

## **The Anderson Amendments: A Half Century Later**

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In Saskatchewan, the appearance of the Ku Klux Klan, the tumultuous election of 1929, and the formation of the Saskatchewan Co-operative Government under J.T.M. Anderson contributed to the creation of two myths. Today, half a century later, many people are still convinced that these two myths are an accurate representation of the developments that took place during and after Anderson's tenure of office. One myth argues that during Klan and Anderson eras Catholics were persecuted, nuns were forced out of schools and Catholic educational rights were suppressed. This state of affairs was a consequence of the 1930 amendment of the School Act which prohibited the display of religious garb or emblems in public schools and the amendment of 1931 which suppressed the use of French as a language of instruction. The persecution interpretation is subscribed to by Catholics, notably French-speaking Catholics whose schools bore the brunt of the consequences of the Anderson amendments.

In a paper presented before this body three years ago in Fredericton, I demonstrated that the evidence did not substantiate the claim that Catholics had been persecuted or that nuns had been forced out of public schools by the garb amendment.<sup>1</sup> Furthermore, the documents reveal that, in 1931, no one within the French community seriously questioned the government's right to suppress French language instruction in the province's schools. While this action could be condemned on historical and moral grounds, it was obvious that this privilege depended upon the goodwill of the government of the day.<sup>2</sup>

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<sup>1</sup> Raymond HUEL, "The Anderson Amendments and the Secularization of Saskatchewan Public Schools," *Canadian Catholic Historical Association Study Sessions*, 1977, pp. 74-75.

<sup>2</sup> Even Henri Bourassa, the most eloquent defender of the rights of the French language, was forced to admit that Anderson's legislation was the logical consequence of Laurier's compromise on the Autonomy Bills in 1905. Papers of l' Association Catholique Franco-Canadienne de la Saskatchewan (hereafter cited

The second myth contends that after the defeat of the Co-operative Government in 1934, the Liberals, who had never catered to or exploited racial-religious animosities, courageously rescinded the garb legislation thereby maintaining their tradition of defending minority rights. The purpose of this paper is to examine the validity of this allegation by studying the reactions of the Liberal administration to requests that the legislation be abrogated.

By 1934, anti-Catholicism, Francophobia and xenophobia were no longer major issues in Saskatchewan politics as the attention of the province focused on the consequences of the Great Depression. On June 19, 1934, Saskatchewan voters completely routed the Cooperative Government and returned 49 Liberals and 5 C.C.F. members. According to the Regina *Daily Star*, the spokesman for the Conservative and nativist causes, this annihilation had been due to the fact that the Anderson government had been blamed for all the discontent and dissatisfaction generated by the recession.<sup>3</sup> Premier Anderson, on the other hand, was not as realistic and his interpretation of the situation reveals the vitality of the paranoia that had characterized Conservative ranks. Informing Prime Minister Bennett that the results had come as a complete surprise, Anderson attributed his defeat to the presence of the C.C.F. and the fact that the Catholic Church had come out “solidly” against his administration.<sup>4</sup> A large number of Conservative candidates also attributed their party’s slump to the influence of the Church.<sup>5</sup>

The return to office of the Liberals offered hope to French and Catholic minorities because that party traditionally had been more sympathetic to their aspirations than the Conservatives. Commenting on the outcome of the election, the editor of *Le Patriote de l'Ouest*, the organ of the French community, expressed the hope that the newly-elected Liberal administration “saura réparer certaines injustices qui vexent une classe nombreuse de citoyens, et restaurer des droits sur lesquels reposent la concorde et la prospérité.”<sup>6</sup>

These aspirations were in turn shared by the 1935 joint conven-

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as A.C.F.C. Papers) File 68C, Bourassa to Heroux, 6 mars 1930 (copy).

<sup>3</sup> Regina *Daily Star*, June 21, 1934.

<sup>4</sup> Public Archives of Canada, Papers of the Rt. Hon. R.B. Bennett, Anderson to Bennett, June 29, 1934 (Conf), 351457.

<sup>5</sup> Ibid., Patrick to Bennett, n.d., 370390-391. Bryant to Bennett, June 20, 1934, 351413-414.

