

000897

A HISTORICAL STUDY OF FAMILY, CHURCH, AND
STATE RELATIONS IN NEWFOUNDLAND EDUCATION

by Sister Mary Teresina, R.S.M.

Thesis presented to the School of
Psychology and Education of the
University of Ottawa as partial
fulfillment of the requirements
for the degree of Doctor of
Philosophy in Education.



Ottawa, Canada, 1963

UMI Number: DC53659

INFORMATION TO USERS

The quality of this reproduction is dependent upon the quality of the copy submitted. Broken or indistinct print, colored or poor quality illustrations and photographs, print bleed-through, substandard margins, and improper alignment can adversely affect reproduction.

In the unlikely event that the author did not send a complete manuscript and there are missing pages, these will be noted. Also, if unauthorized copyright material had to be removed, a note will indicate the deletion.

UMI[®]

UMI Microform DC53659
Copyright 2011 by ProQuest LLC
All rights reserved. This microform edition is protected against
unauthorized copying under Title 17, United States Code.

ProQuest LLC
789 East Eisenhower Parkway
P.O. Box 1346
Ann Arbor, MI 48106-1346

ACKNOWLEDGMENT

Preparation of this thesis was under the guidance of Professor Marcel Raymond, M.A., of the School of Psychology and Education. Gratitude is here expressed for his unfailing interest and cordial assistance.

Gratitude is expressed also to Professor Antanas Paplauskas-Ramunas, Ph.D., for his interest and encouragement during the planning of the study. To Mr. A.M. Fraser, M.A. of the Provincial Archives, Saint John's, Newfoundland, the writer is grateful for his having read the manuscript in its early draft for a check on historical accuracy.

CURRICULUM STUDIORUM

Sister Mary Teresina, R.S.M. (Mary Jane Bruce) was born at Grand River, Newfoundland, on December 22, 1902. She received the degree of Bachelor of Arts from Mount Saint Vincent College, Halifax, Nova Scotia in 1940, the degree of Bachelor of Science from the Catholic University of America, Washington, D.C. in 1941, and the degree of Master of Arts in Education from the University of Ottawa, in 1957. Her thesis was entitled The First Forty Years of Educational Legislation in Newfoundland.

TABLE OF CONTENTS

Chapter	page
INTRODUCTION.....	v
I. HISTORICAL BACKGROUND - 1497 - 1836.....	1
1. Discovery and Occupation.....	3
2. The Background of Religious Differences.....	10
3. Educational Organization before 1836.....	15
4. The First <u>Education Act 1836</u>	25
II. DIVISION OF THE GRANT FOR ELEMENTARY EDUCATION - 1843.....	32
1. The Controversy over Bible Reading in the Schools.....	34
2. Attempts at Compromise.....	41
3. The General Assembly of 1843.....	45
4. The General <u>Education Act of 1843</u>	51
III. LEGISLATION FOR SECONDARY EDUCATION.....	69
1. Early Attempts to Provide Secondary Education.....	70
2. Secondary Education in the Outports.....	81
3. The St. John's Academy 1844.....	85
4. The Failure of the St. John's Academy.....	90
5. Amendments of the <u>Academy Act, 1850, 1858</u>	93
IV. SUBDIVISION OF THE PROTESTANT GRANT FOR ELEMENTARY EDUCATION.....	100
1. The Movement Towards Subdivision - 1850.....	101
2. Progress of the Subdivision Movement.....	112
3. The Investigation and Report of the Select Committee of the Legislative Council.....	120
4. The <u>Education Act of 1874</u>	133
V. IMPLICATIONS OF THE EDUCATION ACT OF 1874.....	137
1. Development of Educational Administration since 1874.....	139
2. Co-ordination of Rights of Family, Church, and State.....	144
3. Local Evaluation of the System.....	153
4. Evaluation of the System in the Light of Catholic Principles of Education.....	161
SUMMARY AND CONCLUSIONS.....	170
BIBLIOGRAPHY.....	176
<u>ABSTRACT OF A Historical Study of Family, Church, and State Relations in Newfoundland Education...</u>	185

INTRODUCTION

When in 1874 the colonial government of Newfoundland passed legislation which divided the grants for educational purposes among the several religious denominations then forming the bulk of the population, the principle of equal educational opportunity for all creeds was recognized by the State. More recent enactments have given to the major confessional groups representation on the Council of Education, the official policy making body for public education in the Island. The Terms of Union with Canada in 1949 gave to the system of denominationally organized school services a constitutional guarantee as part of the statutes of the Dominion.

It would seem that the evolution of such a system of education, under the egis of the State, must stem from factors deep in the traditional beliefs of the colonists, and that a study of the years of the development of the system might reveal the underlying forces that shaped the course which that development followed. Accordingly this study was undertaken with the purpose of examining the available records of the years following the earliest legislation in 1836 up to and including the enactment which made the final denominational separation in 1874.

The record of these four decades indicate that the pattern which the legislation adhered to was determined in the course of this period. The problem remained to investigate

the basic social and political factors as well as the religious beliefs which are bound up with the evolution of the system of denominationally administered public education.

A number of studies of the history of education in Newfoundland have appeared during the first half of this century. Burke has contributed a number of articles and addresses, two of which have dealt at some length with the development of the denominational system. His Historical Summary of Education in Newfoundland¹ and Two Centuries of Education in Newfoundland² are written in the Catholic tradition with emphasis on the importance of the early Church sponsored schools in determining the pattern which the legislation followed. He derives a considerable proportion of his historical data on Church influence from Howley's Eccelesiastical History of Newfoundland³.

In 1941 Eickman presented a Master's thesis to Acadia University, Nova Scotia, entitled The History of Education in

1 Vincent P. Burke, Historical Summary of Education in Newfoundland, manuscript found in the papers of the late Dr. Burke, written circa 1930, 12 p.

2 -----, Two Centuries of Education in Newfoundland, Address given over VORF and VOBG, October 12, 1940, Manuscript copy, 11 p.

3 M.F. Howley, Eccelesiastical History of Newfoundland, Boston, Doyle & Whitten, 1888, 426 p.

Newfoundland⁴. The study reached the conclusion that the system of organising schools for the several denominations in the communities is an unnecessary dissipation of both financial resources and teaching personnel.

Shaw's Master's thesis, presented to Mount Allison University, New Brunswick, in 1943 dealt with the system as it exists, with emphasis on more recent developments⁵. One conclusion reached was that the denominational pattern in educational administration delays unduly the implementation of policy in the actual work of the Department.

The most comprehensive study of the development of education in the province was made by Howe, in a doctoral dissertation presented at Toronto University, and published by Ryerson in 1952⁶. Rowe's study stresses early racial and religious antagonisms, and the effects of repression and persecution; it deals with the background of the denominational issue, gives a broad overview of the several aspects of the educational situation, and concludes that any violent attempt

⁴ G.A. Hickman, The History of Education in Newfoundland, unpublished Master's Thesis, Acadia University, 1941, 95 p.

⁵ L.W. Shaw, Education in Newfoundland, with special Emphasis on Some Recent Developments, unpublished Master's Thesis, Mount Allison University, Sackville, N.B., 1943, 52 p.

⁶ P.W. Rowe, History of Education in Newfoundland, Toronto, Ryerson, 1952, x-147 p.

to change the system would do more harm than good.

Phillips, in his study of Canadian Education, gives two chapters to Newfoundland, quotes Hickman frequently, describes Bishop Feild as the most powerful proponent of Church schools⁷, Sissons, in his Church and State in Canadian Education, has a section on the Newfoundland scene, drawing largely from Rowe⁸.

