

THE OTHER SECTION 23

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I. Introduction

This article is about what section 23 of the *Canadian Charter of Rights and Freedoms* means for Manitoba schools. Its focus is not the section 23 that has been for Manitobans the subject of prolonged litigation, vehement political disputation, and finally, Supreme Court of Canada adjudication. The section 23 that has obsessed Manitoba for the past few years is part of a Canadian statute of 1870, the *Manitoba Act*. A British statute of 1871 confirmed this legislation; both are now parts of the Constitution of Canada. As interpreted by the Supreme Court of Canada in a series of Manitoba and Quebec cases over the past decade, section 23 of the *Manitoba Act* requires Manitoba's Legislature, and its organs, to enact laws in both official languages. The section also permits litigants to use their choice of English or French in the courts. There has also been considerable litigation on this latter aspect of section 23, and more is bound to follow.

Section 23 of the *Manitoba Act* does not speak to the language of instruction in Manitoba schools. Indeed, in *Blaikie #2*¹, the Supreme Court of Canada ruled that the official bilingualism contemplated by the Quebec equivalent of section 23 does not extend even so far as school boards, as they are not organs of the legislature. In the *Manitoba Language Reference*² of last spring, the Supreme Court of Canada expressly stated that section 23 applied in the same limited range of governmental activities as was identified in *Blaikie #2*. The section 23 that may inspire litigation over the operation of Manitoba schools is contained in the new *Canadian Charter of Rights and Freedoms*. It reads:

- (1) Citizens of Canada
 - (a) whose first language learned and still understood is that of the English or French linguistic minority population of the province in which they reside, or
 - (b) who have received their primary school instruction in Canada in English or French and reside in a province where the language in which they received that instruction is the language of the English or French linguistic minority population of the province,have the right to have their children receive primary and secondary school instruction in that language in that province.
- (2) Citizens of Canada of whom any child has received or is receiving primary or secondary school instruction in English or French in Canada, have the right to have all their children receive primary and secondary school instruction in the same language.
- (3) The right of citizens of Canada under subsections (1) and (2) to have their children receive primary and secondary school instruction in the language of the English or French linguistic minority population of a province
 - (a) applies wherever in the province the number of children of citizens who have

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1. *Attorney-General of Quebec v. Blaikie (No.2)*, [1981] 1 S.C.R. 312, 123 D.L.R. (3d) 15.
2. *Reference Re Language Rights under Section 23 of the Manitoba Act, 1870, and Section 133 of the Constitution Act, 1867*, [1985] 1 S.C.R. 721, 19 D.L.R. (4th) 1, [1985] 4 W.W.R. 385, 35 Man. R. (2d) 83.

such a right is sufficient to warrant the provision to them out of public funds of minority language instruction; and

- (b) includes, where the number of those children so warrants, the right to have them receive that instruction in minority language educational facilities provided out of public funds.

- (1) Les citoyens canadiens :

- (a) dont la première langue apprise et encore comprise est celle de la minorité francophone ou anglophone de la province où ils résident
 (b) qui ont reçu leur instruction, au niveau primaire, en français ou en anglais au Canada et qui résident dans une province où la langue dans laquelle ils ont reçu cette instruction est celle de la minorité francophone ou anglophone de la province,

ont, dans l'un ou l'autre cas, le droit d'y faire instruire leurs enfants, aux niveaux primaire et secondaire, dans cette langue.

- (2) Les citoyens canadiens dont un enfant a reçu ou reçoit son instruction, au niveau primaire ou secondaire, en français ou anglais au Canada ont le droit de faire instruire tous leurs enfants, aux niveaux primaire et secondaire, dans la langue de cette instruction.
- (3) Le droit reconnu aux citoyens canadiens par les paragraphes (1) et (2) de faire instruire leurs enfants, aux niveaux primaire et secondaire, dans la langue de la minorité francophone ou anglophone d'une province :
- (a) s'exerce partout dans la province où le nombre des enfants des citoyens qui ont ce droit est suffisant pour justifier à leur endroit la prestation, sur les fonds publics, de l'instruction dans la langue de la minorité;
- (b) comprend, lorsque le nombre de ces enfants le justifie, le droit de les faire instruire dans des établissements d'enseignement de la minorité linguistique financés sur les fonds publics.