<sup>6</sup> *Le Patriote de l'Ouest* (Prince Albert), 27 juin 1934.

tion of the Association des Commissaires d'École Franco-Canadiens and the Catholic School Trustees Association which appointed a delegation to confer with J.W. Estey, the Minister of Education. After the views of Catholic trustees had been presented and discussed, the members were informed that the amendments of 1930-31 would be studied by the minister and the Educational Council. The delegation reported that Estey was sympathetic to the teaching of religion and French in schools and that the minister saw no reason why members of religious communities could not wear their garb while teaching in public schools.<sup>7</sup>

Regardless of the minister's personal views, the Liberals, after five years in opposition, had not forgotten that the school question had been largely responsible for their electoral defeat. They were not about to provoke a resurgence of the polemic by rescinding statutory legislation that had received the approval of a significant segment of the population. English-Protestant attitudes had not been altered by Anderson's defeat and, consequently, the Liberals would not be as sympathetic with the aspirations of French Canadians and Catholics as they had been in the past.

The government's reluctance to effect a return to the pre-Anderson era became apparent as the French community made requests to resolve some of the difficulties surrounding French language education. These requests were met with indifference, procrastination or outright refusal. In 1936, for example, the Association Catholique Franco-Canadienne (A.C.F.C.) again brought the government's attention to the fact that, while French could be taught as a subject of study for one hour a day, there were no French books authorized for purchase by school libraries. In 1929, the Liberals had appeared well disposed to this request but, after 1934, they were reluctant to authorize a list of books for school libraries because they feared the subsequent political ramifications. Expressing his frustration in the face of government ambivalence, the A.C.F.C.'s secretary stated that little could be expected from the present administration and that the French and Catholic elements had obtained more from Anderson. It is worthwhile to recall that Anderson as a result of pressure from Catholic trustees, had withdrawn his amendment granting official recognition only to the Saskatchewan School Trustees' Association. In addition, Anderson had never discontinued the distribution of free grammars

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<sup>7</sup> A.C.F.C. Papers, File 90, Rapport de la présentation des résolutions du congrès..., 14 mars 1935.

and readers for the French course.<sup>8</sup>

French Catholics soon realized that they could obtain even less satisfaction from the Liberals on the more significant issue of religious garb and emblems in public schools. There were confrontations between the Department of Education and French school districts after 1934 and, while they never achieved the same magnitude as earlier ones, they are nevertheless indicative of the government's frame of mind. In the Perigord School District, for example, a Protestant ratepayer complained to the Department that nuns were wearing their garb in the public school and that the crucifix was displayed on the premises. The school was visited by an inspector who returned with Dr. Stillwell, the Director of Teacher Training. Stillwell advised the sisters that they would have to make changes to immediately conform to the spirit of the law or forfeit the school grant. He declared that the Department wanted this matter resolved before friction developed between ratepayers. In addition, the Department did not wish to create the impression that the legislation was not being enforced.<sup>9</sup>

The trustees agreed to follow Stillwell's recommendations but Archbishop J. Monahan of Regina advised the local parish priest that the sisters should make no changes to their costume other than remove the crucifix and rosary if these were visible. He also stated that if the religious pictures that had been removed were copies of artistic masterpieces they should be hung up again and, if they were not, they were to be replaced by such reproductions.<sup>10</sup> These works of art were not deemed to be emblems of religious denominations.

Subsequent developments in the Prud'homme School District clearly demonstrated that the Liberals had no intention of rescinding the Anderson amendment. In 1937, sisters in the school had begun to wear their regular garb and, the following year, upon instructions from the school board, the crucifix was displayed in classrooms. In November, 1939, Inspector H.A. Everts noted these contraventions in his report. When he brought the matter to the attention of the local trustees, Everts was advised that these changes reflected the desires of the ratepayers in the district.<sup>11</sup> On February 2, 1940, the board was notified that, since teachers and

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<sup>8</sup> *Ibid.*, File 92, de Margerie to Dorion, 28 fév. 1936; File 75B de Margerie to Baudoux, 21 juillet 1932.

<sup>9</sup> *Ibid.*, File 100, Visite des inspecteurs à l'école de Périgord No. 850.

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*, Baudoux to Uhrich, May 9, 1940 (Personal).

trustees were violating the School Act, the district would not receive its operating grant. The board was advised to “discuss this important matter immediately” and inform the Department of the action to be taken.<sup>12</sup> In the absence of a reply, Everts wrote the board asking that it give the question “immediate consideration” and inform him accordingly.<sup>13</sup> For their part, the trustees advised the inspector that the contents of his letter would receive close attention “as soon as a meeting of the Board can be conveniently arranged.”<sup>14</sup>

A new dimension was added when the trustees asked their parish priest, Father Maurice Baudoux, to intercede on their behalf. His persistence and determination were to earn him the sobriquet “arch-agitator” in administrative circles in Regina. Baudoux was convinced that the government would not repeal the legislation because it feared that such action would be accompanied by a public outcry. He believed that if the trustees obeyed the provisions of the School Act, the crucifix would be banned forever from schools. On the other hand, if trustees resisted by violating the law, they would eventually win their point and establish a precedent for other districts to follow. Through the politics of confrontation, Baudoux hoped to pressure the Liberals into repealing the legislation or at least not enforcing it.