The several studies listed above each gave a general treatment and a broad view of the development of public education in the colony, with a necessarily limited treatment of the events of the first four decades of the history of state supported schools. It seemed expedient, therefore, to make a more detailed investigation of the years between 1836 and 1874, since this was the period during which the movement towards denominational separation was initiated, gained momentum, and finally resulted in the legislation which provided distinct grants for the several confessional groups, a voice in central administration, and autonomy of administration at the local level.

The record of these four decades indicate that the pattern which educational legislation has followed in Newfoundland for more than a century was set by the General Education

7 C.E. Phillips, The Development of Education in Canada, Toronto, Gage, 1957, xi-623 p., Newfoundland, p. 214-216, 306-307.

8 C.B. Sissons, Church and State in Canadian Education, Toronto, Ryerson, 1959, x-414 p., Newfoundland, p. 319-407.

Act of 1843, which divided the grant for the encouragement of education in the colony between Catholics and Protestants in proportion to their numerical strengths.

It was apparent also that the crucial period for the forces which moulded this pattern was the seven years immediately following the earliest educational legislation. These forces are to be found partly in the religious and racial antagonisms inherent in the history of the colony; but they are specifically found in the determination of the Protestant colonists to have Scripture Reading in the district schools, and in the equally strong conviction of the Roman Catholics that there was danger of proselytism even in optional Bible Reading in mixed schools. The controversy which this conflict of belief engendered made inevitable the denominational division of 1843 between Protestants and Catholics, and led finally to the establishment of the purely denominational administration by the Act of 1874.

At this time when so much thought is being given to the problem of religious freedom and equitable distribution of finances in the schools, it seems appropriate to examine the way in which an isolated and impoverished British colony, seeking earliest experience with democratic local government, a way of life for its people, found a means of satisfying the demands of the several denominational groups, so that parents might have their children "educated according to the sacred

demands of conscience...and that the exercise of this right to follow his conscience should not cost one parent more than another⁹.

This study is concerned with the early years of representative government in Newfoundland, therefore the term "state" will in general be interpreted as referring to the colonial government and its modifications under provincial status.

As we are considering the several denominational groups in the Island, "church," will denote the several spiritual lineages to which the people of the Island belong, except obviously when any one particular group is being considered. A "denomination" is defined in the Education Act as follows: "a religious denomination for which educational districts have been established by or under Section 5 of this Act¹⁰". In general a confessional group must reach a numerical strength of ten thousand before it may be recognized as a "denomination" for educational purposes. The districts, as defined by the Education Act of 1916¹¹, are described as "a number of areas of convenient dimensions, organized for

⁹ A.C.F. Beales, "The Catholic Case for the Catholic Schools," in the Tablet, London, England, Vol. 194, No. 5712, issue of November 12, 1949, p. 308-309.

¹⁰ Newfoundland House of Assembly, An Act Respecting Education, July 5, 1960, Section 2(e).

¹¹ Newfoundland House of Assembly, Education Act, 1916, St. John's, Newfoundland, King's Printer, 1916, Section 4(a).

educational purposes for each religious denomination," and it is worth noting in passing that these districts are in many cases overlapping, several denominations having districts assigned within the same territorial area.

Following the counsel of Brickman¹², the first chapter on Historical Background has drawn on reliable secondary sources, which have been examined and compared for their authenticity. The work most frequently cited is Reeves, History of the Government of Newfoundland (1793)¹³. The writer, Chief Justice Reeves, compiled this volume on his return to England in 1791. His sources, he tells us, are "the Newfoundland Entries and the Newfoundland Bundles among the books which belonged to the late board of trade, also the Registers of the present Committee of Council of Trade and Plantations"¹⁴.

Pedley quotes widely from Reeves in his History of Newfoundland from the Earliest Times to 1863, but includes also some relevant correspondence. Anderson and Wilson, History of the Church of England in the Colonies (1856), and Newfoundland and its Missionaries (1866), give the background of Anglicanism and Methodism respectively in the colony.

¹² W.W. Brickman, Guide to Research in Educational History, New York, New York University Bookstore, 1949, p. 137.

¹³ For full bibliographical data on these secondary sources cf. Bibliography p. 183, et seq.

¹⁴ John Reeves, History of the Government of Newfoundland, London, Sewell, 1793, p. 1.

Howley's Ecclesiastical History of Newfoundland (1888), mentioned earlier, was helpful in appreciating the Catholic position in the Island in the late eighteenth and early nineteenth centuries.

Other histories examined were Anspach, A History of the Island of Newfoundland (1827), Bonnycastle, Newfoundland in 1842, (1842), and Frowse, A History of Newfoundland (1896), which McIntosh designates "the standard history of the Island but a very poor history."

For the succeeding chapters, the sources have been in the main primary documents. They included the legislative enactments of the colonial government from 1836 to 1874 in so far as these were concerned with education; the Journals of the Assembly and the Journals of the Legislative Council for the same period; the Reports of the Inspectors, sometimes included in the Journals, in other cases printed separately; these reports were useful in getting insight into the implementation of the legislation in the district schools. One of the most useful documents was the Report of the Select Committee of the Legislative Council on Education (1873), which summarized the findings of the Committee, in its survey of the views of the colonists concerning the subdivision of the Protestant grant for education.

Because for some years after the introduction of representative government, the Journals were very brief, and

since the newspapers carried the report of debates in the House, it was thought well to supplement the information found in the journals and proceedings by an examination of the leading publications. It was obvious that the newspapers were biased in one or the other direction, therefore it seemed advisable to make use of the papers that were opposed in their positions. Accordingly, the Newfoundlander, published by the Shea family, and representing the Catholic and Liberal point of view, was compared with the Public Ledger, published by the Wintons, father and son, and representing the views of the Wesleyan Methodists and the Conservatives. In addition, the Newfoundland Patriot, published by R.J. Parsons, and said to represent sometimes the Church of England, sometimes the Catholic position, was used to supplement the information found in the other two. Occasionally, information was found in the Times, but as this publication seemed not to have possessed any great influence, and its existence was of short duration, its use was not extensive.

Chapter V is based on the educational legislation of more recent years, as indicating the implication of the denominational amendment of 1874 in all subsequent legislation. It draws also on the more recent pronouncements of the people of Newfoundland, and of Christian thinkers in Europe and America on educational principles.

Direct quotations were used freely, not only in order to avoid misrepresentation, but also because the opinions were so clearly expressed as to render paraphrasing inadvisable, if not actually presumptuous. This is especially true of Chapters II and V.

The writer was fortunate in securing interviews with members of the Department of Education at Saint John's, who gave valuable assistance in interpreting the legislation. The present Minister of Education in the Province, Dr. G.A. Precker gave manuscript copies of lectures and studies he had made, especially his Administration of Education in Newfoundland given to the Newfoundland Teachers' Association in July, 1943, and Education and Minority Groups in Newfoundland, prepared for Dr. H.P. Meffatt in making a study of Minority Privileges in Canada, (1952).

Mr. A.M. Fraser, M.A. (Edinburgh), formerly head of the Department of History at Memorial University, and presently Provincial Archivist, read the manuscript for a check on its historical accuracy, especially in the first three chapters. He offered valuable suggestions on the organization and cleared up several intricate points in the references.

This study is thus organized into five chapters. In the first chapter, the background of historical events up to and including the earliest legislation for the aid and encouragement of Education is summarized.

