitler, his would be precursors. They were speaking for the Archbishop of Montreal.

Rumilly states that the head of the Montreal church, with the support of Mgr. Courchesne, kept the columns of Le Devoir closed to its founder and editor on the Jews' rights to schools of their own. It was only when Bourassa delivered a public address at St. André that Le Devoir published his views on the question. (June 2)

The attacks in Le Goglu were but a stage in the tragic biography of Henri Bourassa and of the image and memory of this Canadian in the psyche of his people. The school question was his touchstone, too.

On July 4, 11 and 18, 1930 Le Goglu carried Arcand's legal analysis of the David law showing it that it was invalid. The provisions of the new law whereby the Jewish School Commission benefitted from the neutral panel were attacked on Aug. 1: "Catholic Money for Jews."

"A Christian Quebec or a Jewish Quebec" in the issue of Aug. 29 painted the school law as a step toward Jewish domination of the world. The following issue portrayed a session of the Jewish world conspirators in a deep dark cave planning the demoralization of society, the introduction of dancing and of public assistance, the conquest and the weakening of Quebec and of the church -- and the school law.

Arcand was the meticulous and loud interpreter of the views, feelings, fancies and fears of the hierarchy.

"It is through the Council of Public Instruction, made up of Protestant and Catholic laymen and clergy, that Christians exercise control of the schools. Nothing can be decreed by the superintendent of public instruction without the approval of the Council.

"But the Jewish commission is not subject to the Council of Public Instruction. It is subject only to the Superintendent. Since he can act in regard to Christian schools only by order of the Council, is it not clear that he will be able to act in regard to Jewish schools only on the recommendation of the Jewish commission?

"Since Jews only seek parliamentary favour when a country is corrupt, there had to be extended decadence in Quebec before they could come to demand recognition as an official minority by means of the David Bill. The province must be sufficiently dominated by money, dance, jazz, cinema, fashion, literature and Jewish prestige before Jews would dare demand what they never saw fit to demand in any other country in the world....

"They have chosen the most profoundly Christian province, the most Catholic place in the world, to establish this principle for the entire Christian civilization and for all the countries of the world.

"The law was passed so rapidly that only the bishops could comment on it. On the other hand, the very men on whom the race, the country, counts to defend the principle of an officially Christian country, such as Camilien Houde and Henri Bourassa, joined to support the Jews in their claims." (June 6, 1930)

"The David Jewish schools law forces a Christian people to support anti-Christian schools... Through its sole power of naming the commissioners, the state has seized political control of the Jewish group, and can blackmail it, too." (June 20, 1930)

The Arcand campaign was only one phase of the populist seething in Montreal, just as the economic depression and other forces were beginning their havoc. As confidence in institutions was beginning to waver, the school question became an effective influence in undermining trust in government and a thermometer of this decline.

The 1930 election of Conservative leader Houde to the mayoralty was a blow to the provincial Liberal party. People like Mgr. Gauthier became bolder. When the secretary of the province sought to meet him, the archbishop refused an appointment, telling him,

"The school question was a bad business, which may have brought about extremely disagreeable incidents for us at least, which a little more good will might have spared us... Sometimes the example comes from high. Probably some Catholics have not treated their bishops recently -- I will not say with the respect due them, -- but without observing the claims of simple justice. It seems they think that in some matters the bishops are children whom it is easy to win over." (Apr. 19, 1930)

Jesuit Father Alexandre Dugré found appropriate terms to thank his bishop on St. Jean Baptiste Day at Parc Lafontaine for his intervention in the school question,

"It is already too much that certain wanderers, known in history as 'the destructive race' and as 'the plague of nations,' has been able to come and settle here, swearing to obey the laws of a Christian land, But that, after thirty years of mysterious life here, they should have taken advantage of our generosity pushed to the point of credulity to form a state within a state, and, in order to become masters in our home, that they should obtain the aid of freedom so dearly bought, that they should secure our moneys which is so limited for our own teachers and institutions and are often refused to our efforts for the advancement of our own race -- this God does not want. It is by your act of defence of our Great Shepherd that He has protected us once again." (La Vie Nationale, Aug. 1930)

When the Hon. Athanase David spoke at several religious institutions to explain government policy, Le Goglu attacked him,

"He clings to priests, to brothers and sisters and nuns. What irony! When we realize how disgustingly Taschereau has

deceived the bishops, how he has basely ignored their direction in the Judas-David Bill, how stubbornly he has sought to impose neutral schools upon us!" (Oct. 25, 1930)

The attacks were clearly aimed beyond the school bill. They became an attack on the Liberal government, on liberalism and on values associated with democratic society.