The *curé* began his campaign by writing a very subtle letter to Dr. J.M. Uhrich, the Roman Catholic Minister of Public Health, in which he stated that Inspector Everts was “seeking to create a difficulty on his own accord and without the slightest reason.” Baudoux expressed the conviction that the Department would never enforce “so unjust and intolerable a law” and that it would overlook events in Prud’homme if the inspector did not insist that the sisters comply with the garb legislation. Uhrich was asked to bring the matter to the attention of the Minister of Education and to use his influence “in such a way that we may not hear anything more about the affair.”<sup>15</sup>

In the meantime, Everts wrote the board asking what decision had been taken.<sup>16</sup> This prompted Baudoux to inform Uhrich that

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<sup>12</sup> *Ibid.*, McKechnie to Dear Sir, Feb. 2, 1940 (copy).

<sup>13</sup> *Ibid.*, Everts to Dear Sir, May 4, 1940.

<sup>14</sup> *Ibid.*, Guilmette to Everts, May 9, 1940.

<sup>15</sup> Baudoux to Uhrich, May 9, 1940 (Personal).

<sup>16</sup> *Ibid.*, Everts to Guilmette, June 1, 1940 (copy).

the inspector did not intend to drop the matter and seemed anxious to create trouble. The trustees had not met and the *curé* hoped that the issue could be settled by the Department or the Minister prior to a meeting of the board.<sup>17</sup> After trustees received a letter from the Deputy Minister stating that under the circumstances, ratepayers could insist that individual board members be responsible for the loss of the school grant, Baudoux again communicated with Uhrich to remind him that the Liberal party had solemnly promised to repeal the garb legislation when it was returned to power. Baudoux claimed that, after the 1934 election, Catholic associations in Saskatchewan were assured that the legislation would be rescinded after the next election. After six years in office, however, the Liberals had done nothing and Catholics were led to believe that the government would not enforce the garb legislation “and a return to the status of 1929 would take place quietly.”<sup>18</sup> Basing themselves on this assumption, the sisters in Prud’homme had donned their garb and the trustees had replaced the crucifix on the wall. Baudoux claimed that this action “was perfectly consonant with natural law and fundamental rights of parenthood.” Baudoux hinted that the Liberals were losing the confidence and support of Catholics as a result of their procrastination and he asked Uhrich to acquaint the Minister of Education and, if need be, the Premier with these facts.<sup>19</sup>

After reading this correspondence, the Minister of Education, J.W. Estey, reminded Baudoux that the government and its departments were responsible for administering the law and insisting that all citizens comply with its provisions. He claimed, furthermore, that a large majority of citizens believed that so long as a law remained in the statute books it should be obeyed. Since the legislature had decided that school grants should not be paid to districts who violated the School Act, Estey could only suggest that Baudoux and the citizens of the district make an effort to have the law respected.<sup>20</sup>

As could be expected, this advice displeased Baudoux who subsequently informed Estey that Catholics could not conscientiously abide by the garb legislation because it was inimical to natural law. He added that Catholics had “yielded momentarily to force”

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<sup>17</sup> *Ibid.*, Baudoux to Uhrich, June 4, 1940.

<sup>18</sup> *Ibid.*, June 14, 1940.

<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*, Estey to Baudoux, June 17, 1940.

because they believed that the injustice embodied in it would not be perpetuated by an administration which boasted of being Christian. Baudoux argued that Prud'homme was a microcosm of the situation in the province. The district was bearing the brunt of compulsion because an inspector was "maliciously" creating trouble and since Everts was the "stumbling block," he ought to be removed. Baudoux claimed that all the district wanted was to be left alone and that the Minister could arrange for this to be done.<sup>21</sup>

Baudoux was obviously becoming a source of embarrassment to the Minister and, in an attempt to undermine the indefatigable *curé*, Estey forwarded copies of his letters to Bishop G.C. Murray, C.S.S.R., of Saskatoon. For his part, Murray advised Baudoux that, in the present circumstances, it would be wise to remove the crucifixes from the school.<sup>22</sup> Murray suggested that Archbishop Monahan should approach the government and ask that the garb legislation be amended at the next session of the legislature. If the government refused, Catholics should begin a "concerted movement" in the Province. In the meantime, however, Murray did not believe that it would be prudent for one district to place itself in a position to be deprived of the school grant.<sup>23</sup> Estey had also hinted that the hierarchy supported his recommendation that the provisions of the School Act should be obeyed. This assertion surprised Bishop Murray who reminded the minister of the Liberal government's promise to amend the law. Murray also vigorously denied allegations that former prelates had indicated that they did not object to the Anderson amendment.<sup>24</sup>