The second chapter follows in some detail the controversy on Bible Reading in the district schools, which precipitated the division of the Education grant between Protestants and Roman Catholics in 1843.

Chapter III reviews the development of legislation for secondary education, from the First Academy Bill, which provided for a non-denominational institution in 1844 to the provision for three separate denominational academies in 1858.

The fourth chapter is concerned with the movement which began in 1850 for subdivision of the Protestant grant among the major Protestant denominations, a movement which finally resulted in the Denominational Act of 1874.

Chapter V investigates the way in which the legislation of 1874 has affected the various aspects of the Newfoundland system of organization and administration in the schools, and attempts an evaluation of the principles on which the legislation is based.

CHAPTER I

HISTORICAL BACKGROUND - 1497 - 1836

The pattern that administration of education has followed in Newfoundland for nearly a century--since 1874 to be specific--is the final result of many efforts of the local legislature to provide what Frecker has described as "a uniform system of education within a denominational framework¹." The system attempts to integrate the rights of Family, Church, and State by providing for a measure of elementary and secondary education for the children of the people, in schools financed in great measure by government grants, and organized by local boards under Church leadership.

The pattern of organization and administration is based essentially upon representation of the different religious denominations according to numerical strength. The first legislation for education in the Island was enacted in the 1830's at a time when the colony was experimenting with its earliest form of local government, and was emerging from the effects of three centuries of maritime government, a government that had retarded the colony's growth in every respect--political, economic, social, and cultural.

¹ G.A. Grecker, Educational Administration in Newfoundland, unpublished manuscript of an address to the Newfoundland Teachers' Association Convention, July 23, 1943, p. 2.

Legislating for educational organization at this period, it was necessary to meet the needs of a rapidly growing population, which comprised diverse elements as regards ethnic background, religious affiliation, and social and economic circumstances. There was the comparatively numerous merchant group, many of them long connected with the fisheries and the trade of the Island, others but newly arrived from Britain. There were the descendants of the early settlers, a scattered population occupying the Avalon Peninsula, and the shores of the great bays. There were, in addition, the numerous immigrants from Ireland, some of whom had only recently sought refuge in the Island following the Irish troubles of the late eighteenth century².

For these Irish settlers and for the descendants of the early planters too, there were traditions of long years of repression at the hands of the Imperial Government. The attitude of a considerable number of the population then towards law and its enforcement would be one of suspicion and antagonism.

To find a means of uniting and unifying these diverse elements demanded consummate wisdom and statesmanship. The colonists must be made cognizant of their rights and their

² M. Harvey, Textbook of Newfoundland History, Boston, Doyle & Whittle, 1885, p. 114, also M. W. Howley, Ecclesiastical History of Newfoundland, Boston, Doyle & Whitten, 1888, p. 403.

obligations; of their responsibilities as electors of their representatives in the newly formed assembly. Obviously one of the foundations of such unity would have to be a means of public education.

In legislating for educational organization as for other needs of the colonists, the legislature had to take into account prejudices that were the result of past mismanagement and repression. In order to appreciate the difficulties that stood in the way of such legislation, one must view it against the background of the temper of the time, the popular attitude toward both church and state in particular. A brief overview of the early years of settlement may be useful in this respect.

1. Discovery and Occupation.

Newfoundland was perhaps visited as early as 1000 A.D. by Norsemen. There are many traditions to that effect. The earliest record of discovery however is that made by the Cabots in 1497. This expedition found that the waters surrounding the "new isle" were rich fishing grounds, and soon fishing fleets from the various countries of Western Europe were engaged in reaping the harvest of the sea.

Britain claimed the Island by right of discovery, though it was not until 1583 that Gilbert took formal possession in the name of Queen Elizabeth I. When this proclamation of sovereignty was made, ships from several European countries were in

St. John's Harbour, for Reeves tells us that Gilbert

...by virtue of his authority...landed in St. John's Bay, and we are told that calling together both English and strangers, then fishing, took possession in the queen's name, and erected the arms of England upon a pillar of wood, in testimony of her Majesty's sovereignty³.

Gilbert's proclamation does not appear to have had any immediate effect upon the situation in the Island. It was not until 1610 that an organized attempt to plant a colony therein was made by John Guy of Bristol. Guy's settlement was made in Conception Bay, near Cuper's Cove, now known as Cupida. The colony was disbanded after a few years, but it is quite possible that some of the colonists remained in the Island. At any rate, at the time of Calvert's founding his colony in Ferryland, that craftsmen were recruited from the Conception Bay, and that the Reverend Erasmus Stourton, a Protestant clergyman, who was one of the group brought by Guy, was in the Island at that period, is attested to by reliable witnesses⁴.

About 1623, George Calvert received a patent for a colony, and was, according to Howley, "invested with absolute civil and ecclesiastical authority." The establishment at Ferryland appears to have been on a comparatively generous scale. Substantial sums were expended on buildings and

³ John Reeves, History of the Government of the Island of Newfoundland, London, Sewell, 1793, p. 6.

⁴ Howley, Ecclesiastical History of Newfoundland, Boston, Doyle & Whittle, 1888, p. 105.

fortifications, a governor was sent out, and Calvert came himself to the site with his family. But the climate was found too severe, the soil was not fertile at this spot, and in 1630, the Newfoundland colony was abandoned. Calvert moved to the grant of land made to him in what is now Maryland.

Some years later, a third attempt at settlement was made on the site of the Calvert colony at Ferryland. Howley says that David Kirke received the grant for a colony in 1637, that his sons were still in the Island at the time of the Restoration, and that, at that period, the heirs of Lord Baltimore disputed the claim of the Kirkes to the land⁵.

There is mention, in both Howley and in Pedley, of attempts made to found a colony in Newfoundland by Dr. Vaughn and by Lord Falkland, the Lord Lieutenant of Ireland^{6,7}. If such foundations were attempted, they were apparently on a small scale, and no reliable record of their existence is available.

As early as 1533, Star Chamber concerned itself with the subject of the Newfoundland fisheries and ruled that the mayors of specified Western English ports were to take cognisance of all complaints against offenders upon land in

⁵ Howley, Op. Cit., p. 126.

⁶ Reverend Charles Pedley, The History of Newfoundland, Longmans Greene & Co., London, 1863, p. 23.

⁷ Howley, Op. Cit., p. 82.

the Island, while the vice-admiral in the counties of Southampton, Devon, and Cornwall were to proceed against offenders at sea⁸.

The growth of a resident population was not in accord with the designs of the fishing merchants of Britain, and they induced the Imperial Government to enact regulations whereby the permanent population of the Island should be kept as small as would be convenient for the care of the fishing premises during the winter.

Throughout the late seventeenth and most of the eighteenth centuries, these enactments were renewed, usually at the insistence of the merchant adventurers. The history of these years is described as

...the struggles and vicissitudes of two contending interests--the planters and inhabitants on the one hand, who being settled there, needed the protection of justice; and the adventurers and merchants on the other, who, originally carrying on the fishery from this country, and visiting the island only for the season, needed no such protection for themselves, and had various reasons for preventing its being afforded to others⁹.

Such a situation could not contribute to the development of a well-ordered, law-abiding colony. It could and it did build up an attitude of distrust, antagonism, and finally a complete disregard of authority. Reeves describes at some length the course of the struggle between the merchant fleets

⁸ Reeves, Op. Cit., p. 10.