By the fall of 1930 the attack boldened and broadened. On Nov. 3 the Patriotic Order of the Goglus convened its second rally at the Monument National, the St. Lawrence Blvd. hall which was simultaneously the monument to French Canadian nationalism and the home of Jewish community expression -- the theatre, Zionism, family solidarity.

That evening Joseph Menard, the loyal friend and adjutant to "Emile Goglu" (nom de guerre of Adrien Arcand), mycenae and cornerstone of the movement, boasted of the influence of Le Miroir and of Le Goglu on the outcome of the recent federal and municipal elections.

The meeting was a total attack on the Jewish position in Quebec, particularly on the political and economic fronts. The David school law was an example of the Jewish political influence to be extirpated.

Menard recalled the cartoons he had published, "We shall not hesitate to use violence when the time comes in order to have our laws respected. In the meantime we intend to inspire horror of the Jew by our caricatures..."

"Let us first establish the principle that our country is Christian and our province should be more Christian than other provinces. This being clear, we shall ask our bishops, whose authority as our guides we recognize fully, to which point need we recognize the Jewish parents' natural rights to have their children taught as they please; how far are we bound to permit Jews to teach their children to be thieves, corrupters and criminals... The Talmud teaches that it is praiseworthy to do injury to Christians... We shall take all care not to permit the Jews to encroach on our domain, and we will force them to respect our religious and national traditions."

That was only the introduction. Followed Adrien Arcand, with the fullest exposition of his fascism.

"The School Law is the most vital challenge to our race and to our national unity, the gravest issue since the British conquest. Our survival as a national entity, our tradition, our prestige and our influence hang on it.

"The David Bill, which promulgates school rights and the right to participate in the neutral tax by a special law on a particular race which is neither British nor French, attacks the constitution of our country and destroys the equilibrium of our national unity. By recognizing the Jewish race officially, the province becomes in consequence an official homeland for the Jews.

"Quebec, the most Christian country, the most Catholic corner of the earth, led by a Christian government that is largely Catholic, is the first country to accord official recognition and

national rights to Jews, the bitterest enemies of Christianity and particularly of Catholicism. Never and nowhere, even in the lands most sympathetic to the Jews, has such a concession been accorded them."

He then proceeded to villify the Jewish people as savagely as has ever been done, laying the foundation for his diabolical, anti-human program.

"In Quebec we, the Goglus, have alone entered the field, at the alarm call of the bishops, the ever faithful defenders of our national and civil as well as religious rights, and have beaten back the Jewish law. But the Jewish peril continues and will reduce us to servitude within a decade if we do not react now in a manner national and concerted."

On the school question Arcand went beyond Ménard. "If it may be acceptable from the religious view, let us consider it as not acceptable from the national aspect. To tolerate the teaching of the Jewish nationality is to tolerate an attack on the structure of our legal tradition; it is to undermine what we have built here during three centuries." As a concrete solution he would have schools for non-Christians under Christian control, where elements of divinity acceptable to all categories would be taught, "but no Judaism, no Bolshevism, no Mohamedanism; no Yiddish, Indian or Arabic languages."

Arcand was particularly hard on Camilien Houde. "He did not have his members attack this law. But as soon as he learned that the Jews and the Protestants are reaching an agreement he rushed to demand the repeal of the David Bill, rather late. All in all, in the face of the great Jewish peril, Houde appears to be more liberal and ever so much more dangerous than his rival chief... Shall we remain a Christian people and country, or shall we permit Judaism to come here, to take official root within our constitution and our laws?" Hence the title of the published addresses, Chrétien ou Juif? Le Juifs forment-ils une "minorité" et doivent-ils être traités comme tels dans la province de Québec? (Montreal, Ménard éditeur. 42 p.)

The David Bill had been passed as the only way out of an impasse. Separate schools were the only solution, unless a negotiated agreement with the Protestants could be found at the last moment.

For those who favoured Jewish schools it was a moment of triumph, but the fruits of this victory might well yet be snatched from them.

After the bill was passed, journalist Leon Cheifetz told the Poale Zion Organization that the situation had altered, but that the Jewish schools were not certain. For the Jewish commissioners named to the Jewish board with power to establish Jewish schools may well foil the plan.

Steps were considered to organize a League for Separate Schools and in other ways to exert pressure upon the Jewish commissioners.

The key was the composition of the Jewish commission.

The Jewish School Committee was appointed rather suddenly. "It came as a bolt from the blue," the news report in the Star of Apr. 24, 1930 stated, "because on all other occasions, when asked about the matter, Premier Taschereau replied, 'We are not in a hurry about this.'" The reporter noted that the Hon. Athanase David, provincial secretary with jurisdiction over education, was away and the action in his absence was the more surprising.