II. The Ontario Reference Case and Its Application to Manitoba

In 1983, the Ontario government referred to the Ontario Court of Appeal four questions on the legal implications of section 23 of the *Charter*. The Court delivered its advisory opinion last year.³ Its reasoning is not binding on Manitoba courts or the Supreme Court of Canada. No court, however, would depart lightly from the considered and collective judgment of a five member panel of one of Canada's most respected provincial Appeal Courts. A trial court in Alberta recently adopted much of its reasoning. If the Ontario Court of Appeal's reasoning is indeed applied in Manitoba, a number of Manitoba's statutory and regulatory provisions might be held invalid, and changes in the political, administrative and educational operation of Manitoba schools would be required.

III. The First Question

The first question put to the Ontario Court was whether the sections of *The Education Act*⁴ of Ontario that provided for French-language instruction were consistent with section 23. The Court held that in the following respects they were not:

3. Reference *Re Education Act of Ontario and Minority Language Education Rights* (1984), 10 D.L.R. (4th) 491. See also *Mahe v. Alberta* (1986), 64 A.R. 35 (Q.B.).

4. R.S.O. 1980, c.129.

- (1) The Ontario statute based the authority to instruct children in French on whether the children themselves spoke French. The critical speaker for the purposes of section 23, however, is the language of the parents.
- (2) The Ontario statute required a school board to establish French-language classes only when there were 25 French-speaking children in the district. The board had discretion to establish French classes if there were fewer than 25 children. Section 23 establishes the test of 'where numbers warrant.' It is inconsistent with the constitution to grant a school board unfettered authority which it might use in contravention of the *Charter*.
- (3) There was no adequate justification for the rigid numbers requirement of 25 (elementary school) and 20 (high school) children.
- (4) The counting of French speakers was by school board district. There was no requirement of co-operation among neighbouring districts. The entitlements of section 23 cannot be limited by the rigid geographical boundaries that legislatures establish when they set up local school divisions.

How does Manitoba's *Public Schools Act*⁵ shape up against the points made by the Ontario Court of Appeal?

Section 258 of the Ontario statute dealt with French-language instruction classes *and* schools. In Manitoba, French-language classes and facilities are provided for in different parts of the statute.

A. French-Language Classes

On item (1), Manitoba's *The Public Schools Act* is probably not objectionable. Subsection 79(3) makes the wish of the parents the impulse for school boards to set up French-language classes. The 'parental desire' criterion is in fact more generous to francophones than is section 23 of the *Charter*. French-language education might be provided because a sufficient number of parents, including some whose first language spoken is not French, wish to have their children taught in French.

The concerns in items (2) and (3) do apply to Manitoba's *The Public Schools Act*. Instruction in the French language is only an unconditional entitlement if there is a potential class of 23 or more students. You might ask whether the number should really be counted against the validity of the statute, in view of the fact that the Minister has the unrestricted discretion to order French-language instruction even when there are fewer than 23 students. An adequate reply might be that the inclusion of the number suggests to the Minister that he is doing something exceptionally beneficent when he sets up a smaller class, whereas 'section 23 parents' have the *right*

5. *The Public Schools Act*, S.M. 1980, c.33 (P250).

to have their children instructed in French whenever “numbers warrant”. Unless the figure of 23 can be justified (e.g., it is much smaller than the usual size of a class) it should be replaced by a smaller figure, replaced by a more flexible standard or altogether omitted.

Ought the Minister’s discretion to be more structured? The Ontario Court did not seem to consider the fact that the standard supplied by section 23 — “where numbers warrant” — is itself extremely vague. Inserting the words that the Minister must supply French-language instruction whenever “numbers warrant” would arguably inform him or her of very little he or she did not already know. On the other hand, it might remind the Minister that section 23 is binding on the province, and that the Minister should be mindful of the precedents on section 23 established by the courts and by educational authorities in other provinces.

On item (4), Manitoba’s statute might withstand scrutiny. There are a number of provisions which require the educational authorities to overcome local boundaries in order to make a French-language program accessible to those entitled to it. Subsection 41(5) of *The Public Schools Act* generally requires a school board to make provision for a pupil to attend a program not provided in the home school division. Section 4 of Manitoba Regulation 5/81 requires a school board to inform the Minister if it does not have 23 French-language students in a potential class, or if it is unable to make satisfactory arrangements with another school board for the provision of joint classes.