In February, 1941, the deputy minister advised the Prud'homme school board that the grant for the fall term of 1939 and the fall term of 1940 was being withheld because section 248 of the School Act was being violated.<sup>25</sup> Baudoux was convinced that this communication had been prompted by Everts' visit to the school a few days earlier. The *curé* informed Uhrich of his belief that the government had no intention of enforcing section 248 and, if this was a misconception in the light of previous promises, Baudoux asked that the question be considered thoroughly so "that we may

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<sup>21</sup> *Ibid.*, Baudoux to Estey, June 19, 1940.

<sup>22</sup> *Ibid.*, Murray to Baudoux, 28 juin 1940.

<sup>23</sup> *Ibid.*, Murray to Bourdel, 7 sept. 1940.

<sup>24</sup> *Ibid.*

<sup>25</sup> *Ibid.*, McKechnie to Dear Sir, Feb. 4, 1941 (copy).

know once and for all where we stand.”<sup>26</sup>

The following month, Baudoux again wrote to Uhrich asking what had been done to clarify the status of the school grant and suggesting that “there could be no finer works for the Legislature at this time than to repeal the Anderson amendments.” Claiming that the motto *In hoc signo vinces* was as valid at the present time as it had been during Constantine’s era, Baudoux asked, “if the cross is not offensive on the King’s crown, how could it be so on the walls of our schools?”<sup>27</sup> Baudoux went on to state that the Department had threatened another district with the loss of the school grant because of the presence of the crucifix and that this same school had never removed the crucifix during the Anderson era and had never been penalized. The *curé* felt that if Catholic representation in the legislature was stronger and raised its voice in indignation, the government would effect a “just remedy.”<sup>28</sup>

In a private and confidential letter Uhrich replied that the issues raised by Baudoux were “receiving the careful consideration of the Cabinet.” In view of the war and national unity, however, Uhrich affirmed that there was a “considerable difference of opinion” whether the time was suitable “for the contemplation of vigorous action.” Questions of national unity notwithstanding, Uhrich, as a politician was closer to the truth when he added: “The disruption of the province in the year 1929 furnishes food for thought in this regard.”<sup>29</sup>

In the meantime, sensing that Uhrich could not or would not do anything, Baudoux approached Dr. H.R. Fleming, Liberal M.P. for Humboldt, and informed him that if the Department won in the Prud’homme case, the government would never repeal section 248.<sup>30</sup> In a subsequent communication, the *curé* informed Fleming that the trustees and board secretary, “four staunch Liberals,” did not want to yield to the Department. To end the imbroglio, Baudoux suggested that Fleming and perhaps J.G. Gardiner, the federal Minister of Agriculture and former Premier of the province, should advise Premier Patterson that it would be in the best interests of everyone to drop the matter by not enforcing the garb

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<sup>26</sup> *Ibid.*, Baudoux to Uhrich, Feb. 7, 1941.

<sup>27</sup> *Ibid.*, March 1, 1941.

<sup>28</sup> *Ibid.*

<sup>29</sup> *Ibid.*, Uhrich to Baudoux, March 10, 1941 (Private and Confidential).

<sup>30</sup> *Ibid.*, Baudoux to Fleming, Feb. 7, 1941.

legislation.<sup>31</sup>

Acting upon a suggestion put forth by a colleague, Baudoux informed Archbishop Monahan of Regina of developments in the district. The *curé* expressed his belief that the government would respond positively to a request from the hierarchy asking that the legislation be abrogated or that the Department and its inspector be ordered not to create difficulties. If it refused to comply, the government could no longer declare that the bishops were satisfied with the status quo.<sup>32</sup> After reading Baudoux's exposé Archbishop Monahan and Bishop Murray had an interview with Estey. For his part, Monahan drew the minister's attention to allegations that the hierarchy accepted the garb legislation. Estey replied that every intelligent person in the province knew that this was not the case. Stating that Premier Patterson was also aware of the dissatisfaction of the bishops, Estey claimed that the government had studied various means of remedying the situation.<sup>33</sup> Monahan suggested that the School Art be amended to allow individual school boards to decide whether or not religious garb and emblems were to be displayed. This proposal surprised Estey who claimed that it had never been put forth before and he promised to study it. Advising Baudoux of these discussions, the Archbishop expressed regret at not being able to offer him more encouragement. Monahan added that the issue was eleven years old and one could not expect that it be resolved overnight.<sup>34</sup>