⁹ Reeves, Op. Cit., p. 33, see also Introduction, p. B.

and the colonists, and shows that, even after the appointment of a governor, the influence of the adventurers was strong enough to counteract any benefits that might have accrued to the settlers from his authority. The effects of this struggle were far reaching, and they hampered the functioning of the early legislatures, in the years after the last vestiges of the repressive enactments had been repealed.

Added to the fact of the harsh laws against settlement, we find equally cruel religious persecutions. The penal laws of England and Ireland were applied with no mitigation in Newfoundland. It must be admitted that the severity with which these laws were enforced depended to a great extent upon the personal attitude of the existing authorities; this fact is borne out by the difference in the treatment of religious incidents under different governors¹⁰.

During the eighteenth century, great numbers of Irish settlers came to Newfoundland. Some of them were members of the fishing crews who remained after the return of the fleets to England in the autumn. Increasing numbers of Irish settlers came to the Island after the Irish rising in 1798. Thus a third element of discord was added, that of racial antipathy.

Towards the close of the eighteenth century, the population of Newfoundland comprised mainly settlers of English,

¹⁰ Howley, Op. Cit., p. 172, 178.

Irish, and Scottish extraction. As late as 1775, Pallisers Act had renewed the earlier decrees against settlement¹¹. The colonists were still without clergy, without schools, without the ordinary protection of civil authority.

McLintock has written as follows concerning this period of the island's history:

The colony appeared doomed. Condemned by the economic and mercantile theories of the day, ignored by a lethargic and inefficient colonial administration, crushed by an unnatural code of laws, and harrassed by the relentless policy of the Committee for Trade, the unfortunate inhabitants seemed to face an unhappy and uncertain future. Yet in spite of such oppression, the closing decade of the eighteenth century foreshadowed the coming changes. It marked the gradual emancipation of the colony from the restraining shackles of the past. It saw the end of centuries of dominance by selfish and tyrannical men. It witnessed the amazing growth of an unwanted colony destined to win a tardy recognition from a grudging government.... Without the incidence of the eighteenth century wars, it is doubtful whether the colony would have survived at all, so rigorous was the policy against settlement¹².

If McLintock attributes the gradual abrogation of the repressive laws against settlement to the extremities in which England found herself as a result of the European Wars of the eighteenth century, Howley, writing more than half a century earlier, ascribes the mitigation of religious persecution to the successful outcome of the American Revolution. He reasons

11 Reeves, Op. Cit., p. 52.

12 A.M. McLintock, The Establishment of Constitutional Government in Newfoundland. A Study of Retarded Colonization, London, Longmans, Green & Co., 1941, p. 145.

thus:

It was dangerous to exasperate men who could not be expected to retain their allegiance to the British Crown, and who incited by the example of their American neighbours, might be driven into rebellion¹³.

But though the laws against Catholics were revoked towards the end of the century, and the Catholic Church was publicly organized under Dr. O'Donel, in 1784, the effects of the centuries of repression and of persecution lived on to render more difficult any unified action among the colonists. Unfortunately the years of the nineteenth century were marked by outbreaks of religious antagonism and rivalry, and the political life of the colony was marred by incidents of violence and outrage.

Since the religious affiliations of the colonists has been so important a factor in determining the pattern which the administration of education followed, it will be useful to review the origins of the several confessional groups and their position in the island in the years before the late eighteenth century, when some measure of toleration may be considered to have been achieved.

¹³ Howley, Op. Cit., p. 179.

2. The Background of Religious Differences.

When Newfoundland's legislature established denominational representation as a principle in the administration of state supported education in 1874, six religious groups were recognized: the Church of England, the Roman Catholic Church, the Wesleyan Methodists, the Congregationalists, the Church of Scotland, and the Free Church of Scotland¹⁴. The two groups mentioned first were the most numerous, though the Wesleyan Methodists were growing rapidly in numbers.

Newfoundland was a British colony by right of discovery, and, more officially, by Gilbert's proclamation in 1853. It was to be expected therefore that the Church of England would be considered the official religion of the Island. In fact, one of the directives in 1583 was to this effect, and the vigor with which some of the early resident governors upheld that view is a matter of history. Nevertheless, the Church of England was not extensively organized in the first three centuries of the Island's settlement. Reeves tells us that, in the early eighteenth century, there was a resident clergyman only in St. John's¹⁵. Later, the Society for the Propagation of

¹⁴ Government of Newfoundland, An Act to Amend the Acts for the Encouragement of Education, and to Provide for the Denominational Sub-division of the Monies Appropriated for the Protestant Educational Purposed, in Statutes of Newfoundland, 37 Vic., 29 April, 1874, Sec. 7-10.

¹⁵ Reeves, Op. Cit., p. 90.

the Faith supplied some training and instruction in religious practice, and brought clergymen and lay preachers to the outlying districts. Yet, when Dr. Aubrey Spencer came to the colony in 1839, he reported that there were only eight clergymen of the Church of England in the whole colony¹⁶.

However, in the course of two years, following the appointment of Dr. Spencer as Bishop of the colony, there were twenty-five clergymen and twenty new churches. It appears therefore, that only competent leadership was needed to improve the situation¹⁷.

Roman Catholicism may be said to have come to Newfoundland with Calvert's settlement in the 1620's. We have evidence of the Catholicism of this colony of Calvert from complaints lodged with the Mayor of Plymouth by the Reverend Erasmus Stourton to the effect that Calvert had brought with him priests who

...said Mass every Sunday and used all other ceremonies of the Church of Rome in the ample manner, as 'tis used in Spain, and how the child of one William Poole, a Protestant, was baptized in the Romish Church by order of Lord Baltimore¹⁸.

Mullock and Howley mention Catholic priests in the Island while it was occupied by the French, and there is also

¹⁶ James S.M. Anderson, History of the Church of England in the Colonies, Vol. 1, Rivington's, 1856, p. 340.

¹⁷ Anderson, Ibid., p. 340.

¹⁸ Howley, Op. Cit., p. 106.

mention of a monastery of Franciscan Récollets in Placentia. Mullock claims that the Bishop of Quebec visited Placentia and that he authorized the founding of religious institutions in all parts of St. Peter's and Newfoundland. Mullock moreover claims that Catholic priests, generally from Waterford, Ireland, he says, visited the Island in disguise; though there is no record of such visits.

That the Catholic population was heavily penalized for their religious practice is amply witnessed by records of the period. Pedley, an Anglican clergyman, gives some instances of Governor Doril's administration, when in Harbour Main Catholics were fined, their homes burned, and many of them were deported, because they had allowed a priest to offer Mass in a fishing station of that settlement¹⁹.

It was not until 1832 that the final disabilities against Catholics were revoked. A letter from Viscount Goderich, His Majesty's Secretary of State for the Colonies to Mr. President Tucker, forwarded by the Colonial Secretary to Bishop Fleming states:

His Majesty's Roman Catholic subjects resident in Newfoundland have been relieved in the Governor's new commission under the Great Seal, from all the civil disabilities to which they were previously subject²⁰.

19 Charles Pedley, Op. Cit., p. 92, et seq.

20 Lord Grey, Letter with Communication of Colonial Secretary to Dr. Fleming, in the Newfoundlanders, No. 258, issue of June 28, 1832, p. 2, col. 2.

This final relief from civil disabilities was in accordance with the Catholic Emancipation Act of 1829, that had been won by O'Connell in the British parliament. However, Kent could complain as late as 1837 that posts of emolument were still in great measure denied to Catholics²¹.