The Jewish commission thus appointed by the government was distinguished and representative: Mr. Garber, Rabbi Abramowitz, Mr. Gordon, Dr. Max Wiseman, Edgar Berliner, A.Z. Cohen and Emanuel Livingston. Dr. Wiseman and Garber had met with the government repeatedly as representatives of the Separate School Committee.

But the consequent events were in fact decided by government.

The prime minister and most of the speakers who had defended the bill in the legislature had openly hoped that its main provision of establishing Jewish schools would never be implemented.

Having named the School Commission, the government proceeded to exert irresistible pressure upon its members not to exercise the right of setting up their own schools but, instead, to enter into a contract with the Protestant Board for the education of the Jewish children.

By October it had been announced that the Jewish school bill would be withdrawn, and Le Goglu gleefully pointed to the unseemly race between Taschereau and Houde as to who would lead its abrogation; and Jews were not opposing this step.

Rumilly states that the churchmen had known all along the the clauses providing for a Jewish panel "would remain inoperative; the Jews and the Protestants would negotiate a renewal of their agreement. The ministers had foreseen this and wanted it; the bishops were not unaware of this.

One subtle form of pressure for an early contract with the Jewish School Commission emanated from Cardinal Rouleau.

In May 1930 he had the Catholic Committee of the Council of Education call for a report on the implementation of 20 Geo. V, Cap. 61. The Superintendent of Education, the Hon. Cyrille F. Delage, inquired formally of the Protestant and Catholic school commissions of Montreal. He wrote them that the act empowered the Jewish commissioners to enter into arrangements with any board, and asked each of them whether any such arrangement had been concluded with them. No reference to the Jewish Commission's authority to establish its own schools. Of course, they replied that no such contracts had been reached with them.

In September the cardinal proposed to go through the routine again. Judge Paul G. Martineau saw the far-reaching implications of this seemingly innocent bureaucratic pastime. In vain he objected, "this motion may be interpreted as giving the right to this Committee to supervise the working of Jewish schools established by the Act of the last session;

"This Committee has no more right to supervise such schools than it has to supervise Protestant schools;

"If this right exists, the Committee should not exercise it, seeing that it would be contrary to the fundamental principle on which confessional schools are based."

The agreement was formulated in close negotiations so quickly that none of the representatives could consult even with their close associates.

So, for example, some in the movement for separate schools were unhappy that their own supporters on the Jewish commission had agreed to measures which failed of their high aims just when these appeared to be so close. On the other hand, many who had always sought agreement with the Protestant commission felt that better terms might have been attained.

One remarkable element of the situation during those last years of crisis was the relative silence of the down town. Jubilation over the establishment of the Jewish commission seems to have been muted. There were none of the important preparations for the implementation of the school plan that might have been expected, none of the negotiations and mobilization essential to this vast and historic project. The down town, always characterized by decible and agitation, was strangely quiet.

It may have been that the leaders of the revolution in Jewish education, the Poale Zionists, were absorbed with their own problems. Dickstein and Wiseman and Rabinowitch were at this time setting up the pioneering day school of the Jewish People's Schools, a project attended by difficulties and anxieties all its own.

"The establishment of classes in the Jewish People's Schools, where the Jewish educational program is combined with the teaching program of the English schools, is doubtless an important effort in the direction of separate schools," Belkin wrote in 1929. (The Jewish People's Schools Book, issued on their 15th. anniversary. Pp. 54-55)

This was also the beginning of the great depression in the ghetto, a period which was not only of great economic hardship, but also of straining of morale. Down town Montreal and Toronto were never to be the same afterwards; much of the innocent vitality and idealistic revolution went out of these teeming and seething streets.

The situation showed up another failing of the down town. It was weak in administrative machinery, even if strong in social and political organization. And society was rapidly mechanizing its procedures, not only on the governmental level but also in all its inter-human relations. Staff, procedural recording, legal and legalistic formulation of opinion and of decisions, communication, scientific establishment of relations between people became more essential in the working of groups and in the attainment of social goals. These did not grow out of the ghetto and out of the informal democratic grass roots, nor does the populace provide the money means now more essential than ever for social processes.

In such a changeover the nature of leadership changes. The inspiring orator or philosopher is heard out; the technician waits out the heated moment, and in the coolness takes over -- in which direction?

Given its golden gift of the Act of 1930, the Separate School Committee seemed helpless before the next step. Even without the external political complications of bishop and of Le Goglu, it is possible the act might have failed of implementation.

Within a few years Caiserman and his group faced the same problem in their Canadian Jewish Congress -- until the up town joined them and Samuel Bronfman and Hayes appeared on the scene.

In any case, an agreement with the Protestant Board was reached and was notarially registered on Dec. 4, 1930, ready for incorporation into law.

