

“Barred from heaven and cursed forever”: Old Colony Mennonites and the 1908 Commission of Inquiry Regarding Public Education

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The title is taken from the newspaper headline of the Regina paper, *The Morning Leader*, on 5 January 5 1909 regarding a Royal Commission that had taken place in the town of Warman north of Saskatoon a week earlier. Warman came to the attention of nation more recently in 1980 when a public inquiry was held regarding the proposal to establish a uranium refinery there.¹ While the 1908 Commission of Inquiry had a much more limited scope, it did catch the attention of the newspapers in Saskatoon and Regina. The full headline of the Regina paper read:

Progressive Mennonites “Barred from Heaven and Cursed Forever” by Bishop of the Sect in Saskatchewan. Commission of Enquiry into Practices of Old Colonier Sect of Mennonites near Warman leads to some Strange Revelations – Settlers who send their Children to the Public Schools banned by the Church – Excommunicants Shunned by their Co-Religionists and Blood Relations – Low Standard of Education Prevalent in Mennonite Private Schools – Canadian Branch of the Church Sterner than Parent Church – The Bible taken as Sole Basis of Authority and Conflict with Civil Authorities Result.²

What follows is the reporter’s detailed account of the examination of witnesses who appeared before the commission to testify of their experi-

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ence of excommunication as a result of their wanting to send their children to a public school, rather than the private school established by the Old Colony Mennonite Church. Fortunately we don't have to rely on a journalist's summary and interpretation of the two day hearing. The commissioners submitted a one-hundred-page transcript of the questions and answers given by all the participants, a copy of which now resides in the Saskatchewan Archives.³

In order to understand the bases of authority accepted by the Old Colony Mennonites and by those who had been excommunicated, some background on the Reinländer Mennonites or "Old Colony" Mennonites in Saskatchewan will be useful. Starting in 1874, 17,000 German-speaking Mennonites emigrated from the Ukraine to North America, 7,000 of which settled in Manitoba. The ones who came to be known as the Old Colony Mennonites settled on west side of the Red River in townships reserved by the Canadian government for exclusive Mennonite settlement. Twenty years later when available farm land became more scarce, families began moving to the Hague-Osler region north of Saskatoon, where once again the government set aside large blocks of land for homesteading Mennonites. However, unlike regular homesteaders, the Mennonites did not have to reside on their individual homesteads, but were permitted to form their traditional villages enabling them to maintain their communal and religious traditions.⁴

The right to educate their children in their own schools had been a major factor in the Mennonite immigration to Canada in 1875, and in their new villages in Saskatchewan Mennonites quickly set up their schools where children were taught the basics of reading, writing and arithmetic. The texts used were a primer, the catechism, and the Old and New Testaments. As Bishop Jacob Wiens testified before the commission, all boys ages six to thirteen and girls ages six to twelve were expected to attend during the winter months from the middle of October until seeding time in the spring.⁵ The teachers had received no training beyond their own years in such schools. At the time of the Commission of Inquiry, the Old Colony Church was conducting seventeen such schools in villages between Rosthern and Warman. Instruction was in the German language in contrast to the public schools under the supervision of the province.⁶ And that is where the problems became manifest.

“Progressive” Mennonites

Other Mennonites who moved into the Rosthern valley area, while also wanting to preserve their traditions and German language, were much more willing to participate in establishing public schools where the language of instruction was English and the teachers were trained beyond a basic level. The word that they frequently used to describe themselves was “progressive.” Reverend David Toews, who was their pastor and eventually was ordained as their bishop, had been invited to appear at the commission because his church had taken in the dissidents who had been excommunicated from the Old Colony Church. He declared, “Our Church believes in public schools and *progress* all along.” In contrasting his church with the Old Colony, he said further, “We are favoring public schools, *progressive* schools, and they don’t believe in them. We believe in voting, and they forbid it.”⁷

The media as well as other non-Mennonite observers picked up on that language and those Mennonites desiring an English education (and excommunicated by the Old Colony Church) became known as “progressive Mennonites.” J.E. Knipfel, a non-Mennonite who practiced medicine in Warman, testified briefly at the commission and subsequently wrote a letter to the government full of assimilationist language in regard to the Mennonites in Saskatchewan: “I have most confident reason to believe that the half and by far the most intelligent and *progressive* half of the number of these people will thank the government to the bottom of their heart, if they will be assisted in tearing themselves loose from this educational, civil, and also religious bondage.”⁸ An editorial in the Saskatoon paper, *The Daily Phoenix*, proclaimed, “In a country which is endeavouring to assimilate so many different types of people such difficulties are to be looked for occasionally where old time prejudices and convictions based on conscience come in sharp conflict with enlightened ideas.”⁹ The Old Colony Mennonites who did not favour assimilation were then left with the stigma of being prejudiced, bigoted, and whatever else was the opposite of “progressive.”¹⁰ This how they were labelled by outsiders, but how did Bishop Jacob Wiens identify himself and his church?¹¹