The Wesleyan Methodists came to Newfoundland, according to Wilson, about 1765. He says that, at first, they were subject to severe penalties for the practice of their form of worship. However, they increased rapidly, and in the nineteenth century, they became a force to be reckoned with in the enactment of educational legislation²².

Though small in numbers, the Church of Scotland and the Free Church appear to have been an influence in educational development in the early life of the colony. Traditionally devoted to securing educational advantages for their children, the Scottish settlers seem to have been in the forefront of any movement for reform or progress in the mid-nineteenth century²³. These two groups, as well as the Congregationalists, allied themselves with the Wesleyan Methodists in opposition

21 John Kent, "Debate in the Assembly," in the Public Ledger, Vol. 15, No. 1490, issue of August 1, 1837, p. 2, col. 2-4.

22 William Wilson, Newfoundland and its Missionaries, Cambridge, Mass., Dakin & Metcalf, 1866, p. 96-98.

23 Adam Stuart Muir, "Letter to the Editor," in the Public Ledger, Vol. 27, No. 2019, issue of February 15, 1850, p. 4, col. 1.

to proposed legislation for two colleges in 1843, and they appear to have been associated with the Methodist group in the 1850's, when the question of subdivision of the Protestant grant was being discussed²⁴.

Such were the religious affiliations of the population of Newfoundland at that period when the legislature was endeavouring to provide a system of administration of education that would be acceptable to the colony as a whole. Insular by tradition, the people were settled in isolated villages along an extensive coastline. The task of uniting these varied elements into a unified community was the aim of the more thoughtful among the members of the legislature.

Unfortunately, not even the best efforts of leaders in Church or State could easily blend so many opposing principles and attitudes into harmonious association. The political life of the colony shows too frequent evidence of rancours that obstructed the path to development. That even a measure of progress was achieved in the face of such difficulties is to be attributed to the inspiration of enlightened and competent leadership.

²⁴ Meeting on the Two Colleges Bill, Report, in the Newfoundlander, No. 809, issue of February 23, 1843, p. 1, col. 1-4.

3. Educational Organization before 1836.

That there was little opportunity for any formal education among the early colonists of Newfoundland is a fact too obvious to need elaboration. In the scattered fishing villages, the energies of the settlers were necessarily devoted to maintaining a precarious existence in a milieu that offered little security, and that held always the threat of persecution both civil and religious.

There were undoubtedly instances where the families of the settlers could be given the elements of literacy as well as of religious and moral training in small groups, but the number of those qualified to give even rudimentary instruction was limited, especially in the smaller settlements.

The first attempt to organize a school for the children of a locality appears to have been made in Bonavista Bay, by a member of the Society for the Propagation of the Faith, about the year 1726²⁵.

According to Anspach, this Society received its charter for the mission about 1701²⁶. The Society for the Propagation of the Faith was active in Newfoundland during the eighteenth

²⁵ Vincent P. Burke, Two Centuries of Education in Newfoundland, Address given over VONF and VONG, St. John's, October 12, 1940, manuscript.

²⁶ Louis Anspach, A History of the Island of Newfoundland, London, Sherwood, Gilbert & Piper, 1827, p. 478.

century. Anderson mentions several members who were engaged in religious and educational work in the island, especially Jones at Bonavista, Jackson "and others" at St. John's, and Kilpatrick in Trinity Bay²⁷.

It is Jones who is credited with having built the first school house in Bonavista and having organized classes for the children of the vicinity. Concerning the work of the Society, Blackall wrote:

A call for the administration of the Church also became insistent during this period (the early eighteenth century), and the Society for the Propagation of the Faith was persuaded to send missionaries out to serve the people. One of the first to arrive was the Reverend H. Jones. Mr. Jones immediately opened a school in Bonavista, the first school in Newfoundland, unless a French Convent in Placentia included a school at an earlier date. This is probable...By 1842 the Newfoundland School Society had sixty schools in operation²⁸.

The schools organized by the Society for the Propagation of the Faith were merged gradually into what came to be known as the Newfoundland School Society, an organization under the patronage of the Church of England, and, as late as 1850, there is question of whether the Society was a purely Episcopal body or whether it is intended to serve Protestants

27 Anderson, Op. Cit., p. 336.

28 W. S. Blackall, A Brief Survey of Education in Newfoundland, St. John's, Newfoundland, published by the Literature Committee of the Diocesan Synod, July-August 1939, p. 250-251.

generally²⁹.

The School Society owed its inception to a merchant of St. John's, Samuel Codner, who enlisted the support of philanthropic groups in England and Scotland for the aid of its schools³⁰.

The educational work achieved by these societies has been justly lauded by writers of this period and by those who in 1873 sent replies to a circular of the Select Committee of the Legislative Council, on the condition of education in the colony. They were, it would appear from these witnesses, among the most effective of the agencies which helped to uplift the people of the Island, in the period before any government aid was forthcoming³¹.

Another philanthropic organization was the St. John's Charity School, organized under the patronage of Governor Gambier. Of this institution Patrick Norris wrote:

²⁹ Bishop Feild, Letter to the Editor, in the Ledger, Vol. 27, No. 2019, issue of February 26, 1850, p. 2, col. 1-3.

³⁰ Vincent P. Burke, Two Centuries of Education in Newfoundland, Address given over VCPG and VONP at St. John's, Newfoundland, October 12, 1940, Manuscript copy, p. 1-2. See also "House of Assembly," in the Ledger, Vol. 27, No. 2017, issue of February 15, 1850, p. 1, col. 2-3.

³¹ Select Committee of the Legislative Council on Education, Report, in the Journal of the Council, 1874, St. John's, Newfoundland, J.C. Withers, Queen's Printer, Appendix, p. 21.

In the year 1892, during the government of Admiral, now Lord Gambier, there was a school established for the education of the poor at St. John's, under the denomination of a "Protestant and Roman Catholic School." This school owes its origin in great measure to Lord Gambier; and I believe he was assisted in his laudable object at the time by the Roman Catholic Bishop, Doctor O'Donel, and by others of influence then in the country. It has since been supported partly by aid from the local government and by volunteer subscriptions on the part of the inhabitants³².

According to Morris, there were about 250 to 300 children educated in this school, which was under the direction of a general committee consisting of the clergymen of the various religious persuasions and others of the "principal gentlemen of St. John's." The Charity School was still functioning well into the nineteenth century, as we find from reports of the committee published in the press of the 1840's.

Still another philanthropic society which undertook to provide some educational opportunity for the children of the poor was the Benevolent Irish Society, founded in 1806 by a "group of Irish gentlemen actuated by a spirit of Christian charity characteristic of their race³³." In 1823, the Society decided to make some provision for the needs of the poorer children, for whom the existing schools were altogether

³² Patrick Morris, Remarks on the State of Society, Religion, and Morals at Newfoundland, London, Published by A. Hancock for Sherwood, Gilbert & Piper, 1827, p. 20.

³³ Benevolent Irish Society, Constitutions, quoted in the Report of the Orphan Asylum School, in the Newfoundlander, No. 507, issue of April 13, 1837, p. 3, col. 2.

inadequate, and, in 1826, it opened the school known for years as the Orphan Asylum School, an institution, which at its inception, was open to children of all religious denominations, but which, in time, came under the direction of the Roman Catholic Bishop of St. John's. The original Rules and Constitutions of the Orphan Asylum School indicate its general character:

The Society impressed with the importance and necessity of affording to the children under their care a strictly religious and moral education, it will be the duty of the superintending committee to appoint certain times to be set apart for the religious instruction of the children, when the children of the different religious persuasions to which they may belong shall be instructed in such manner as their respective clergymen shall direct; it being an object of the first importance with the Society to cultivate that Christian love and charity which so happily exist in the Community....It will be the duty of the Committee to see that no books or catechisms should be admitted, either in the course of the literary or religious instruction containing any matter calculated to excite contempt, hatred or any uncharitable feeling in any classes, towards persons of a different religious persuasion³⁴.

