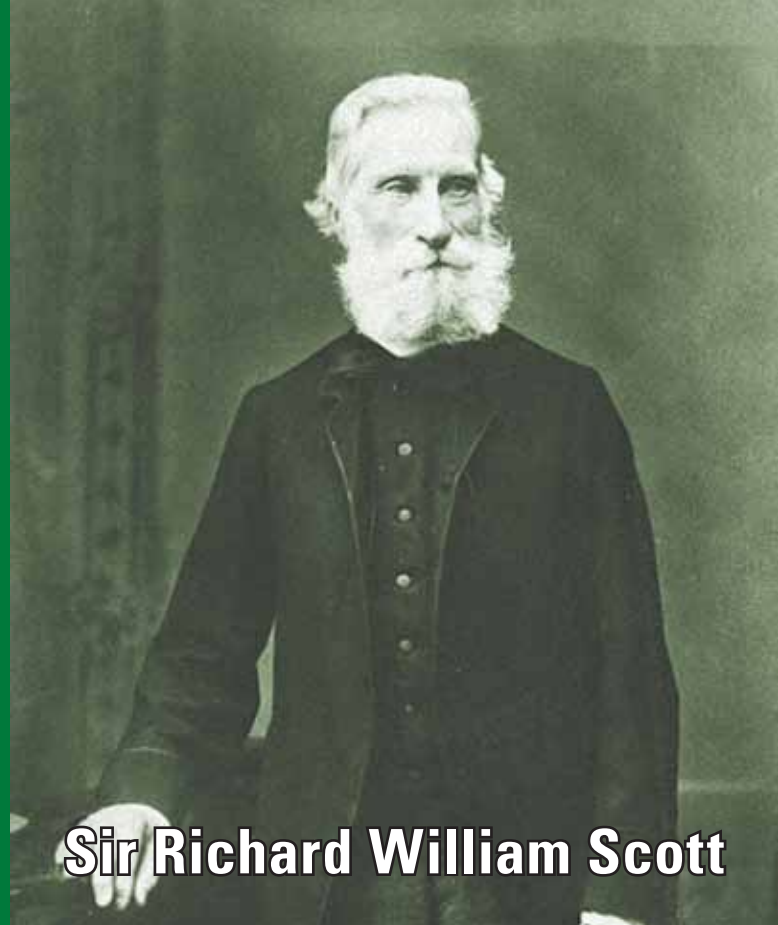


PEOPLE OF COURAGE



PEOPLE OF HOPE

The Catholic Principals' Council of Ontario has invited Dr. Mark McGowan to write a series of articles on people who impacted the development of Catholic education in Ontario. The stories convey the influence that seemingly ordinary people can have on government and society because of their belief and faith that what they are doing is the right thing to do. Each issue of Principal Connections will feature a profile of courageous people who have gone before us to lay the foundations for Catholic education. We hope that you will share these stories with your school communities so that all may have a better understanding of the sacrifices, the hope and the faith that went into developing and nurturing our Catholic school system.



Sir Richard William Scott

ONE WHO THIRSTED FOR JUSTICE

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Persons with even the slightest knowledge of the history of Catholic education in Ontario are usually able to recall that the Scott Act of 1863 was one of the cornerstones of Catholic rights to their state-supported denominational schools. Few, however, might be able to offer the simplest detail of the life of Richard Scott, who may well have been one of the most colourful Catholic politicians in Canadian history. This teetotaling, vegetarian, compulsively physically fit father of ten had his finger on the pulse of most of the major political events of the nation, until his death April 23, 1913, at the age of 88.

Richard William Scott, the son of Irish immigrants, was born in Prescott, Upper Canada, February 24, 1825. His father, Dr. William James Scott, was actually born in England, but served with the British army in his family's native County Clare. The Scotts were prominent in Irish politics, with one of Dr. James' nephews serving as financial agent for Daniel O'Connell, *The Great Liberator*. It was said that at the age of 13, young Dick Scott watched the battle of Windmill Point unfold as the local militia, led by his uncle, drove back the patriot rebels to the United States. With activism and political pedigree

etched into his DNA, Scott excelled in school and was admitted to the bar of Canada West in 1848. Four years later, at the age of 27, he was elected mayor of Ottawa. He married a popular Irish singer, Mary Heron, who had been performing in Ottawa in 1851 and together they had ten children (three boys, five girls, and a girl and a boy who died as infants).