In effect the Quebec experience with legislating a Jewish school system into being was virtually at an end, but the enemies of Liberalism would be long in forgiving Taschereau. Samuel Gobeil was only a typical Conservative. In his Compton attack on liberalism in the province, issued as a pamphlet La Griffes rouge sur l'Université de Montréal (Montréal, Le patriote, 1934. P. 19) he chastised "the Liberals of Quebec who had not hesitated to promote the Jewish immigrants, going so far at a certain moment as to institute a Jewish school commission for the Jews of Montreal."

The Contract

The terms of the 15-year contract, automatically renewable failing notice by either side, were simple and, after the disputes of decades, anti-climactic.

On Dec. 4, 1930 the Jewish school commission signed before notary Robert H. Baron, together with the Protestant Board of Montreal, the agreement that Jewish children in the Protestant schools would be subject to the rules and regulations of the Board in all respects and shall receive the same treatment as Protestant children.

Jewish teachers may be appointed and Jewish pupils and teachers may absent themselves on specified religious holidays. There was provision against segregation of Jewish children. This assurance in law was the major Jewish victory. The contract did not provide for other demands so urgently made for so long. No Jewish membership on the Board, on the Council of Public Instruction, on its Protestant Committee or anywhere else in the structure of Quebec education, no advisory committee.

A similar contract was entered into with the Outremont Board on Jan. 20, 1931.

This agreement came none too soon for the provincial secretary. After their unhappy experience with the head of the Montreal hierarchy, the cabinet chiefs sought to turn to the Quebec cardinal. David proceeded very cautiously. It was not until mid-November that he was able to speak sufficiently freely to place his position before the primate. He warned the churchman that the clerical agitation which stirred up revolt might not stop after upsetting the government. "When the civil authority is sapped, who knows whether they will stop before the other authority in their drive toward their end?"

The cardinal was conciliatory. He had known about the agreement between the Jews and the Protestants.

"To-day it is easy to remedy what had been defective last spring. The newspapers report that the Protestants and the Jews had reached an understanding to keep the status quo, which means that Jewish children will attend the schools of the Protestant School Commission.

"Under these conditions does it not seem to you that the law becomes useless? It is easy for the government to withdraw it by invoking articles 17 and 18 'Failing agreement...'. Without loss of dignity the minister has recourse to the means which he has himself inserted into the text to recall the law, by sanctioning in a new law the agreement which has been reached.

"By this means there will be suddenly ended a host of problems and proposals which cannot but be harmful to several persons."

Rumilly continues, "David has persuaded Cardinal Rouleau of his good will and of his good intentions. This time he cleared the text of the Bill with the major parties concerned, Cardinal Rouleau and Mgr. Gauthier."

The bill of what became 21 Geo. V, cap. 63 was introduced by the government without previous consultation with the Jewish school commissioners. It limited the powers of the Jewish commission to carrying out the agreements with the Montreal and Outremont boards, thus effectively abrogating its powers to establish its own schools. The government stated that this was done to remove continued pressure upon the commission from the proponents of separate schools. It gave force of law to the agreement with the Protestants, but in effect it wiped out whatever legal rights the Jews had at this point.

The act of 1903 was dead. The extensive rights under the 1930 act were cancelled. It gave the Jewish community none of the rights of representation which it had demanded.

The bill was not easily enacted even though the Catholic legislators had little leeway left. It had been approved by both the Protestant and Catholic committees of the Council of Public Instruction on condition that it be not changed in legislative debate, and within the Council discussion was harshly limited: approval by the two leading clergymen made debate even in Catholic Committee unnecessary, the other Catholic leaders were told.

Nevertheless the enforced discipline broke in the legislature.

Bercovitch and Cohen expressed the disappointment of the Jews; the measure so limited the rights of the Jewish commission geographically that even Westmount was excluded; its function was confined to overseeing the execution of a contract; it had no authority or influence in the schools which educated their children; it violated the oft-reiterated principle that parents have rights in the education of their children. Conditions reverted back to the situation of the early 1920's, without the protection of the Law of 1903.

The Conservatives, led by Houde, accused the government of showing less vitality in defending French Canadian interests than the Jews in promoting theirs. He expanded his attack. "If we have a Jewish problem it is because we have too many Jewish immigrants, in violation of the law of the land. Too many are sowing the seeds of disorder... Will we finally become a Tower of Babel?"

The bill passed.

The Jewish school commissioners were frustrated with the erasure of their powers, powers which had been created by the very act which had set up their commission.

"This recent legislation places Montreal Jews in a position that is intolerable, unjust and contrary to the traditions of the province of Quebec which recognizes the equality of minorities and of majorities. As a protest against this injustice of this new legislation, the Montreal Jewish School Commission announces its resignation."