B. French-Language Facilities

Part V of Manitoba’s *The Public Schools Act* generally authorizes school boards to select sites for a school and to acquire the land. While they have the authority to do so, nothing in the scheme requires school boards (or the Minister, who must approve certain school board decisions) to set up a separate facility for French-language instruction. The legislation ought to be revised to expressly indicate a mandate for setting up French-language facilities. The new legislative provisions must at least be consistent with the paragraph 23(3)(b) test of “where the number of [‘section 23’ parents desiring such instruction] so warrants”. Appreciation for the French language and for the traditional French-language community in Manitoba would be enhanced if the Legislature used the test of whether a sufficient number of parents desire such instruction, regardless of whether they belong to the traditional French-language community. The Ontario reference case teaches that if a definite ‘number’ is chosen, it must not be unjustifiably high. Care must also be taken to ensure that arbitrary school boundary lines do not determine ‘where’ numbers warrant.

To sum up, existing Manitoba legislation does give school boards and the Minister the legal authority they need to comply with the ‘classroom and building’ requirements of section 23. But changes to the legislation to embody the “where numbers warrant” standard of section 23, or some more generous one, would encourage compliance with section 23 standards, and protect the legislation against court challenges.

IV. The Second Question

The Court was asked whether the French-language minority in Ontario with children in French-language classes had the right "to manage and control their own French-language classes of instruction and French-language educational facilities".⁶

The Court held that paragraph 23(3)(b) could not be construed as adding nothing to the requirements of paragraph 23(3)(a). Read in light of the equality (section 15) and multicultural heritage (section 27) sections of the *Charter*, paragraph 23(3)(b) should be construed as meaning that "children must receive their instruction in facilities in which the educational environment will be that of the linguistic minority".⁷ The Court reproduced a number of definitions of "facilities" and "*établissements*", but never managed to settle upon a precise meaning. The Court did not say that a separate building would be required in every case. Its test of a minority-language educational environment is, in my opinion, a standard that is suitably flexible and consistent with the educational purposes of section 23.

The Court noted that the French version of paragraph 23(3)(b) speaks of "*établissements d'enseignement de la minorité linguistique*". In the Court's opinion, the language denoted that the facility must not only be in the minority language, but belonging to the linguistic minority; paragraph 23(3)(b) imposes: "a duty on the Legislature to provide for educational facilities which, viewed objectively, can be said to be of or appertain to the linguistic minority in that they can be regarded as part and parcel of the minority's social and cultural fabric."⁸

The Court found that one of the mischiefs that section 23 was aimed at was a situation where a school board dominated by anglophones failed to act to provide French-language instruction. The Court's opinion is vague, however, on the extent to which 'section 23' parents are entitled to separate or partially separate political structures:

[I]t would not be practical nor desirable for us to outline what would be required in such varied situations as the Ottawa-Carleton area, with large numbers of Franco-Ontarians, but less than a majority, or the Prescott-Russell or Kapuskasing areas, where they constitute a majority, or such other areas as Essex-Kent or Welland-Niagara, where they constitute a small minority, or Metropolitan Toronto, where Franco-Ontarians do not constitute a majority of those who resort to French language educational facilities. Moreover, the Charter does not dictate a specific method to be applied to achieve its objectives and satisfy the guarantee of s. 23(3)(b). It is enough to assert that the *Education Act*, as it stands, is not in conformity with s. 23. Its provisions are not sufficient to ensure that minority language educational facilities can objectively be considered as those of the minority.⁹

Indeed, it is not absolutely clear from the opinion that separate political structures are required in every case. It should be noted, however, that the last word of the Court's opinion on question two is a simple "yes", and the wording of question two is as follows:

6. *Supra* n.3, at 498.

7. *Ibid.*, at 529.

8. *Ibid.*, at 533.

9. *Supra* n.3, at 532-533.