For their part, trustees and others sought to bring pressure to bear in different quarters. The Prud'homme school board brought their problems to the attention of the local M.L.A. Frank S. Krenn.<sup>35</sup> Dumont Lepage of Vonda informed E.M. Culliton, M.L.A. for Gravelbourg and Provincial Treasurer, of the difficulties at the Prud'homme school and warned that there would be strong public protests if the trustees had to remove the crucifix. He advised Culliton that the most justifiable course of action would be the repeal of the Anderson amendments as promised by the Liberal government "sometime ago."<sup>36</sup> The A.C.F.C. also made repre-

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<sup>31</sup> *Ibid.*, March 17, 1941.

<sup>32</sup> *Ibid.*, Baudoux to Monahan, 17 mars 1941.

<sup>33</sup> *Ibid.*, Monahan to Baudoux, 28 mars 1941.

<sup>34</sup> *Ibid.*

<sup>35</sup> *Ibid.*, Krenn to Guilmette, March 10, 1941.

<sup>36</sup> *Ibid.*, Lepage to Culliton, April 1, 1941.

sentations to the Provincial Secretary and was informed that its suggestions regarding changes to the School Act were receiving "very careful consideration." Culliton's concluding remark is very revealing: "This matter has been fully discussed by the Minister of Education with the hierarchy of the province."<sup>37</sup> Equally frustrating but less equivocal was the report of Omer Demers, the French Catholic Liberal M.L.A. for Shellbrook. Demers had discussed the matter with some cabinet ministers and Catholic M.L.A.'s and their consensus was: "Let sleeping dogs lie."<sup>38</sup>

Even though the government would not or could not rescind the Anderson amendment some compromise would have to be reached to end the stalemate in Prud'homme School District. In April, 1941, Archbishop Monahan was informed that if the trustees removed the crucifix in June and advised the Department accordingly, the grant would no longer be withheld. Advising his suffragan in Saskatoon of these developments, the Archbishop added that the matter might arise again in September but changes could be brought about to effect a lasting solution.<sup>39</sup>

In the meantime, Krenn, the local M.L.A., met with the Deputy Minister of Education and it was decided that if the crucifix were covered with a veil the Department would consider the matter closed and pay the grant. The Deputy Minister reasoned that if the crucifix were veiled, it would not be considered displayed under the terms of the law. Krenn then called a special meeting of the school board to explain the compromise and, with difficulty, succeeded in having it accepted by the trustees.<sup>40</sup> The following day, the secretary of the board advised the Deputy Minister that the school was complying with the legislation respecting religious emblems.<sup>41</sup> A short time later, Krenn reported to Baudoux that the cabinet had accepted the compromise. On April 25, 1941 an inspector visited the room and left without commenting on the crucifixes covered with a white cloth. Baudoux informed the Archbishop of these developments and stated that if any difficulties arose the only alternative for the trustees would be to remove the crucifixes as the

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<sup>37</sup> *Ibid.*, Culliton to de Margerie, April 15, 1941.

<sup>38</sup> *Ibid.*, Demers to de Margerie, 22 avril 1941.

<sup>39</sup> *Ibid.*, Murray to Baudoux, 22 avril 1941.

<sup>40</sup> *Ibid.*, Baudoux to Murray, 24 avril 1941.

<sup>41</sup> *Ibid.*, Guilmette to McKechnie, April 16, 1941.

prelate had suggested earlier.<sup>42</sup>

The compromise seems to have resolved problems in the Prud'homme district but similar encounters continued to take place in other French Catholic districts. In the Tulipe School District, for example, the inspector noted the presence of the crucifix and remarked that this could affect the school grant. His report was later read to the trustees who decided not to remove the crucifix.<sup>43</sup> In a subsequent visit, the inspector appeared angry that his first warning had not been heeded. An animated exchange took place between the inspector and the teacher because the latter argued that she had not placed the crucifix in the room and, hence, would not take it down. The board asked the local M.L.A., Paul Prince, to inquire whether the inspector was acting on his own initiative or if he was following instructions from the Department.<sup>44</sup>