Since the children of the Irish colonists were for the most part Roman Catholics, the school, as has been noted, soon came under the direction of the Roman Catholic Bishop, but the latter, considering the instruction of boys and girls in the same classrooms to be undesirable, brought to the Island in 1833 a group of Presentation Nuns from Ireland, to undertake

³⁴ Rules and Constitutions of the Orphan Asylum School, in the Newfoundland, Ibid.

the instruction of the girls of the Catholic population³⁵.

One other charitable school which was in operation before the first educational legislation was enacted was the St. Patrick's Free School in Harbour Grace, under Catholic auspices.

The early schools then, were organized for the children of the poor, under the direction of the Churches, or under Church sponsored institutions. This circumstance is perhaps one of the most significant in understanding the importance that the Churches have always been given in the organization and administration of education in Newfoundland. As Burke reminds us:

For over a hundred years it was the clergy, the Society for the Propagation of the Gospel, the Colonial and Continental Church Society, and other religious agencies that supplied education to the people...The children of the country and the country itself are deeply indebted to the different religious denominations for their ever abiding interest in, and for the great support and material help they have given education³⁶.

All of the schools listed above were for the children of the poor. From numerous notices in the press of the early and mid-nineteenth century, it is evident that a number of private schools existed, especially in St. John's. These schools provided for a small select number of pupils, some

35 Howley, Op. Cit., p. 228-229.

36 Burke, Op. Cit., p. 4.

offering instruction in the elementary branches, others providing tuition in more advanced branches of study. These small private schools continued to function long after the legislation of 1836 had provided for the organization of the district schools. A few of them were small boarding schools, so that they offered opportunities to children from distant outports. It was the custom, however, for the well-to-do families to send their children to Great Britain or to Ireland for more advanced study.

But, for the bulk of the people, the schools, such as they were, and inadequate as they were, the accommodations they provided, were organized, staffed, and financed in one way or another by the churches or under church auspices.

Therefore, when the colony at last emerged from the centuries of oppression under a dictatorial and autocratic administration, and endeavoured to chart its course to a better way of life for the growing population, the traditions set by the church-sponsored schools had left their mark upon the thinking of the people who would control the destinies of the colony.

The schools in operation in 1836 had been set up with the dual purpose of providing some rudiments of learning and of furnishing a means of instructing the children in the doctrine and practice of their respective confessional groups. The demands of the local boards for Bible Reading in the schools

that precipitated the division of the educational grant, the insistence of the Catholic members of these same boards for protection from the risk of proselytism, the growing demands of the dissenting Protestant groups for recognition in the administration of the schools, all stem to a great extent from the fact that all the early provision for education which the colonists had known heretofore, had been in schools under the direct supervision and direction of the churches.

In addition to the traditions established by church-sponsored schools, one must remember also the fact of racial and religious antagonisms, rivalries necessarily initiated in the new political regime, and the scramble for lucrative and honorable posts in the recently established government. The result was unfortunately a growing distrust and suspicion. The newly constituted electorate were determined to insist on what they considered their just demands from the legislature. The latter, in turn, had to attempt to mould the conflicting demands into some form that would give satisfaction to their constituencies, and yet keep the good of the newly institutionalized colony ever in view.

It was fortunate for the colony, emerging from the restrictions and oppressions of three centuries of maritime rule, that it could find leaders of competence and learning to direct the course of the early legislation, and, in particular, the legislation for education.

It is generally acknowledged that the outstanding leaders in the struggle for local representation in the government of the colony were the Scottish physician William Carson and the Irishman Patrick Morris. It needed the reasoned wisdom of the learned Scot and the persuasive eloquence of the youthful Irishman to arouse the colonists to a sense of their power and their responsibility, and to convince the Imperial Government that now drastic constitutional changes were in order in the colony.

By public meetings, by pamphlets, and by correspondence in the press, these men succeeded in enlisting in the cause some of the keenest intellects and the most capable organizers of the time. By 1832, the colony had at last been granted its demands for representation in the legislature, and when, in 1833, the first local legislature met, it could be said that the new era had begun.

The difficulties in charting the course of the new body for the best interests of the colony were well-nigh insuperable. It soon appeared that, as McLintock puts it:

Though the unjust enactments of bygone years had been repealed, their cumulative effect on the island's social life could not be eradicated, and evils which had flourished under the misrule of centuries lived on to harass and almost destroy the infant government³⁷.

37 McLintock, Op. Cit., p. 190.

Chief among these affects of the past, the same author places the religious antagonisms, which led to both political and sectarian strife and which, fanned by unscrupulous men, lived on through the decades of the new era, and had always to be reckoned with in the enactment or amendment of legislation.

Nowhere did this religious and racial antagonism play a more conspicuous part than in the protracted search to find a plan for a school system, financed by the state in great part, and protected by statutory provisions, while at the same time affording a framework wherein the demands of the families for religious training could be met, and the churches could be called upon to continue their role of guidance and inspiration.

This was one of the tasks that awaited the new local legislature, and, over the succeeding decades, the many changes that were necessary to achieve this end were all made in view of reaching a modus operandi that would make possible a harmonious and fruitful partnership between the various agents concerned in the responsibility for organization and administration of education.

4. The First Education Act 1836.

When Newfoundland elected its first representative body in 1832, it was understood that one of the most pressing needs of the colony was some provision for public education. During the struggle for a representative form of government, one of the advantages most frequently stressed by the leaders of the movement was the fact that the local government would be in a position to provide funds for schools. Both Carson and Job, in addressing a public meeting in St. John's in 1831, urged the need for elementary schools, and for an academy in St. John's³⁸.

Some mention has been made of the schools organized by various public-minded societies. It appears from the records that the Imperial Government had made some small grants to these establishments. In the Memorandum accompanying the Governor's message to the Colonial Legislature, in January, 1833, at the opening of the first local legislature, the following institutions are noted: "The St. John's Charity School, established by Lord Gambier, to which the Imperial Government had granted 104 pounds sterling annually, the School Society receiving an annual grant of 100 pounds sterling." The Memorandum

³⁸ Account of a Public Meeting and Petition of the Inhabitants of St. John's, in the Island of Newfoundland, in the Newfoundlander, No. 220, issue of October 6, 1831, p. 1, col. 1-4, p. 2, col. 1-3.

shows that the School Society employed twenty-two teachers, an indication of the contribution of voluntary agencies in the colony.

The Orphan Asylum School, established by the Benevolent Irish Society, is mentioned, but no mention is made of any assistance given it. The memorandum notes that thirty-five schools are operating under the Established Church, but adds that "not a single Seminary for the education of the young of the higher class of society" is in existence. Parents are compelled to send their children to Britain or to the neighbouring colonies for education beyond the elementary, and the Governor feels persuaded that the House will give its attention to the matter of providing for an academy³⁹.

A select committee was appointed by the legislature to investigate the possibilities of providing for schools in the colony, and, in their report, they suggested that

...Your committee consider that the voluntary system works advantageously, and therefore they would recommend that assistance be given by the Legislature by immediate grants of money, to be placed at the disposal of the several Societies and individuals who direct and govern for the gratuitous education of the poorer classed, schools of such importance as to claim the attention of the Legislature⁴⁰.