Is the *Education Act* inconsistent with the *Canadian Charter of Rights and Freedoms* in that members of the French linguistic minority in Ontario entitled to have their children receive instruction in the French language are not accorded *the right to manage and control their own French language classes of instruction and French language educational facilities?* [emphasis added]¹⁰

In *Mahe v. Alberta*, Purvis J. interpreted the Ontario Court of Appeal's judgment as holding that a French language minority has the right to a "degree of exclusive control".¹¹

The Ontario Court of Appeal concluded that if:

- the representation of the linguistic minority on local boards or other public authorities which administer minority language instruction or facilities [were] guaranteed; [and]
- those representatives [were] given exclusive authority to make decisions pertaining to the provision of minority language instruction facilities within their jurisdiction, including the expenditure of the funds provided for such instruction and facilities, and the appointment and direction of those responsible for the administration of such instruction and facilities

then the "degree of participation and management and control" would be consistent with section 23, and with the policy already stated in a government White Paper on French-language instruction.¹²

The Court had to consider the position of parents who were not native speakers of French, but who wished their children to attend French-language schools. Notwithstanding its decision that a section 23 education a facility must 'belong' to the linguistic minority, the Court held that:

fundamental fairness impels the conclusion that those parents whose children use minority language educational facilities should participate in managing and controlling them. Although some fears were expressed that this might pose a threat to the linguistic minority, nothing submitted to us indicates that the over-all protection of the minority will be prejudiced. If this should prove wrong in particular situations, [the minority could apply to the Court for relief under the general remedies provision, section 24 of the Charter].^{12a}

I would applaud the holding of the paragraph just quoted, but dispute the Court's earlier reference to maintaining the "social and cultural fabric" of the linguistic minority. Section 23, as a whole, speaks of the rights of people who speak a particular language. It does not recognize the rights of any particular ethnic group.

The position of the French language and the French-language minority will be stronger in any province in which the people view the acquisition of language as intrinsically desirable and its native speakers as a valuable asset — as a source of teachers and producers of a living and accessible culture. It would promote the appreciation of the French-language speakers, for example, if their children were to help along their anglophone counterparts in immersing themselves in the French language.

There may be concerns in some quarters about 'assimilation' if children of the traditional French-language community are sent to the same French-language schools as children whose first language is English. It is difficult

10. *Ibid.*, at 498.

11. *Supra* n.3, at 47.

12. *Supra* n.3, at 533.

12a. *Ibid.*, at 532.

to understand why the prospect of anglophone children speaking in French to francophone children should cause the latter to abandon their native language and adopt English as their language of ordinary use. It may very well be that children from the French-language community will faithfully accept traditional cultural values if they are denied exposure to other cultures. Any culture of real value, however, should be able to sustain the loyalty of its members' children, even if they are not isolated from other communities. Section 23 should not be construed as guaranteeing a minority *culture* the right to segregate itself, at public expense, from the rest of the public. Section 23 should be understood as a guarantee that certain speakers of a minority language can choose to have their children educated in that language. Generally speaking, as long as there is no significant interference with the linguistic atmosphere at a school, there should be no exclusion of other children from attending it, or of their parents from participating in its management. The requirements of paragraph 23(3)(b) are met, in my opinion, when there is an educational environment in which children of 'section 23 parents' are immersed in the minority language, and the administrators of the school are able to communicate with parents in the minority language.

In Manitoba, much of the negative attitude towards constitutional and legislative reform concerning the French language stems from a perception that one particular cultural community in Manitoba is receiving special privileges due to an outdated historical compromise. I believe that we can enhance the educational and cultural prospects of all Manitobans by attempting to view the French language in Manitoba on a positive, forward-looking basis. French is the language of one of the world's richest literatures and continues to be a world language. More importantly, French is easily the second most widely-spoken language in Canada. To be ignorant of it is to be denied the fullest opportunity of a principal component of our past and present. The optimal operation of a democratic political community in Canada requires that we be able to understand each other. There must be a limit on the number of official languages that will be recognized. There is no reasonable alternative to including French as one of them, and no principled and practical basis on which to select any other.

All reasonable assurances should be made that increased state support for the French language will be the source of opportunity for, rather than a threat to, Manitobans. Assurances — that there will not be reverse discrimination in favour of ethnically French-Canadian persons in the public service, that knowledge of French may only be required for a government job where it is necessary to adequately serve the government and the public, that immersion will not be compulsory, and that French-language training will not be a prerequisite to university education in areas where it is not essential — should be the subject of formal commitments by governments, or even embodied in legislation.

In the educational context, Manitoba should avoid making instruction in the French language the parochial and special privilege of the traditional French-language community, or even of the community of French-speakers protected by section 23 of the *Charter*. We should strive to be the first province in which instruction in the French language is available to any

child whose parents wish it. Parents, whether anglophone or francophone, should have the free choice of sending their children to school in English or French.