A number of men in the colony near Warman had been excommunicated by the Old Colony Mennonite Church, ostensibly for sending their children to a public school rather than one of the schools established and run by the church. They had gone ahead and joined other churches, but

continued to suffer from the excommunication in that their businesses were being shunned by the Old Colony Mennonites who made up a considerable majority of the community. Several of them had written to the provincial government to request its assistance, enlisting the help of Gerhard Ens, the Mennonite member of the Legislative Assembly. Ens forwarded a list of twenty-two men who had been excommunicated by the Old Colony Church, chief among them being Isaak P. Miller of Warman, Isaak P. Friesen of Rosthern, and Jacob J.S. Friesen also of Rosthern.¹² As a consequence, the lieutenant governor had established a Royal Commission to look into the matter and, on the recommendation of the Commissioner of Education, J.A. Calder, had appointed Deputy Attorney General Frank Ford and Deputy Commissioner of Education Duncan P. McColl as commissioners.¹³ The hearings were held in the schoolhouse in Warman beginning on 28 December 1908, and everyone interested was invited to attend and to speak. Questions and testimony continued for two days while the commissioners probed the accuracy of the allegations and sought to understand the position of the Old Colony leaders on the education of children and their practice with regard to excommunication.

Other analyses that have touched on the 1908 commission of inquiry have looked at the sociological dynamics of excommunication from the point of view of the victims, or at what it revealed about the state of education in the Mennonite communities in Saskatchewan.¹⁴ While the transcript of the commission of inquiry is certainly a valuable source for such investigations, the language also reveals how the Old Colony leaders constructed the authority that gave shape and continuity to their community. Although the inquiry was established to focus on the question of access to education, issues of power and authority dominated the discussion during the two days of hearings as well as the correspondence surrounding the event. That authority grouped around the five centres of ordination, congregation, tradition, Scripture and secular government.

Ordination

The complainants who had initiated the hearings had blamed Bishop Wiens and the other ministers of the Old Colony congregation for their difficulties.¹⁵ The commissioners, who would have been familiar with the more hierarchical church structures of the dominant Protestant denomination, accordingly probed the authority structures of the Old Colony

Church. How long had Wiens been the Bishop of the Church? Who had appointed him? What was he before he became Bishop?¹⁶ The answers briefly given were that Wiens had been elected as a minister by the congregation in Manitoba in 1888, then had also been elected to serve as bishop, and had been ordained by Bishop Johann Wiebe who had been ordained by Gerhard Dyck in Russia and had led his people to Canada.¹⁷

Whenever he was challenged by the commissioners to speak authoritatively on behalf of the church regarding its beliefs or practice, Bishop Wiens would consistently defer to the authority of the congregation from whom he derived his authority by virtue of his election by its members. Likewise the five ministers that worked alongside him had not been chosen by the bishop, nor had they received any special training for ministry. Rather, they had been lay people elected by the congregation whom they would serve. Therefore, with regard to the exercise of church discipline, neither the bishop nor the ministers had any power to excommunicate a member; only the congregation could do that. Bishop Wiens frequently reiterated that he could make no decision to overturn an excommunication alone without consulting the community.

From the start, the complainants had seen the church leadership as the key authority, and decided to force them to relax the rules of the church by threatening to undermine their authority. In their discussions and correspondence with Premier Walter Scott and with the minister of education, J.A. Calder, they had suggested that a means the government could use would be to deprive the bishop and the ministers of the legal right to solemnize marriages. In a memo to Calder, Premier Scott advises:

At Rosthern I saw Miller, of Warman, with Mr. Friesen in like position, together with Mr. Ens. Mr. Ens advises that the time has come to act if we can act at all. Two suggestions were made (1) to inform the Mennonite heads that unless they leave free those of their people who wished to use the public school we will compel the formation of Public School Districts where ever there are enough children of school age and will force the payment of taxes; and (2) to inform them also that we will deprive them of the legal right to solemnize marriages.¹⁸

This suggestion was picked up by the commissioners and repeated at intervals throughout the proceedings. "Which would you rather do: give

up your rights to solemnize marriage or let your people send their children to the public school?"¹⁹ At a subsequent meeting with some of the leaders of the Old Colony Mennonites, Deputy Attorney General Ford admitted that the legal right to marry people was unrelated to the school question, and was simply a means the government might consider using to force the church leaders to follow its dictates.²⁰ This threat did not address the issue of education, but was a direct attack upon one of the rights conferred upon those Old Colony leaders who had been ordained by their congregations.