³⁹ Memorandum on the Judicature of Newfoundland and on other subjects connected with the colony, in the Newfoundlander, No. 287, issue of January 17, 1833, p. 1-3.

⁴⁰ W.W. Pilot, Special Report on Newfoundland, 1901, Appendix, cited by V.P. Burke, in The Book of Newfoundland, Book of Newfoundland Publishers, 1937, Vol. 1, p. 290.

Accordingly, when the first grant for educational purposes was made, the schools already in existence were included in the allocation of funds.

The earliest Education Act, passed in 1836, provided a grant of 2100 pounds sterling annually for five years for the establishment and support of elementary schools in the colony. Provision was made for specified sums to the schools already established--to the Newfoundland and British North American School Society, the sum of 300 pounds sterling, to the Orphan Asylum School and the Presentation Convent School, both at Saint John's, 100 pounds sterling each, and 100 pounds sterling to the St. Patrick's Free School in Harbour Grace. Setting a pattern for future denominational allocations, the Act divided these specific grants equally between the schools under Roman Catholic auspices on the one hand and the School Society, which took care of Protestant children on the other⁴¹.

The remainder of the 2100 pounds sterling granted was to be allocated to boards in the nine electoral districts of the colony. It was not provided that these boards should represent any particular denomination.

To provide for the organization and administration of the district schools, the Governor was to a point:

⁴¹ Newfoundland Assembly, An Act for the Encouragement of Education in the Colony, passed 6th May, 1836, 6 Geo. IV., Cap. 13, in Statutes of Newfoundland.

...thirteen persons who shall be a Board of Education for every such district; in which Boards shall be included the senior or superior clergyman of each of the several Religious Denominations, being actually resident within the District⁴².

Two of the above clauses are still, in principle, a part of the Newfoundland administrative policy in education--the Governor still appoints the district Boards on the recommendation of the "proper superintendent," and with due regard to including all sections of the district, and the senior clergyman of the district is still ex officio a member of the local denominational board.

The principles underlying the legislation appeared clear cut. The practical matter of implementing these principles in the actual operation of the schools was not so easy to achieve. Some difficulties were experienced in the functioning of the St. John's District Board. When the Board was convened in the summer of 1836, disagreements arose as to the appointments. The Reverend Edward Troy was the Catholic clergyman named to this Board, and he protested that Bishop Fleming should have had the appointment. The explanation given of this seeming oversight was that

⁴² Ibid., Section 2.

...The Act of the Colonial Legislature directs the Senior Resident Clergyman of all denominations shall be included in the warrants for their respective districts...the Roman Catholic Bishop and the Protestant Archdeacon may be considered as General Superintendents over the Church, and have not therefore been named for this or any other district⁴³.

There was some further dissatisfaction in the Ferryland District because the number of Roman Catholic clergymen did not seem to have accorded with what the Irish Catholic population considered a fair representation. These two boards appear to have found a solution to their differences, though it would appear that the neglect of the clergy in the appointment to district boards was a source of censure in other circles. We have the words of an eminent Anglican educator of this century to this effect:

It was surely a mistake to exclude the clergy from membership on the Boards of Education, for at least two reasons; first, because they were probably the only persons qualified educationally to be of service; and second, it was to the Churches that the country had been indebted in the main for such efforts as had been made in the cause of education⁴⁴.

More serious differences arose in the districts of Conception, Bonavista, and Trinity Bays. In these districts, and especially in Conception Bay, where the Boards included clergymen of different denominations, the differences between

⁴³ "Boards of Education," article in the Newfoundland Patriot, St. John's, Newfoundland, issue of July 9, 1836, p. 3, col. 2-4.

⁴⁴ W.W. Blackall, Op.Cit., p. 252.

Catholics and Protestants on the subject of Bible Reading became so acute that no agreement could be reached, and the boards refused to serve. The struggle for denominational schools really began with this incident. The course of the controversy, and the efforts to reach a solution will be the subject of the following chapter.

The facts outlined in the preceding pages have been considered in an attempt to relate the problem of educational development in the colony to the events that marked the evolution of the colony through the years of maritime government and retarded settlement. It may help in appreciating the suspicion and antagonism with which the several racial and religious groups regarded one another, and the insistence of each group on its claims to representation in any form of legislation.

Later in the constitutional development of the colony, one finds record of election riots, turbulent parliamentary session, and many regrettable incidents of violence. Against the background of its history of repression and exploitation, it is easier to understand the dogged determination of the colonists to secure and to maintain what they considered their rights from the governing body.

In no aspect of the colony's struggle towards a way of life for its people did the background of suspicion and antagonism play a more effective part than in the struggle for

denominational rights in education; and if the conflict did not call forth the external violence that the times witnessed in other respects, this was due to the tolerance and broad vision of the men who guided the destinies of the colonists in their search for a better society and a more acceptable system of schools for their children.

Yet the undercurrents of mistrust and rivalry were ever present, and it took four decades of trial and error to achieve finally the pattern according to which the schools are administered today.

In the next chapter, we shall consider the controversy over Scripture reading in the district schools. The basic difference in outlook in this respect between Protestants and Catholics raised an issue that could be resolved only by reorganizing the boards of education in the districts along denominational lines, and dividing the colonial grant for educational purposes between Protestants and Catholics.

CHAPTER II

DIVISION OF THE GRANT FOR ELEMENTARY EDUCATION - 1843

The legislation of 1836 had been a first attempt to provide the Newfoundland colonists with some financial assistance for elementary education, recognizing, at least to some extent, the rights of the families, and the leadership of the Church. The district Boards, though to be appointed by the Governor, implied some measure of representation for the families, and the clause which stipulated that the senior resident clergyman of each denomination within the district should be ex officio a member of the Board, indicated that the legislators conceded at least some share of the management of the schools to church leaders.

In order that the financial assistance could be made available, however, it was necessary that the members of the Boards should agree upon policies respecting the organization and management of the district schools:

Such Boards of Education shall, respectively, have full power and authority, so soon after their appointments as may be, in their respective Districts from time to time to meet and assemble together for the purpose of making Bye-Laws, Rules and Regulations for the establishment and management of the schools within their respective Districts, and the apportionment and distribution of the respective sums of money hereby granted towards the maintenance of such schools¹.

¹ Newfoundland Assembly, An Act for the Encouragement of Education in the Colony, 6th Wm. IV, Section II, in Statutes of Newfoundland.

The Rules and Regulations agreed upon by the district Boards were to have the approval of the Governor before they could be put into effect. It was on the subject of these Rules and Regulations that the controversy arose in the districts of Conception, Trinity, and Bonavista Bays, a difference of outlook which led to the division of the education grant between Catholics and Protestants.

We shall consider in this chapter the course of the controversy on the reading of the Scriptures in the district schools, the various solutions suggested to seek an agreement among the denominations, the amendments to the legislation of 1836, and, in some detail, the Education Act of 1836 which made the first division of the government grant between Protestants and Roman Catholics.

It will be useful to examine the provisions of the legislation of 1843, in order to note how far-reaching were the implications of dividing the grant, even at this early stage of denominational schools.

It will appear from the discussions in the House that the existence of similar denominational problems in the national education in Ireland at this period, along with the fact that numbers of Irishmen had sought a new home in Newfoundland at the beginning of the century, were among the significant factors that entered into the insistence with which the Irish Catholic members of the district Boards opposed the practice of "Scripture reading without note or comment."