It would be unfortunate if section 23 were construed in such a way as to preclude maximum co-operation and interchange between parents of different linguistic backgrounds. Acceptance of a principle that 'section 23 parents' are entitled to not only separate classes or facilities for their children, but to separate administrative and political structures, might interfere with arrangements that produce better communication and understanding. There are grounds for questioning the Ontario Court's reasoning. Its judgment banks heavily on the French word "*établissement*". The Court points out that in the *Larousse Dictionary*, "*établissement public*" is defined as an administrative agency in charge of a public service. It is illogical for the Court to cite the administrative connotations of "*établissement*" when it is combined with the word "*public*", and ignore the fact that the same *Larousse Dictionary* refers the reader to two, and only two, meanings of the combination "*établissement d'enseignement*" — namely, "*college*" and "*école*" (school). The Court interprets "*établissement*" in light of the 'evil' it was 'intended to remedy'. The Court notes that:

Submissions were made that the statements by the Minister of Justice and others making presentations before the Special Joint Committee of the Senate and the House of Commons on the Constitution of Canada indicate that management and control of minority language educational facilities were *not* intended to be included in s.23(3)(b). [emphasis added]¹³

The Court immediately ignores this information by holding that: "[h]owever, it does not appear that reliance should be placed upon specific statements made in Parliament or in committee as to what is contemplated, but rather the historical context of the new provisions."¹⁴

The Court cites three instances in which a local board resisted the creation of French-language schools. Even if we suppose that paragraph 23(3)(b) was intended to 'remedy' that sort of problem, would the section not be a sufficient and effective remedy if it created a binding legal requirement that separate facilities be established when numbers warrant?

The wording of the question and the Court's affirmative conclusion seem to imply that parents have the right to management and control of French-language classes even if they are held in predominantly English-language facilities. The Court seems to pay no heed to the fact that paragraph 23(3)(a) contains not a hint that anything but language of instruction is being guaranteed.

The existing Manitoba legislation and its practical operation should be reviewed to ensure that administrative and political structures are adequately responsive to the rights of 'section 23 parents' to have their children

13. *Ibid.*, at 529.

14. *Ibid.*

educated in a French-language environment. Reformers of the system should be working on creating arrangements that ensure the maximum co-operation between parents of different backgrounds and with different ambitions for their children. It may not be sound policy to establish separate or partially separate school boards for 'section 23' parents or for the parents of all children attending French-language schools. Social harmony, appreciation for the French language and its native speakers and administrative efficiency may sometimes be better served by fully integrated political structures. Section 23 should not, in my opinion, be construed as vesting in minority language communities the independent right to exclusive management and control of schools. Courts and legislatures should construe section 23 as a guarantee of certain language rights, not cultural exclusivity or political autonomy. Separate management structures should be considered as constitutionally required only when they are necessary instruments to maintaining a minority-language linguistic environment and equal educational opportunity.

V. The Third and Fourth Questions

The third and fourth questions were on the interplay of minority-language educational rights under the new *Charter* and denominational school rights under the *Constitution Act, 1867*. Section 93 of the *Constitution Act, 1867* protects the denominational school rights that existed at the time of Confederation. Section 29 of the new *Charter of Rights and Freedoms* stipulates that: "Nothing in this Charter abrogates or derogates from any rights or privileges guaranteed by or under the Constitution of Canada in respect of denominational, separate or dissentient schools."

Section 22 of the *Manitoba Act* is similar in wording to section 93 of the *Constitution Act, 1867*. The effects of the two sections on Manitoba and Ontario respectively are different because of the different legal and educational histories on which the sections operate. The courts have upheld, on the basis of pre-Confederation law, the right of Ontario Roman Catholic school supporters to maintain separate boards.¹⁵ There is a good chance that the courts would also uphold the right to equal funding arrangements.¹⁶ By contrast, in the case of *City of Winnipeg v. Barrett*,¹⁷ the Judicial Committee of the Privy Council (the British panel that used to be Canada's highest judicial authority) upheld a Manitoba statute that replaced a dual Roman Catholic/Protestant school system with a nonsectarian public school system. The Committee found that when Manitoba was admitted into Confederation, there were no public schools at all in Manitoba. Different denominations privately operated and supported their own schools. There was no right to public support for separate schools. The continuation of the pre-Confederation practice by Roman Catholics of privately supporting their own schools, held the Committee, was not precluded by the Manitoba

15. *Ottawa Separate Schools Trustees v. Ottawa Corporation*, [1917] A.C. 76.