When pushed to answer why he restricted the freedom of the church members, Bishop Wiens at one point responded with a parable that perhaps most clearly expressed how he saw the authority of his ordination:

If there were a shepherd who was watching a flock of sheep, whom the Master had placed in the shepherd's care, would not the Master demand an account of him, whether he had left each sheep to go as it wanted to go, or whether he had tried to enforce the rules as given him?²¹

In like manner, Bishop Wiens felt responsible for those who had joined the congregation of their own free will to insist that they remain true to their vows. The Old Colony leaders made it clear that their disciplinary actions applied only to those who voluntarily joined the congregation as adults; if children who had grown up in the community chose not to join the church through baptism, they did not suffer the same discipline of "shunning."²²

Congregation

Although exercising considerable authority as a Bishop in reality, Wiens continually described that authority as secondary to that of the congregation. In his words, there was one "congregation" or "*Gemeinde*" consisting of 950 members, meeting weekly in three church buildings or monthly in schools buildings in other villages.²³ Male members joined the congregation voluntarily as adults by accepting baptism between the ages of nineteen and twenty-five, while female members might join a year or two earlier.²⁴ This act of bending the knee to God at baptism (which was by pouring) and promising to remain faithful to God until death was the irrevocable decision that authorized the community to excommunicate those who did not remain true to their vows. One of the leading elders of

the church attempted to explain the strength of this commitment by comparing it to a sworn oath, something Mennonites refused to do. (Of the eighteen Mennonite witnesses that appeared before the commission, only one – Jacob A. Friesen – was sworn while all the others were simply “affirmed.”) “We don’t force anybody into our community, but when he is once in our community you know, he makes such a promise, - it is as strong as if you would swear anything.”²⁵ One was not, therefore, born into the congregation, but joined as a result of his or her own decision taken as an adult and expressed in the rite of baptism and verbal promises at that time.

While the congregation ideally consisted of all members, only male members were invited to participate in electing ministers and bishops. Men were also the only ones permitted to participate in the decision of excommunicating a member. Through an interpreter, the commissioners elicited the following answers from Bishop Wiens to their questions:

Q. Who has the power to excommunicate?

A. The whole community. The whole congregation has that power. He [Wiens] says it is first presented to the congregation.

Q. “The congregation.” Is that the whole community now?

A. That means the place where they have service.

Q. Well, are they all asked to come?

A. They are not specially invited for that special purpose: only those that come there. Then they pass a resolution that a certain member be excommunicated.

Q. Would the member himself know anything about it before the meeting?

A. Yes, he is invited to come and attend and speak for himself.

Q. Can the Bishop excommunicated?

A. Not alone.

Q. Can a minister?

A. No.

Q. How many people must meet together to excommunicate?

A. He doesn’t know exactly, but he says whatever number of male members are in Church are asked to remain after the service and then the resolution is passed.²⁶

Although Wiens begins by including the whole congregation, further clarification reveals that the process in fact involves only the men of a

particular gathering who are asked to stay after a regular service to administer discipline to a recalcitrant member.

The role of the congregation in the process of excommunicating a rebellious member was also not as authoritative as the rhetoric of Bishop Wiens suggests. Yes, the member under discipline was invited to appear before the congregation, but the process was far from a free exchange of ideas and a democratic decision by all. The onus was on the member to demonstrate to the congregation and its leaders, from Scripture, that their teaching or practice was wrong. If he was unable to do so, he had to acknowledge that he was wrong or face excommunication.²⁷

Another role in which the congregation exercised its authority was in the delivery of the final notice of excommunication. Generally, it was not the bishop or a minister who delivered this notice, but two, sometimes only one, respected elders of the congregation. The commissioners took pains to inquire after the names of each of those who had delivered letters to the various excommunicants. This action effectively placed the responsibility of enforcing the ban on the whole congregation rather than just its leaders. A point repeated by two of the witnesses was that, at the congregation level, excommunication was understood to have eternal consequences – in effect it barred the excommunicant from heaven.²⁸ One of those witnesses, I.P. Friesen, later testified upon further questioning that he no longer believed that the community had the power to send him to hell for what he had done.²⁹