Now there remained no second contracting party; no one to decide to renew it; no one to design other arrangements after its expiry fifteen years from date; no one to oversee on the Jews' behalf whether its terms were being lived up to.

The Protestants had beaten off the Jewish attempt to participate in the work of the commission, and extremists who had sought to quarantine Jewish pupils and teachers were stopped.

But the problems created by the Jewish presence for the confessional character of the schools remained. Although the growth of the Jewish enrollment slowed, the educators found it ever more difficult to keep -- or make -- the schools Christian, for ever more complex reasons. The secularization of education in a secularizing society swept ahead. The "Jews Keep Out" signs on the board rooms of Quebec commissions came to be ineffective, with consequent effects upon the religious and social objectives upon Protestant schools and indirectly upon Catholic schooling.

Fortunately, the Protestants were exemplary in keeping their side of the bargain during the forty years since. The problem of the renewal of the contract had never been raised by either party.

As late as 1962 the Protestant School Board of Greater Montreal recognized the absence of a needed official instance and recommended to the Royal Commission on Education that "the maintenance of our rights and due attention to Jewish interests could be affected by the reconstitution of the Jewish school commission, originally established in 1930 by an Act of the Legislature... It would officially represent the Jewish community and would be able to present its views to the Greater Montreal Board (Brief. Pp. 103-4)

So, history has demonstrated its quirk of not raising expected problems, just as it so often raises issues which are unexpected, making fools out of foolish prophets.

The controversy left deep scars for many years, as citizens remembered positions taken. The tendency to classify persons and views according to older schemes persisted, leading to resentments, suspicions and misunderstandings. It died hard.

The controversy over the years shattered the strong and easy sense of Canadian identification which had been a bulwark of social philosophy of local-born Jews: they were not to be identified fully with the Anglo-Saxon society of the new world. Religion and denomination were barriers between Canadians. Snarls were possible on both sides of the fence. The Christians had defended the factors which divided them from the Jews.

The Protestants had fought for the right to segregate Jewish children, had questioned Jewish absence from school on holy days, had sought to keep Jewish teachers off school staffs, had challenged the principle of equality of children in the school.

The confrontation had been dignified through the years. But there was division and clash of interests. Protestants were Protestants and Jews were Jews. Not for the purposes of education or any other purpose were Jews identified with Christians.

The moderate Canadianized, integrated Jewish notables had found themselves in dispute with the leaders of English-speaking Canada. They became the hardened champions of Judaism in the process, no less so than the revolutionaries of down town. By the 1930's assimilation was dead in Quebec as a social ideal or as the tendency of a social group.

The down town had passed through an important experience. They had fought a legal battle and a constitutional war, had won it on its merits, and had lost it through the imposition of political force majeure. By the time it was over the spokesmen for the group -- Garber, Fitch, Belkin, Caiserman, Wiseman, Dickstein, Zuker, Rabinowitch, Rabbi Cohen -- had valorized themselves and their constituents again, as they had in their experience of the 1919 Congress.

This group, in its origin and composition an immigrant workers' society, without resources, formal training, funds, administrative facilities.

How they were able to organize, to study the complex political and legal Canadian issues, arrive at proposed solutions, submit memoranda, negotiate with the government, send delegations to the cabinet, defend their positions before the press, the public, the Protestant Board and the highest Courts and compete with the experienced, influential men of the community -- how they were able to accomplish these tasks is part of the mystery and wonder of recent Jewish history.

For it was only one phase of how a modern Jewish universe came into being on a world scale; how it built a Jewish nation and a Jewish state. The Canadian phase of this process lies in the biography and in the roles of the men who constituted that society and in the annals of the institutions and of their thinking.

On the Quebec scene the Jewish community had committed itself against the confessional structure of society. It began to look to an alteration in the total schooling system where the religious barriers would be overthrown and the Quebec people united in their public and organized life -- or distinguished, at the most, along linguistic lines.

In the course of the school debate there had developed among many Catholics a feeling that Jews were being dealt with too considerately. Archbishop Gauthier had said, in an address which skirted vicious bigotry and antisemitism only very narrowly, that "Jews have been surrounded with an unjustified sympathy."

An impression was created that Jewish aggressiveness posed a threat to existing institutions and to French Canada and its rights. In the years to come this fear of organized Jewish activity was to feed on the horrid caricature injected into western civilization by the poison mixers of the Protocols of the Elders of Zion.

A minor incident which had major consequences: the church in Montreal had made a little known journalist its spokesman on the background of the Jewish school question. The investigation led the writer, one Adrien Arcand, to develop a fanatically hostile view of Jewry. He henceforth devoted himself to the cause of antisemitism and became the leading racist organizer of Jew hatred in the annals of Canada.