In 1857 Scott was elected to the Legislative Assembly of the Province of Canada, representing constituents in Ottawa and briefly supporting the ministry of Liberal-Conservative leader, John A. Macdonald. Shortly after his election in 1858, Scott was able to openly advocate for the selection of Ottawa as the permanent capital of the United Canadas. He would become more known, perhaps notorious in some circles for his repeated attempts to better the situation of Canada West's (now Ontario's) Catholic separate schools. Denominational schools for both Catholics and Protestants had been made possible by legislation as early as 1841. At that time the Day Act made it permissible for ratepayers to form a separate school where numbers warranted. In Canada East (now Quebec) Protestants exercised this right, fearing the omnipresence of the Catholic Church over that section of Canada's schools. Similarly



Mary Scott

in Canada West, the tiny Catholic minority set up separate schools as protection from the Protestant dominance in most sections of the province. In reality, Protestants also set up separate schools in Canada West, fearing the dominance of any one denomination (Anglican, Methodist or Presbyterian) over local public or common schools. In

the 1840s and 1850s, the rights of Catholics to control and manage their schools became more clearly defined and by 1855, five Catholic ratepayers could establish a separate school, staff it, lay claim to government revenues from the common school fund and refrain from directing their property taxes to the local public school.

For Scott, this was certainly not enough. He had noted that Catholics in rural areas were handicapped by distance and numbers and were generally incapable of forming separate schools. He also noted that government revenues were not distributed equally between the common and separate schools. In 1860, he read his first bill into the assembly with an intent to correct the problems in the financing and management of Catholic separate schools. George Brown's Clear Grit Party (the forerunner of today's Liberal Party) opposed the extension of any support for separate schools. The Grit preference and that of their official mouthpiece the *Toronto Globe* was one public school system for all, with no special privileges to any religious group. The bill failed in the House as did a second bill in 1861 and a third died on the order paper when the house adjourned in 1862.

Scott, if anything, was persistent. In 1863 he managed to weave together an alliance of Les Bleus (Catholic French-speaking members of the House from Canada East), moderate Liberals and Liberal-Conservatives (Macdonald's minority party from Canada West). Together, this alliance of the sectional parties pushed Scott's bill through the House, much to the anger of Brown and his Grits, who declared that this type of coercion by French-Canadian Catholics was no longer tolerable and the Constitution would have to be changed. Ironically, Brown's declaration led to the negotiation of a new federation and separate school rights became, in one sense, the godmother of a new Canadian Confederation.

The Scott Act was considered by many in the House to be the *final* piece of legislation pertaining to separate schools. The Act confirmed the right of five Catholic ratepayers to establish a separate school board, call a public meeting of Catholics and elect three trustees, who would manage the affairs of the board and raise school taxes from the declared ratepayers. It also provided that this establishment could be instituted in rural areas, instructing that a three-mile limit from the school house be the geographic zone from which ratepayers could be solicited and students could be drawn. The Act provided for the union of small school boards into larger units if necessary, and it provided for an equitable sharing of any government grants by public and separate schools. The amount received would be based on the number of students attending the Catholic school (Section 18). Separate school supporters would not be required to

Prime Minister Alexander Mackenzie



pay the *common school rate*. For their part, however, Catholic schools agreed to submit to the Council of Public Instruction with regards to school inspection, curriculum materials and teacher training. In 1867 when denominational school rights were enshrined in Section 93 of the British North America Act as they existed by *law*, the Scott Act provided the benchmarks for the legal establishment of separate Catholic schools in Ontario.

Although he was not a Conservative and had actually supported more moderate Liberals, Scott's alliance with Macdonald cost him at the polls and in 1863, he was defeated. He returned to politics when he was elected to the new legislative assembly of Ontario in 1867, where he served as minister of crown lands for Premier Edward Blake in 1871. In 1873 he accepted Prime Minister Alexander MacKenzie's invitation to enter the Canadian Senate, where he served until his death. In MacKenzie's Liberal government, he served as Secretary of State. In this capacity he ensured that Catholic schools would be included in the provision of the Northwest Territories Act (1875), which would allow for their continued existence when the provinces of Alberta and Saskatchewan were created in 1905. It was also during this ministry that Scott achieved fame for a second Scott Act, and perhaps one better known to historians outside of Ontario. In 1878, Scott successfully introduced a bill (The Canada Temperance Act) that would allow municipalities to exercise a *local option* and prohibit the sale of alcoholic beverages. Scott, himself, was a lifelong abstainer and believed that alcoholism was at the root of much criminal behaviour.

Scott's voice could be heard on numerous issues: whether it was on the necessity of laying more telegraph cables linking Europe and Canada; or by affecting compromises to ensure Manitoba Catholics could retain religion classes after school hours in public schools; or when he stood up to British generals during the Boer war asserting the supremacy of the Canadian parliament on the Canadian contribution; or when he broke ranks with many English-speaking Catholics in Ontario, by supporting and advocating for French-language school rights in the province. His was a reasoned and courageous voice, thirsting for justice. At the time of his death, in April 1913, his great legacy to Catholic schools was 50 years in his past. Regarding this monumental legislation, Cardinal Manning, Archbishop of Westminster wrote to Scott:

We owe you our hearty thanks, for the example of the Dominion has more weight in the mother country than any other part of the Empire ... May God strengthen you in defending Catholic education.

Interestingly, this example was passed on through his children and descendants. His great-grandson, Ian Scott, was Ontario's attorney general who, in the 1980s, guided the legislation for funding completion to Catholic high schools through the constitutional challenges in the courts.