Tradition

Aside from the quoting the biblical command of 1 Thessalonians 3:6, “Keep away from every brother who leads an unruly life and not according to the tradition which you have received from us,” Bishop Wiens did not explicitly appeal to “tradition” as a separate authority. But it deserves mention because what Wiens referred to as the authority of the Word of God was in reality the particular interpretation he and the ministers had placed on Scripture. Rev. John Wall, one of the ministers who accompanied the bishop, referred more explicitly to the “rules” to which baptized members of the congregation were required to adhere, though here too he refers to Scripture as the foundation of those rules. When asked whether a member would be excommunicated if he persisted in sending his children to a public school, Wall replied, “If they don’t want

[to] remain with us in the same rules and want to have another rule, when he wants to go outside the pale of the rules which we have according to God's Word, then we believe we must do so. For the sake of our and their soul's salvation."³⁰ Incidentally, this is as close as the leaders of the Old Colony Church came to addressing the issue of whether they believed they had the authority to bar someone from heaven by means of excommunication.

As the deft probing of the commissioners revealed, tradition was the default position that the erring member had to refute (using Scripture) if he was to retain his membership. When repeatedly challenged by the commissioners to explain why people were being excommunicated when they merely wanted to send their children to the public school, the bishop consistently responded that he always invited such a member to come to him or to the congregation and demonstrate that the practice in question was in accordance with the teaching of Scripture. The commissioners pointed out to Bishop Wiens that it would be nearly impossible for any member to convince the church leaders that they were wrong and he or she was right and to overthrow the weight of the accepted interpretation of Scripture. The translated exchange reads in part:

Q. Suppose I belonged to your Church and sent my children to the public schools: would I be excommunicated?

A. . . . He [Wiens] says if you were not able to convince him that you were right then you would be excommunicated.

Q. Would I be able to convince you that I was right?

A. He says God's Word is right.

Q. And God's Word says what about this?

A. He says God's Word says that if we know it from our youth up it can lead us in the paths of righteousness; or something like that.

Q. Has anybody been able to convince you that sending children to the public school is not against God's law?

A. He does not know of anybody ever trying. He says no one came to the church to –

Q. Ask him again how many persons have been excommunicated because of sending their children to the public schools.

A. He can't say. He says they were then asked to come to the church and they would not appear.³¹

Repeatedly, this is the stalemate at which the commissioners arrive.

The members who were threatened with discipline had been invited to appear to defend their position before the congregation, but none had done so. In the bishop's view, then, no one had been excommunicated for sending their children to the public school, but rather for failing to defend their rebellious action before the congregation. When one of the excommunicants, I.P. Friesen, pressed the commissioners make it possible for him to be freed from the ban, Bishop Wiens once again commented that Friesen had often been invited to convince him by way of God's word that he (Wiens) was wrong. Friesen then expressed his frustration with Wiens' interpretation of Scripture: "He takes a verse that didn't relate to that at all. How can a person convince him?"³²

Scripture

That brings us to the discussion of the authority of Scripture in the self-understanding of the Old Colony Mennonites. Occurring even more frequently than his appeals to the authority of the congregation, are the bishop's appeals to the authority of Scripture as the basis for all his decisions and the decisions of the church. It seems at times the commissioners became weary with his constant reference to the Word of God.

Q. Tell us what is the effect on a man's business when he is excommunicated?

A. He [Wiens] says he can't say. He says, We tell our brothers to do nothing else than God's Word teaches.

Q. What do you do that God's Word teaches?

A. On account of disobedience, even the smallest disobedience is enough: or something like that.

Q. Would you shake hands with a man who is excommunicated?

A. He says if God's Word says you should not then he has to obey God more than man.

Q. Well, does God's Word say so?

A. He says it says, If somebody comes who does not bring this teaching then do you not take him up in his house.

Q. Would you eat with a man who is excommunicated?

A. [before translator has time to translate Wiens' answer, the commissioner speaks again]

Q. Never mind God's Word; would you or not?

A. No.³³

It would be easy to conclude that Bishop Wiens was being evasive by his constant appeal to the authority of Scripture, but it would be more accurate to see in it a reflection of his deep-seated belief that God's Word was indeed the only ground for any belief or practice of the church not only for disciplinary action.

To some extent, the authority of Scripture can also be seen to lie at the heart of the desire of the Old Colony Church to maintain their own schools. Through Bishop Wiens' testimony it becomes clear that the church did not wish to oppose public schools as much as it wished to promote its own. And the justification for this stance is the injunction that is frequently repeated to the effect that a person must be taught the Scriptures from his childhood. Since the church schools use only texts which point the way to salvation (and public schools do not), sending ones children to the church school is a matter of obedience. In the bishop's letter of excommunication to Jakob Friesen, a translation of which is also included in the government's file of correspondence, the apostle Paul's exhortation on the training of children in 2 Timothy 3:15, and Moses' command in Deuteronomy 6:6-7 are quoted, followed by the question, "Is it not then our duty to teach our children God's word in the school, where in every book the way to salvation is taught?"³⁴ Most of the rest of the letter of excommunication is likewise filled with scriptural references and quotations.