The Jewish position in regard to Protestant confessionality in the schools coincided with the powerful anti-clerical tendency in Quebec during the decades ahead, which stressed cultural,

linguistic and even political distinctions, and possibly class confrontations, but not credal differences.

The school question was brought up again in 1933 under dramatically scandalous situation.

A particularly brutal concerted attack on the Jews of Germany had aroused protests all over the world from Jew and Christian. In Montreal this expression proved less easy of enunciation. The French Canadian majority and their leaders were disinterested, or worse. It was almost impossible to develop an expression of condemnation.

Only after many efforts were the mayor and several other French Canadian public figures found willing to participate in the demonstration of the largely isolated Jewish community at the Mount Royal Arena.

Even this was too much. A few days after a counter-protest meeting was convened by Jeune Canada in the prestigious Salle Gésu to condemn those who had protested against the Germans. There Gilbert Manseau raised the specter of Jewish power, and cited the experience of the school question.

"One day the French Canadians suffer the appointment of a Jewish Superintendent of Public Instruction... The Jews envisage an eventual measure of control which will enable them one day to legislate a neutral school system against our interests." (Politiciens et Juifs, Discours Prononcés le 20 Avril, 1933, à la Salle de Gésu par Pierre Dansereau, Gilbert Manseau, Pierre Dagenais, René Monette et André Laurendeau, the first of le Cahiers des Jeune Canada. P. 23)

At the same assembly André Laurendeau cited the Jewish school commission among the evil fruits of Jewish influence over politicians, secured by the force of Jewish solidarity and of Jewish moneys. (P. 59)

As late as 1935 Father M.C. Forest feared that the Jews would again demand their own school system.

"Until now our education has remained exclusively Christian. To change this is to introduce a non-Christian teaching at the side of Christian instruction. In a society whose laws and customs are Christian, it is of sovereign importance that the education of future citizens be also Christian... If we do not impose Christian education on Jewish children why continue to impose it on other non-Christian children? Why continue to impose it on the children of our own people who may no longer want it tomorrow? Is not this the first step towards a neutral school?"

"The Jews have continued as a nation within a nation. Is it opportune to fortify these separatist tendencies by giving Jewish children an education which is exclusively Jewish?"

Father Forest quotes Judge Rivard and Mgr. Paquet and points out that there is no relationship between the educational rights and problems of the Jews of Quebec and the French Canadians in other provinces.

"We are at home in every part of the country which we have discovered and colonized. We have rights which are guaranteed by treaties and which are inscribed in the Constitution

of Canada. This is not true of the Jews. They are immigrants like the Asiatics and the Africans. Whatever civic equality is accorded them by a law can be restricted or withdrawn by another.

"We do not see why we should upset our educational economy just for this group of immigrants which never sincerely adopted another homeland.

"For under the law of 1930 the education position of the Jewish in Quebec would be much more favorable than anywhere else in America.

"In Ontario the Catholic shareholder of a 'mixed' corporation is forced to pay his taxes to a public school. In Quebec the supporters of the dissident must pay their assessment to the school of their creed... and the Jews were not satisfied when they had what we cannot obtain even in our own country!....

"As for the Jews, let them not regret too much not having obtained all they desired. Some triumphs which are a defeat for others, contain threats for the future. Their own history, past and even present is there to prove it. The rumbling which they are beginning to hear about them in this province should make them think." ("La question juive au Canada," in Revue dominicaine. Nov. 1935, Pp. 246-27).

The Montreal experience has made Canadian Jews particularly sensitive to the high principles underlying the public school as an institution of egalitarian society.

The Canadian constitution does not separate the church and religion from the public school system as completely as does the American constitution. But the Jewish community has worked consistently in this direction, and not only in Quebec.

Decades later Saul Hayes, who represents a later refinement and activism on behalf of the democratic Canadian entity, was reviewing the school developments of the 1970's:

"The education changes are in my opinion long overdue, and represent an equitable and not very radical reassessment of Quebec society and the need for a national education system in the same way that every other province of Canada and fifty states of the Union have their systems. The safe and ensconced positions of the Catholic School Commission and of the Protestant School Commission are relics of the past, and any fair-minded person will recognize that the status quo cannot continue when everything else is changing. Congress position has been consistent on this from the outset." (Papar delivered, March 25, 1973)

In Ontario a strong Protestant tradition attaches historically and culturally to the public school system. We note the 1897 effort by the miniscule Jewish community to keep Christian education out of the public schools. All this quite apart from the important Catholic school system and other separate systems which are in operation there.

In particular, after the Hope Commission recommended religious instruction in the public schools, the Jewish community there has consistently opposed this practice.

In Manitoba this Jewish orientation needs to be placed in the vital context of French Canadian claims to educational rights in that province.