In the St. Front School District, the inspector advised trustees that the teacher's garb was contrary to the School act. In the St. Raymond School another inspector advised the teacher that, if the crucifix were not removed, she would lose her certificate and the district its grant. Father A. Robveille of St. Front informed Fleming of these events and stated his conviction that this harassment had been ordered by some "*free mason* fanatic" in the Department who preferred the swastika to the cross.<sup>45</sup> For his part, Fleming sought Baudoux's advice. The *curé* discussed the compromise that had been adopted in his district and stated that, like Robveille, he believed that someone was behind this "enraged persistence" on the part of some inspectors. Baudoux did not believe that anything could be done to assist Robveille and he advised Fleming to inform the Saskatchewan government that if it had no principles upon which to base its actions, it should at least consider expediency.<sup>46</sup>

In November, 1942, Baudoux wrote the new Minister of Education, H. Stains, concerning an incident involving the crucifix in Buffers Lake School District. The inspector had noted this contravention of the School Act and asked that the legislation be obeyed. Baudoux realized that the inspector was doing his duty but he could not understand how "this matter should preoccupy an Inspector's

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<sup>42</sup> *Ibid.*, Baudoux to Monahan, 28 avril 1941.

<sup>43</sup> *Ibid.*, Tétrault to Baudoux, 3 mars 1941.

<sup>44</sup> *Ibid.*, 22 nov. 1941.

<sup>45</sup> *Ibid.*, Robveille to Fleming, Feb. 4, 1942 (copy).

<sup>46</sup> *Ibid.*, Baudoux to Fleming, March 9, 1942.

mind when there are so many others more intimately connected with proper teaching.<sup>47</sup> Baudoux reminded Staines of the Liberal party's promise to rescind the Anderson amendment. Adding that it was unfortunate that this solemn pledge had not been kept, the *curé* declared that what the Liberals had denounced as evil during their years in opposition could not have become "so good and sacred since." He concluded by asking the minister to drop the matter of the crucifix in Buffers Lake until the legislation was amended.<sup>48</sup>

If Baudoux hoped to find Estey's successor more receptive, he was sadly mistaken. Staines replied that he sympathized with the views of Catholics respecting the presence of the crucifix but added

There is also considerable evidence to indicate that the attitude of mind displayed in that controversy still exists. In the view of all those who desire peace and harmony, it would be undesirable to do anything leading to a revival of public controversy.<sup>49</sup>

The minister suggested that so long as the legislation was part of the School Act it should be obeyed and he hoped that Baudoux would use his influence to secure conformity to this desire.<sup>50</sup>

Despite the efforts of Baudoux and others to have it repealed, the Anderson amendment still forms part of statutory law in Saskatchewan. This provision, however, has not been a contentious issue in the post-WWII era and no serious pressure has been brought to bear on nuns to conform to its terms. During the Anderson regime, the sisters modified their costume so that it could not be recognized as the regular garb of their order and the government regarded this practice as complying with the law. When the Liberals returned to power, the question of what constituted religious garb was submitted to the Attorney-General's office which ruled that the wearing of a long black dress and cowl did not constitute a violation of the legislation. Teachers, however, were not permitted to display religious emblems on the outside of their dress nor were religious emblems to be present in classrooms.<sup>51</sup> In the early years

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<sup>47</sup> *Ibid.*, Baudoux to Staines, Nov. 5, 1942.

<sup>48</sup> *Ibid.*

<sup>49</sup> *Ibid.*, Staines to Baudoux, Nov. 18, 1942.

<sup>50</sup> *Ibid.*

<sup>51</sup> Archives of Saskatchewan (hereafter cited as AS), T.C. Douglas Premier's Papers (hereafter cited as Douglas Papers), File No. V, 239, McCallum to Douglas, May 10, 1949.

of the C.C.F. administration the question was again referred to the Law officers of the Crown and the earlier ruling was upheld. The Minister of Education, W.S. Lloyd, advised Premier Douglas that the enforcement of the garb legislation presented “obvious difficulties” because while a religious costume could be worn, external insignia were not to be visible. The law was more specific insofar as the presence of religious emblems in classrooms was concerned but there were occasional problems. Lloyd stated that if a complaint were received, the superintendent visited the school and asked that the emblem be removed. In the absence of a complaint Lloyd advised the Premier that “we probably won’t see the insignia which constitutes a breach of school law.”<sup>52</sup> This very pragmatic attitude probably contributed to eliminating potential sources of confrontation.