However, once again this rhetorical invocation of the ideal was not as straightforward and simple as Bishop Wiens and the other ministers expressed it. The commissioners rightly pointed out that the role of interpretation is actually more determinative than that of the Scripture alone. This was something that the ministers apparently found difficult to comprehend. At a subsequent meeting between Ford and three of the church leaders the following discussion ensued:

Ford: You believe a certain thing; and no amount of argument would convince you that you were wrong.

Mr. Klassen: Our Testament and yours is exactly the same. I am pretty sure of that. I have one that is in your language, and ours, and it is exactly the same. Well, as long as it is the same it should be understood the same. It cannot be misunderstood: it is so plain.³⁵

The hermeneutic employed by the Old Colony leaders effectively prohibited any alternative interpretation of the biblical text. In their view, there could only be one interpretation, that of the plain, obvious meaning of the text. That meaning was the one taught by the bishop and other ministers, and logically there could be no other understanding of Scripture.

The influence of interpretation is compounded by the selective use of Scripture. This is seen most clearly in the congregational meeting of more than 300 members in response to a directive from the commissioners. The bishop was asked to seek the opinion of his congregation on the matter of excommunicating those who went against the church's teaching regarding the education of children. The bishop accordingly sent out a letter calling the members to a meeting within a month after the end of the commission of inquiry. The brotherhood was invited to gather to consider God's Word, and then the following verses were given as the ones that were to be considered:

- Matthew 18:15-18 – if a brother sins, go to him in private, then take a witness or two, then tell it to the church, then let him be as a Gentile or tax collector.
- Mark 7:21-24 – for from within out of the heart of men, proceed the evil thoughts, fornications, thefts, murders, adulteries, deeds of coveting and wickedness, as well as deceit, sensuality, envy, slander, pride, and foolishness.
- Romans 16:17-18 – keep your eye on those who cause dissensions and hindrances contrary to the teaching which you have learned, and turn away from them...such men are slaves of their own appetites and by their smooth and flattering speech they deceive the hearts of the unsuspecting
- Thessalonians 3:6, 14 – keep away from every brother who leads an unruly life and not according to the tradition which you have received from us...If anyone does not obey our instruction in this letter, take special note of that person and do not associate with him so that he will be put to shame.
- 2 John 9, 10 – anyone who goes too far and does not abide in the teaching of Christ, does not have God . . . if anyone comes to you and does not bring this teaching do not receive him into your house, and do not give him a greeting.
- 2 Timothy 3:1-6 – in the last days difficult times will come. For men will be lovers of self, lovers of money, boastful, arrogant, revilers,

disobedient to parents, ungrateful, unholy, unloving, irreconcilable, malicious gossips, without self-control, brutal, haters of good, treacherous, reckless, conceited, lovers of pleasure rather than lovers of God, holding to a form of godliness, although they have denied its power. Avoid such men as these.

- 2 Timothy 3:15 – from childhood you have known the sacred scriptures.³⁶

All of these verses except the last one deal with the issue of church discipline and excommunication. This was not to be a meeting where the members could freely explore the Scriptures relating to the subject of educating children in government-run schools. Rather, the leaders perceived the issue to be primarily one of disciplining those members who did not submit to the decisions of the congregation. Nevertheless, this appeal to scriptural authority must be seen as key to Old Colony Mennonite self-understanding.

Secular Government Authority

Finally, it is important to understand the authority of the secular government, and its relation to the church. Throughout the hearings, Bishop Wiens stated his respect for the government's authority, while clearly subordinating its role to that of Scripture and the church as far as the education of children was concerned. When he did adamantly appeal to the authority of secular powers, it was in connection with the guarantee that the federal government of Canada had given to the Mennonite emigrants before they had left Russia that they would have religious freedom in all areas including the education of their children. Bishop Wiens and the ministers had brought a copy of this document with them to the hearings and were eager to get it into the hands of the commissioners.³⁷ The document, included in the record of proceedings as an appendix, stated in clause ten:

The fullest privilege of exercising their religious principles is by law afforded to the Mennonites without any kind of molestation and restriction whatever, and the same privilege extends to the education of their children in schools.³⁸