Provincial attempts to meet Catholic school claims by assistance from public funds, assistance which could also extend to Jewish schools, were at times viewed critically by members of the community as a breach of the separation of church and state.

The Montreal situation stance needs to be seen in the context of the basic concepts of education in the post-Napoleonic age.

The rejection of the classic Heder, the concept of universal free and compulsory education as the instrument creative of the homogeneous society of the future, separation of church and state -- all these fundamental premises and promises which led Judaism out of the Shtetel into Toronto, Karl Marx, Sidney Hillman, Fiddler on the Roof and Ben Gurion -- enter into the Montreal controversy.

They illuminate the great loyalties of contemporary Judaism -- on the one hand, the public school which is to enable Jewish conformity and adjustment to ambient society and, on the other hand, Jewish schools which represent the attempt to base Judaism in a society where homogeneity and personal cultural loyalties can live comfortably together.

The first of these is the fact that the...
 in the first instance...
 the second...
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 the fifth...
 the sixth...
 the seventh...
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 the seventeenth...
 the eighteenth...
 the nineteenth...
 the twentieth...

ERRATA

P. 80, line 4: naturalized.

It is not Sen. H. Carl Goldenberg who is a descendant of Rabbi Hirsch Cohen. It is his son. P.91

Mr. Milton Harris of Willowdale, Ont., has written us to correct an implied wrong date in Canadian Jewish Archives, new series, no.1, P. 27: The Lusitania was sunk in May, 1915, almost two years before the U.S. entered the war.

He also notes that Kerensky did not seize power in Russia from the Czar in March 1917, but was elected premier in July, succeeding Prince Lvov. (P.39)

Pp. 116, 128: Rabinovitch (not Rabinowitch).