The *status quo* has not changed significantly down to this day. The Attorney-General’s Department has continued to give this clause a very broad interpretation to the effect “that the wearing of the customary dress is in itself not a religious garb, provided that the usual adornments are not prominently displayed.”<sup>53</sup> Furthermore, the marked decrease in the membership of religious communities, the liberalization of their dress and their gradual replacement by lay teachers would suggest even fewer grounds for complaint. The changing status of the Catholic Church in Quebec and the movement toward secularization in that province have also contributed to dissipating anti-Catholic prejudices.<sup>54</sup>

Be that as it may, the attitude of mind that had fostered the Anderson amendment had not been dissipated with the passage of time. In 1951, Premier Douglas informed Lloyd that he had received complaints from the Regina Branch of the Canadian Protestant League concerning the wearing of religious garb in the Prelate school. One individual in the Fairlight district protested against the presence of the crucifix in that school by sending his child to another school some five miles away.<sup>55</sup>

A more serious encounter took place in 1962, when the College of Education in Saskatoon posted two Roman Catholic clergymen as practice teachers in Regina collegiates. One priest was challenged

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<sup>52</sup> *Ibid.*, Lloyd to Douglas, April 19, 1951.

<sup>53</sup> A.C.F.C. Papers, File 100, Ready to Author, April 22, 1974.

<sup>54</sup> *Time*, Sept. 28, 1970.

<sup>55</sup> AS, Douglas Papers, Douglas to Lloyd, April 17, 1951.

by the father of one of his students on the grounds that she would be “unduly influenced” by someone in the attire of a priest and by having to address that person as “Father.”<sup>56</sup> While the Saskatoon press carried reports that the clergymen had been challenged by numerous parties, the collegiate superintendent in Regina stated that there had been only one complaint and that it had not been “too coherent.” The Acting Deputy Minister of Education stated that there was no legal ground for any complaint because the Secondary Education Act made no reference to garb or style of address. He added that it was a “matter of courtesy to address a Roman Catholic priest as ‘Father’ since that is his professional title.”<sup>57</sup>

The issue was brought to the attention of the Regina Ministerial Association which considered it but had no intention of pressing the matter and stirring up religious controversy. The Regina Protestant League, on the other hand, wanted the College of Education to prohibit practice teachers from wearing religious garb and the use of the term “Father” in addressing teachers. The League’s secretary, W. Humphries, stated that some of its fundamentalist members objected to the use of the term “Father” on the basis of the scriptural injunction: “Thou shalt call no man father except thy father in heaven.”<sup>58</sup>

A few weeks later, a 14-member delegation representing the Protestant League and the Orange Lodge attended a meeting of the Regina Collegiate Board to present a complaint.<sup>59</sup> The question of garb and style of address was discussed at “considerable length” and there were accusations of intolerance and bigotry. As spokesman for the delegation, Humphries read a letter, from the individual who had made the original complaint, stating that “a public school should be as free from discrimination as a public washroom.” Humphries declared that he had no objection to Roman Catholics teaching in city collegiates so long as they were “neutral figures.”<sup>60</sup> For his part, Rev. W.J. Rees, president of the League, accused “someone” of having violated the School Act. He stated that a lot of professional people had been “disturbed” by these developments and that he had received comments from as far away as Halifax. He

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<sup>56</sup> Regina *Leader-Post*, Feb. 12, 1962.

<sup>57</sup> *Ibid.*

<sup>58</sup> *Ibid.*

<sup>59</sup> Regina Collegiate Board, Minutes, April 2, 1962.

<sup>60</sup> *Leader-Post*, April 3, 1962.

also accused the collegiate board chairman of having talked to the Regina *Leader Post* and charged that the journal had misquoted him and suppressed comments favorable to the League.<sup>61</sup> After discussing the matter, the Collegiate Board passed a resolution informing the Protestant League that it was bound by the Secondary Education Act to admit to classrooms “for purposes of observation and practice teaching, any student enrolled in a Saskatchewan Teachers’ College or College of Education.”<sup>62</sup> This marked the high point of the League's agitation and the issue quickly withered away.

In the meantime, it was obvious the government was also reluctant to restore to French language instruction the status it enjoyed prior to 1931. With the suppression of instruction in the French language in that year, French could only be taught as a subject of study for one hour a day and English was to be the language of instruction during this period. Because of its innocuous nature, this course of study never engendered the confrontations or inflamed passions and prejudices as did the garb-emblem legislation. Nevertheless, the study of French in schools was a potentially volatile issue with serious political consequences and the government was not about to do anything that might provoke a polemic. This is clear in the government's refusal, in 1936, to authorize a list of French books for purchase by school libraries. Despite this refusal, the A.C.F.C. continued to make representations to enhance the status of the French course of study but these requests were not implemented until many years later. It was only in 1967, for example, that the government amended the School Act to permit the use of French as a language of instruction for one hour a day. The following year, in 1968, legislation was passed permitting the use of French as language of instruction over and above one hour a day.<sup>63</sup>

It was also obvious that time had not mellowed the Loyal Orange Lodge which had done so much to galvanize public opinion against the presence of religious garb and emblems in public schools and French language instruction. The school situation in Saskatchewan had figured prominently in the pages of the *Orange*

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<sup>61</sup> *Ibid.*

<sup>62</sup> Regina Collegiate Board, Minutes, April 2, 1962.