What Wiens and the other church leaders failed to realize was that the

Canadian government had amended this original agreement by adding the clause “as provided by law” effectively nullifying any guarantee granted by the *federal* government with regards to education which, by law, was a *provincial* matter.³⁹ Although the commissioners did not build their case on this discrepancy, they did focus on the tenth clause, suggesting that the Old Colony leadership was itself in violation of the principle when “preventing others exercising their privilege of doing as they like as to sending children to school.”⁴⁰

The language of “privilege” rather than “right” pervades the ministers’ discourse. When church members who were sending their children to public schools were called before the congregation, they were asked why they did not want to avail themselves of the “privilege” the government was affording them, meaning sending their children to schools where they could be taught the Scripture.⁴¹ Perhaps in their invocation of “privilege,” they were recalling the *Privilegium* promised to them by Catherine the Great in 1789, prompting the mass migration of Mennonites from Prussia to the steppes of the Ukraine. The eventual withdrawal of the exemption from military service guaranteed in that *Privilegium*, which had been renewed in writing by two subsequent Russian emperors, was the catalyst that had led to the mass migration of Mennonites to North America starting in 1874. Now, once again, they felt the promises made to them by government were being eroded one by one.⁴² Interestingly, those who were rebelling against Church authority likewise adopted the language of “privilege” and gave as their reason for leaving the church the fact that they wanted the privilege of sending their children to a school where they would receive a good education.⁴³ The Old Colony Mennonite leaders desired that the government leave them alone to live peacefully, as “the silent in the land,” except for keeping its commitment to permit them to run their private schools.⁴⁴

This quietist approach towards secular government was in stark contrast to those excommunicated members whose lobbying had precipitated the Royal Commission.⁴⁵ The letters Miller and Friesen sent prior to the hearings demonstrate their willingness to use the levers of political power to achieve their goals. With both provincial and federal elections occurring that year, they did not hesitate to remind the politicians of their faithful support to the Liberal party and its policies in the past, and their willingness to lend all possible aid in the upcoming election, with the expectation that the government would address their grievances. In early

October, Jacob J. Friesen had written:

Now, that the Dominion Election is nearing again I don't know what to do. I have allways [sic] been a supporter of liberalism but judging the present Government by its action towards our condition I can't help but loosing [sic] faith in it. I always had much confidence in Hon. Scott and his Cabinet but I fear that he will disappoint us in our believes [sic]. As far as I can learn, is the Hon. Mr. Scott afraid of the opposition to do anything in our matter. If this is really the case then I have allways had a wrong opinion about the Premier's character.⁴⁶

Earlier, prior to the provincial election, I.P. Friesen had likewise connected government action on this matter with electoral support, when he wrote, "We may add that should you decide to take energic [sic] steps in this matter shortly, we feel assured that you would make a lot of friends in this District for the forthcoming election."⁴⁷

The representatives of secular government – the two commissioners appointed to hear the grievances – saw their role as limited to listening and then passing on their recommendations to the government. Despite their evident frustration at times in trying to solicit clear responses from the bishop, they approached their work with fairness, asking incisive questions to discover that in almost all the cases presented, a member had been excommunicated for some other reason than for sending his child to a public school alone. The points of law that they felt the Old Colony leaders may have violated were in advocating a boycott, which was criminal offence, and in restricting religious liberty. But they repeatedly emphasized that it was not their intention to interfere with the Mennonites' practice of religion or to bring in harsh measures.⁴⁸ The commissioners submitted their report, in the form of a transcript with accompanying documents, but as it appears in the archives, there were no concrete recommendations.

Three hundred members of the Old Colony congregation gathered on 19 January 1909 for the meeting called by Bishop Wiens. In the letter the bishop subsequently wrote to the Saskatchewan government, he expressed the congregation's gratitude for the fact that "our belief, according to God's word, has been left undisturbed and that we have enjoyed our freedom of knowledge undisturbed by the honourable Government," and requested that that freedom might continue.⁴⁹ At the same time, Wiens also declared that the brotherhood had unanimously

voted to reject the claims of those who had rebelled against the community.