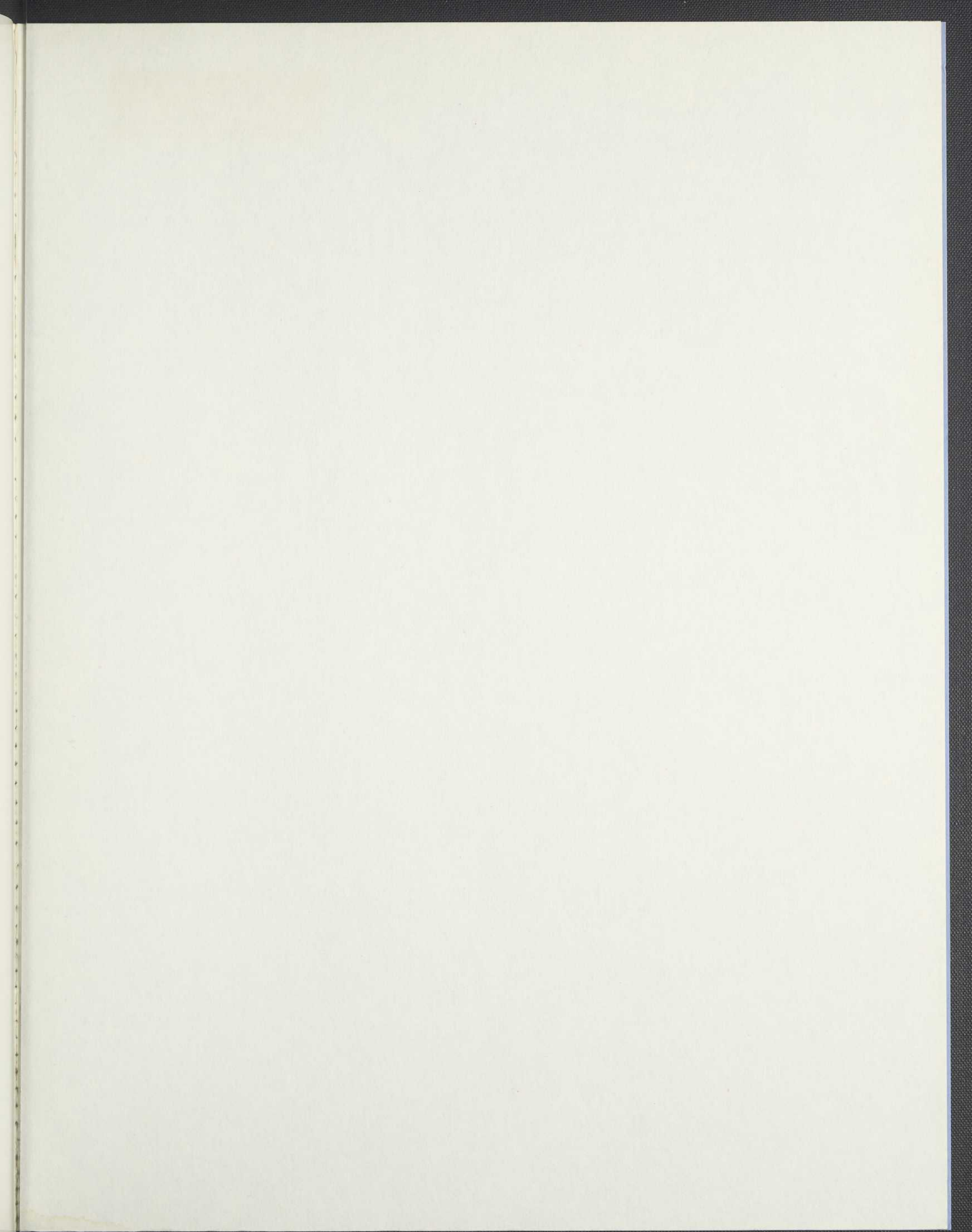
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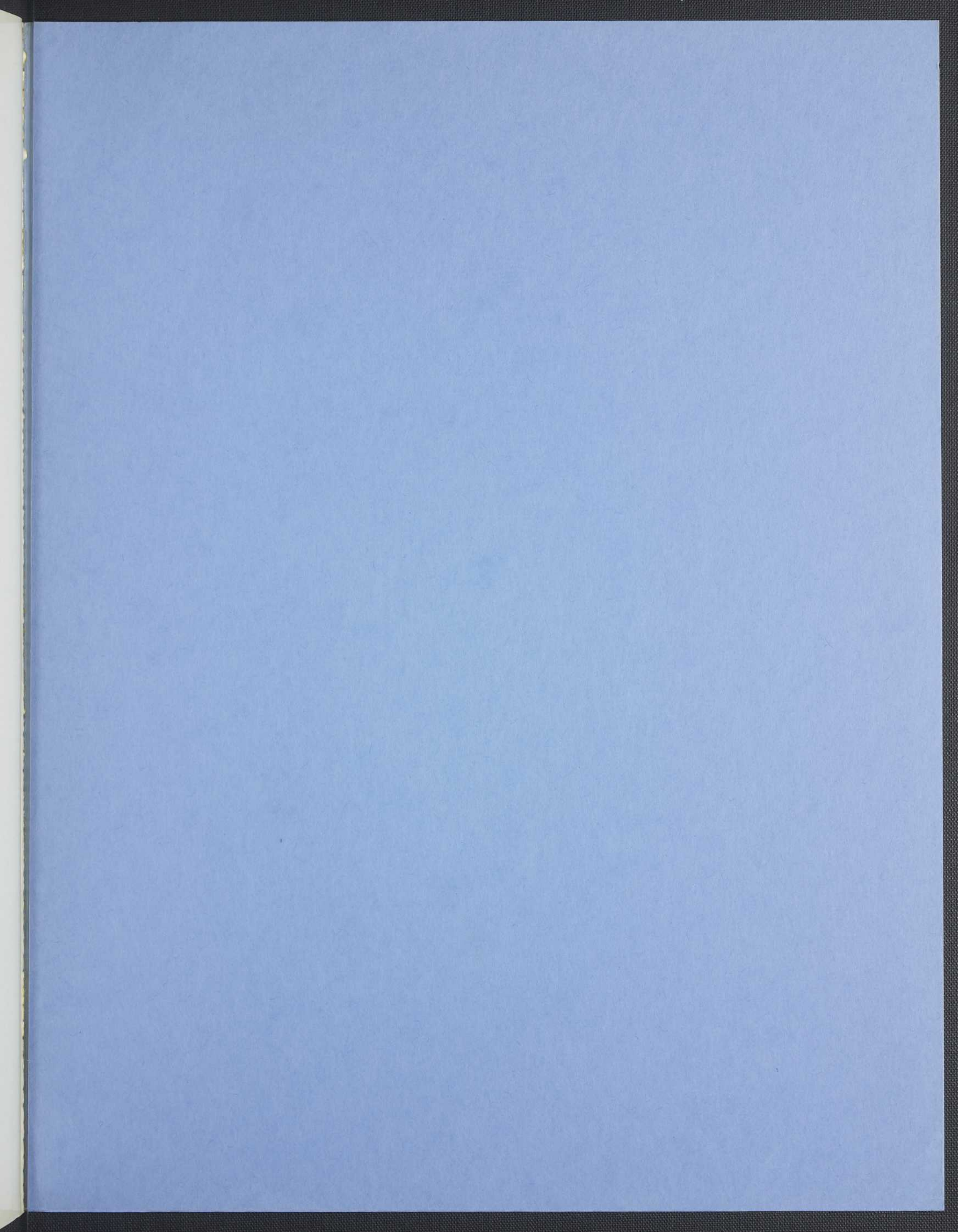
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