<sup>63</sup> Raymond HUEL, “*La Survivance* in Saskatchewan: Schools, Politics and the Nativist Crusade for Cultural Conformity,” Ph.D. thesis, University of Alberta, 1974.

*Sentinel* and that journal had praised Anderson's amendments. As the years passed the Lodge declined in importance to a mere shadow of its former stature but it, nevertheless, remained a spokesman for the more militant Protestant element. At its 1968 annual convention, the Grand Orange Lodge of Saskatchewan protested against the introduction of French language instruction in schools on the basis that only five percent of the province's population spoke French and, furthermore, public funds were being used for this purpose. The Lodge also noted that the Saskatchewan government had seen fit to appoint Roman Catholic clergy to highly paid positions within the civil service and it asked that these persons be subjected to paying income tax regardless of any oath of poverty they might have taken.<sup>64</sup>

The passage of time has done little to rectify misconceptions concerning the educational policy of the Co-operative Government and the subsequent history of Premier Anderson's amendments. Within the Protestant segment of Saskatchewan's population, many regard Anderson as a modern day David who courageously challenged Rome and Quebec and banished sectarian influences from schools. On the other hand, a majority of Catholics remain convinced that they had been persecuted by Anderson and his able allies, the Klan and the Orange Lodge. Those who support this persecution theory tend to regard the Liberals as heroic figures who never exploited religious and racial hatreds, who championed the rights of the minority during their years in opposition and, upon returning to power, redressed French and Catholic grievances concerning educational privileges.

By its every irrational nature the racial-religious polemic associated with the 1929 election was conducive to the creation of myths. Historically, the Liberal party in Saskatchewan had always supported a minimum of minority rights in education. This was in keeping with Liberal philosophy and it also made political sense in a province where a large element of the population was neither Anglo-Saxon nor Protestant. Most Liberals were tolerant broadminded individuals who abhorred Conservative appeals to racial and religious prejudices. While the Liberals were correct in stating that the polemic had been engendered by the Conservatives, it should be kept in mind that the Liberals capitalized on this fact to enhance their reputation. Premier Gardiner's denunciation of the

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<sup>64</sup> A.C.F.C. Papers, File 100, Grand Orange Lodge of Saskatchewan, Report of Resolutions Committee, 1968 Sessions.

Klan in the legislature in 1928, while it was in keeping with his personal convictions was, nevertheless, a calculated attempt to divert attention from more immediate issues that his administration faced.<sup>65</sup> Despite its covert political motives, this castigation of the Klan enhanced the heroic figure image of Gardiner's party. In addition, the moving addresses of Liberals during the debate on the Anderson amendments made the Liberals appear even more noble and intrepid. Thus, it was not surprising that when the Liberals were returned to power in 1934, Catholics, especially French-speaking ones, were convinced that the inimical legislation of 1930-31 would be repealed.

Regardless of how sympathetic Liberals had been in the past, they were more astute politicians in the post 1934 era and politicians remain in office by avoiding controversial issues and appealing to a broad segment of the community. Promises had been made to Catholics but, in the final analysis, it was a realistic political assessment of the situation which prompted the Liberal decision to maintain Anderson's legislation. Catholics like Father Baudoux could not accept the fact that the government had had a change of heart and, hence, they deluded themselves into believing that if the law was not changed at least its provisions would not be enforced. Events in the Prud'homme district quickly shattered this illusion.

In time, confrontations surrounding the enforcement of the Anderson amendment decreased and eventually disappeared. As more relevant issues came to occupy the attention of the province, Anderson's legislation was relegated to an obscure niche in history and forgotten. Upon observing the presence of nuns in public schools and the fact that they were not harassed by the Department of Education, it was only natural for many to conclude that the legislation had been repealed and, by implication, that this action had been taken by the Liberals.

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<sup>65</sup> J.W. BRENNAN, "A Political History of Saskatchewan 1905-29," Ph.D. thesis, University of Alberta, 1976, pp. 706-708.