16. *Attorney-General of Quebec v. Greater Hull School Board*, [1984] 2 S.C.R. 575; cf., *Roman Catholic Separate School Trustees For Tiny v. The King*, [1928] A.C. 363.

17. [1892] A.C. 445.

statute.¹⁸ Today in Manitoba, Roman Catholic schools continue to be privately operated, but, like other private schools, receive some public subsidy.

Question 3 asked whether section 23 guarantees of minority-language instruction and facilities applied equally to denominational schools, notwithstanding section 29. Question 4 asked whether changes proposed by the Ontario government to the structure of separate school boards would infringe upon constitutionally guaranteed denominational school rights. The proposals would have entitled parents of children attending minority-language classes to elect their own trustees to separate school boards. The Court ruled that denominational school rights were primarily a religious and not a linguistic matter. It cited precedents from Canada's highest judicial authorities that section 93 did not restrict the authority of the legislature to generally regulate curriculum and language of instruction.¹⁹ Accordingly, the minority-language guarantees of section 23 applied equally to separate schools, and the proposed changes to their governance were valid. The legal and educational history of Manitoba suggests that the concerns about denominational school rights raised by questions 3 and 4 of the Ontario reference — and dismissed by the Court of Appeal — might not even arise in Manitoba.

VI. Looking Ahead

It is to be hoped that Manitoba will work towards the expansion of the availability of French-language instruction in the public school system. We should go beyond merely respecting the mandate of section 23, which protects the rights of the French-language minority to educate its children in French. We should aim at a public school system which would provide the opportunity for every child to become fluent in the other official language. The debate over French-language services in the government has been dominated by concerns over what special advantages a small segment of the community is entitled to, and the identity of the least detrimental escape from a legally threatening situation. Discussions of the French language issue in all areas should, to the greatest extent possible, be more concerned with the benefits and opportunities that can be made available to members of the entire Manitoba community.

Judgment was recently given in another Ontario reference that will have broad implications for the Manitoba school system.²⁰ The constitutionality of the extension of public funding to Roman Catholic schools past

18. In *Brophy v. Attorney General of Manitoba* [1895] A.C. 202, the Privy Council held that Roman Catholic School supporters in Manitoba, *did* have the right under subsection 22(3) of the *Manitoba Act*, to appeal to the federal cabinet for relief. Subsection 22(3) allows the cabinet to issue a remedial order whenever the educational right of a Protestant or Roman Catholic minority is affected by a provincial law; the right need not have existed in 1870. In the aftermath of *Brophy*, the federal cabinet did indeed make a remedial order requiring the provincial authorities to restore equal funding arrangements for Roman Catholic School supporters. Provincial authorities did not comply with the order, and legislation introduced in Parliament (under the authority of subsection 22(4) of the *Manitoba Act*) to implement the cabinet order. The legislation was never passed. Pursuant to the Laurier-Greenway compromise of 1897, provincial laws were altered to require the hiring of Roman Catholic teachers where a certain number of Roman Catholic students attended a school, and religious classes could be held at the end of the school day. Equal funding for Roman Catholic education was not, however, restored. It is possible that in the near future, there will once again be efforts to have the Courts or the federal level of government order the restoration of equal funding.

19. *Supra*, n.3, at 544.

20. *Reference Re Roman Catholic Separate High School Funding* (1986), 13 O.A.C. 241 (C.A.).

grade ten was being contested. It was charged that the Ontario government, by specially favouring one group, is contravening the equality guarantees in section 15 of the *Charter*. Supporters of the move contended that the denominational school rights guaranteed in the *Constitution Act, 1867*, extended to public funding to the end of high school, and that the measure was protected from section 15 by section 29 of the *Charter*: "29. Nothing in this Charter abrogates or derogates from any rights or privileges guaranteed by or under the Constitution of Canada in respect of denominational, separate or dissentient schools".

The Court of Appeal ruled three to two that the Ontario legislation was valid. The case should further stimulate our thinking about the future of religious and heritage-language schooling in our own province. The results of the appeal to the Supreme Court of Canada should, of course, increase our concentration.