I.P. Friesen, one of those who had hoped to be released from the ban, also wrote to Premier Scott, expressing his profound disappointment that the church had decided to be stricter rather than showing any leniency whatsoever.⁵⁰ He blamed Bishop Wiens for not taking a fair vote on the issue and for not framing the question in a way that would have elicited frank discussion. Friesen stated that members had not spoken out because of their fear of being banned and boycotted themselves. Premier Scott responded to Friesen's letter with surprisingly strong language, "This species of tyranny cannot possibly be permitted to continue if the Government can find available means to stop it."⁵¹ He had written in similar language to J.E. Knipfel who had followed up his oral testimony with several written submissions urging the government to act. Scott wrote, "No class of people can be permitted by a form of tyranny to discourage others from taking advantage of a public institution so essential as is our public school system."⁵²

In spite of the strong rhetoric, there seems to have been no action taken by the Legislature in response to the reports, disappointing those excommunicated Mennonites who had hoped to force the Old Colony to limit their use of the ban in disciplining the community. However, the issue of private versus public schools did not go away. It resurfaced less than ten years later after the First World War when the new premier of Saskatchewan, W.M. Martin, determined to close the German schools and force all children by law to attend the provincial schools. Because of the unwillingness to compromise on both sides, large numbers of Old Colony Mennonites moved away to Mexico where they were once again promised freedom to teach their children as they wished.⁵³

Conclusion

While from the outside, the authority in the Old Colony Church appears to be centered in the figures of the bishop and his fellow ministers, or in the church's strong tradition handed down from generation to generation, it is clear from the testimony of Bishop Wiens that he saw the locus of authority in the congregation and in the Word of God. For the Old Colony ministers decisions were not taken by the leadership unilaterally, but by the gathered brotherhood. Also, they did not see their interpretation of Scripture as determined or even coloured by tradition, but saw it as the plain sense of Scripture, conclusions that anyone who read the Bible in

humility would also reach. From their understanding of Scripture, the education of children must be done in an environment where all knowledge was based on and derived from the Holy Bible, found not in the public schools but only in the ones the church had established. Also from their understanding of Scripture, anyone who resisted this plain teaching regarding the education of children was liable to the discipline of the community, specifically excommunication and shunning. The leaders did not arbitrarily enact this discipline on their own, but only as agreed upon by the gathered congregation.

The bishop and ministers of the Old Colony Church saw their own authority as contingent upon these two other bases of authority – the Bible and the congregation. Consequently, the commissioners as well as the excommunicated members encountered insurmountable obstacles to extracting commitments from the leaders to change their practice of disciplining those members who chose to send their children to schools other than those established by the church. The leaders declared themselves to be without the authority to change the current practice, first because of the clear teaching of Scripture, and second because such decisions would need to be taken by the congregation as a whole. The strategy of the excommunicated members had been to attempt to force change by dragging the church leadership before government powers. Because they had failed to take into account the leaders' self-perception that their authority was not inherent in themselves, the disaffected members were thwarted in their attempt.

Endnotes

1. Leo Driedger, "Community Conflict: The Eldorado Invasion of Warman," *Canadian Review of Sociology and Anthropology* 23 (1986): 247-269.
2. *The Morning Leader*, 5 January 1909.
3. "Inquiry re Practices of Old Colonier Mennonite Church: Minutes of Evidence," Proceedings of Commission of Inquiry at Warman, Dec. 28 & 29, 1908, File Ed. 12 d., Saskatchewan Archives Board, Saskatoon, SK (hereafter SAB; subsequent references to the transcript of these Proceedings will be cited as "Inquiry at Warman").

4. Leonard Doell, "Mennonite Homesteading in Saskatchewan," in *Mennonite Homesteaders on the Hague-Osler Reserve* (Saskatoon, SK: Mennonite Historical Society of Saskatchewan, 1999), 13-22; and Leonard Doell, "The Hague-Osler Reserve," *Hague-Osler Mennonite Reserve, 1895-1995* (Saskatoon, SK: Hague-Osler Reserve Book Committee, 1995), 26-38.
5. "Inquiry at Warman," 62.
6. A list of the villages in which the schools were located, along with the names of the teachers, was delivered to the commissioners in Regina two weeks later by a deputation of leaders from the Old Colony Church (see File Ed. 12 d., SAB).
7. "Inquiry at Warman," 41, 43.
8. Undated letter by J.E. Knipfel, File Ed. 12 d., SAB.
9. Editorial, *The Daily Phoenix*, 5 Jan. 1909.
10. This discourse of "progress" also is reflected in the discussion of the inquiry in Frank H. Epp, *Education with a Plus: The Story of Rosthern Junior College* (Waterloo, ON: Conrad Press, 1975), 34-39.
11. On Bishop Wiens and other leaders of the Old Colony Church in Saskatchewan, see: Leonard Doell, "Hague Osler Old Colony Mennonite Church in the Old West Saskatchewan," in *Old Colony Mennonites in Canada 1875 to 2000*, ed. by Delbert F. Plett (Steinbach, MB: Crossway Publications, 2001), 142-146; and Leonard Doell, "The Old Colony Mennonite Church," in *Hague-Osler Mennonite Reserve*, 579-583.
12. I.P. Miller, Warman, to Gerhard Ens, M.L.A., n.d., File Ed. 12 d., SAB.
13. J.A. Calder, Regina, SK, to His Honour The Lieutenant Governor in Council, 15 Dec. 1908, File Ed. 12 d., Saskatchewan Archives Board, Saskatoon.
14. Leo Driedger, "Individual Freedom vs. Community Control: An Adaptation of Erickson's Ontogeny of Ritualization," *Journal for the Scientific Study of Religion* 21, no. 3 (1982): 226-242; Leonard Doell, "Education," in *Hague-Osler Mennonite Reserve*, 635-667; and William Janzen, *Limits on Liberty: The Experience of Mennonite, Hutterite, and Doukhobor Communities in Canada* (Toronto, ON: University of Toronto Press, 1990), 100-103.
15. Jacob J. Friesen, Rosthern, to J.A. Calder, Regina, 1 Oct. 1908, File Ed. 12 d., SAB.
16. "Inquiry at Warman," 62, 72-73.

17. On Bishop Johann Wiebe and his leading role in the immigration of Old Colony Church to Canada, see Plett, ed. *Old Colony Mennonites in Canada*, 45-72.
18. [Walter Scott], Memorandum for Mr. Calder, marked "Confidential," 2 Sept. 1908, File Ed. 12 d., SAB.
19. "Inquiry at Warman," 74-75.
20. "Inquiry at Warman," 93, 95.
21. "Inquiry at Warman," 75.
22. "Inquiry at Warman," 95-96.
23. "Inquiry at Warman," 62-63.
24. "Inquiry at Warman," 96.
25. "Inquiry at Warman," 96.
26. "Inquiry at Warman," 64-65.
27. "Inquiry at Warman," 67.
28. "Inquiry at Warman," 10, 29, 31.
29. "Inquiry at Warman," 87.
30. "Inquiry at Warman," 76.
31. "Inquiry at Warman," 67.
32. "Inquiry at Warman," 88.
33. "Inquiry at Warman," 68-69.
34. Jakob Wiens, Neuanlage, to Jakob Friesen, 20 Jan. 1908, File Ed. 12 d., SAB. The letters of excommunication for Isaac Mueller and I.P. Friesen are also included, the latter with the original letter in German script.
35. "Inquiry at Warman," 95.
36. Jakob Wiens, Neuanlage, Announcement of meeting, File Ed. 12 d., SAB. The summary given of the Scripture passages is mine.
37. "Inquiry at Warman," 71-72.
38. "Inquiry at Warman," 89-90.

39. Frank Epp, *Mennonites in Canada, 1786-1920: The History of a Separate People*, vol. 1 (Toronto: Macmillan, 1974; reprinted by Mennonite Historical Society of Canada, 1993), 338-339.
40. "Inquiry at Warman," 72.
41. "Inquiry at Warman," 65, 71.
42. Abraham Friesen, *In Defense of Privilege: Russian Mennonites and the State before and during World War I* (Winnipeg: Kindred Productions, 2006), 4-10.
43. "Inquiry at Warman," 20, 31.
44. "Inquiry at Warman," 75.
45. On the Mennonite involvement in political and legislative institutions in the early twentieth century in Canada, see James Urry, *Mennonites, Politics, and Peoplehood: Europe – Russia – Canada, 1525-1980* (Winnipeg: University of Manitoba Press, 2006), 161-183.
46. Jacob J. Friesen, Rosthern, to J. A. Calder, Regina, 1 Oct. 1908, File Ed. 12 d., SAB.
47. I.P. Friesen, Rosthern, to J. A. Calder, Regina, 27 July 1908, File Ed. 12 d., SAB.
48. "Inquiry at Warman," 86, 97.
49. Jacob Wiens, Neuanlage, to the Provincial Government of Saskatchewan, Regina, 21 January 1909, File Ed. 12 d., SAB.
50. I.P. Friesen, Rosthern, to Hon. Walter Scott, Regina, 20 Jan. 1909, File M1, IV, 57. Education: Foreign Schools, 1906-1916, Scott Papers, SAB.
51. [Walter Scott, Regina], to I.P. Friesen, Rosthern, 27 Jan. 1909, File M1, IV, 57. Education: Foreign Schools, 1906-1916, Scott Papers, SAB.
52. [Walter Scott, Regina], to J.E. Knipfel, Warman, 18 Jan. 1909, File M1, IV, 57. Education: Foreign Schools, 1906-1916, Scott Papers, SAB.
53. Janzen, *Limits on Liberty*, 103-112.