1. The Controversy over Bible Reading in the Schools.

Three of the largest and most populous districts of Newfoundland at the beginning of the nineteenth century were those surrounding the Bays of Trinity, Conception, and Bonavista. In the coves and harbours along the shores of these bays had settled groups of English Episcopalians, Irish Roman Catholics, and more recently, in rapidly increasing numbers, groups of Wesleyan Methodists.

The Conception Bay District comprised such thriving centres of population as Harbour Grace, Brigus, and the settlements near Cupids where Englishmen had first settled in the Island. Many settlements in the district were made by Irish immigrants. The Board of Education nominated for this district therefore comprised both clergymen and laymen of the three most numerous confessional groups. When the members of the Conception Bay Board were nominated by the Governor, they met to decide upon the Bye-Laws, Rules and Regulations which were to govern the schools in the district, and it was on Rule 2, which concerned the reading of the Bible in the schools, that the controversy hinged.

In order to appreciate the concern of the Board for taking every precaution against giving offence to any particular confessional group, we shall list a number of the rules adopted for this end:

1. That ministers of Religion shall have power to visit the schools under the control of this board, and from time to time to withdraw the pupils of their respective communions for the purpose of imparting to them Religious instructions for which every facility shall be afforded by the Teacher, but no Minister shall be permitted to impart any such instructions in the Schools.

2. That the authorized version of the Holy Scriptures (without note or comment) be added to the Books already proposed and adopted by this Board, and that an hour (either before or after the regular school hours) be appropriated for the reading of such by the children of the parents who desire it; and after such time the scriptures shall be removed from the school room.

3. That whenever a Protestant school Master is appointed no Books shall be made use of in the School of a sectarian tendency; that no preference shall be shown to any Scholar on account of his belonging to any particular class of professing Christians, and that no Religious instruction shall be given excepting what is contained in the Holy Scriptures without note or comment.....

4. That nothing of a sectarian tendency shall be taught in the schools, nor any religious instruction given in school hours.

5. That no Books shall be used in any school to be established by this Board except such as shall be approved by the Board, whose aim it shall be to select works which cannot give any reasonable offence to members of any religious denomination².

It will be seen how acute was the realization of the denominational differences in these districts. As Richard Barnes remarked after quoting the rules cited: "I do not see

² Richard Barnes, "Address on the Second Reading of the General Education Bill," quoting "Rules and Regulations of the Conception Bay Board of Education," in the Public Ledger, Vol. 21, No. 2102, issue of March 17, 1843, p. 2, col. 2-3.

how human integrity could devise more apparently feasible plans to keep the children together³."

Keeping the children of the denominations together would not be a simple matter, as it was to appear. As soon as the Conception Bay Board adopted its rules, the Roman Catholic members of the board forwarded a protest to the Governor. They objected to the second rule, partly on the ground that a similar regulation in the schools of the Kildare Street Society had been the source of prolonged conflict in the Irish schools. As they explained:

The result was the total withdrawal of all the Catholic children from the said schools; and we are sure His Excellency is well aware that we, professing the Roman Catholic Religion, cannot countenance or support a system which has been condemned not only by the superiors of the Irish Catholic Church, but by His Most Gracious Majesty's enlightened Government⁴.

Since the protest had made reference to the Kildare Street Society Schools, and as the Irish school affairs are so frequently discussed in the Newfoundland press of the nineteenth century, it is evident that the Newfoundland Irish were strongly influenced by the events taking place simultaneously in Ireland. We shall recall briefly the situation connected with the Kildare Street Society Schools and the Irish controversy on Bible Reading.

³ Ibid., p. 2.

⁴ Ibid., p. 2, col. 4, p. 3, col. 1-2.

The Newfoundland Irish came in great numbers from Waterford, and it was the Roman Catholic Bishop of Waterford, the Most Reverend Dr. Hussey, who issued the famous pastoral on proselytism. This pastoral is termed by Fitzpatrick "the first Catholic remonstrance since the Confederation of Kilkenny, in 1646⁵."

The same author asserts that the Kildare Place Society's schools was the storm centre round which revolved O'Connell's agitation for Catholic education, and as the reforms initiated by O'Connell were much publicised in the Newfoundland press of the time, it is reasonable to assume that the Irish in Newfoundland were not a little influenced by the course of events in Ireland.

The Kildare Place Society, founded in 1811, succumbed in 1832 as a result of the storm of protest raised against proselytism by O'Connell. Now the fundamental principle in these schools against which the Irish Bishops, and eventually Pope Pius VII had protested, was the "placing of the Bible without note or comment in the hands of all pupils, Catholic and Protestant alike." This was, according to the same authority, the only religious teaching allowed in the schools⁶.

⁵ J.D. Fitzpatrick, Edmund Rice, Dublin, M.E. Gill, 1945, p. 88, 223.

⁶ Fitzpatrick, Op. Cit., p. 223.

Now the Irish Catholics in Newfoundland were well aware of the dangers that had been pointed out in the schools of Ireland. They realized how easily the district schools could be employed as agencies of proselytism, and that therefore, a regulation so apparently innocuous as the second rule quoted above, could not be permitted to become the basis of religious teaching in the schools of Newfoundland.

If the Catholic members of the Conception Bay Board were unalterably opposed to Bible Reading in the schools, the Protestant members were no less strongly determined to insist on this modicum of religious teaching. A letter to this effect was forwarded to the Governor, suggesting also that the only possible workable solution of the problem was a division of the Colonial grant. The communication explained that this proposal had been made by a majority of the Protestant members of that board, and that in the circumstances, they saw no other course that would enable them to perform the important duties devolving upon them as members of the district board. They added that otherwise they could see no alternative except to offer their resignation⁷.

⁷ Conception Bay Board, Letter to the Governor, Op. Cit., p. 3.

A similar situation had arisen in the Trinity Bay Board. On September 12, 1836, this board informed the Governor that

...The Board cannot conceive that any system of education where the word of God is kept out of sight can ultimately benefit the rising generation either in this or in any other community⁸.

And from Bonavista came a similar complaint to the Governor. The members of the Board in that district were very determined in the stand they took on the matter. Their protest concluded with the following words:

If His Excellency will not allow the Scripture to be read, the Board must respectfully but firmly state it to be their conscientious determination not to lend themselves to a system of education which would exclude the pure word of God⁹.

It is easy to appreciate the insistence of the Protestant members on at least this minimum of religion in the schools. In the scattered fishing villages along the shores of the bays, there were few opportunities for visits of clergymen. Numbers of the parents were unable to read, and the Bible study in the schools would, in many instances, be the only means of diffusing the words of the Scripture. Barnes quotes in this connection a charge from the Anglican Bishop

⁸ Trinity Bay Board, Communication to the Governor, September 12, 1836, quoted by Barnes in his Address, Op. Cit., p. 3.

⁹ Bonavista Bay Board, Letter to the Governor, quoted by Barnes, Op. Cit., p. 3.

to his clergy, which intimates the prelate's concern for the Bible teaching in the schools:

It is my duty to speak to you most unequivocally on this subject. It is my duty to tell you that no conscientious clergyman, and I speak more emphatically with reference to the position in which missionaries in this country are placed, can devote any portion of his time and energies and influence to foster institutions for the instruction of the poor from which both Bible and prayer-book are banished, and religious tuition of every kind is expressly repudiated¹⁰.

It appears from the statements quoted that for the Protestant members of the boards concerned in the controversy, the important consideration was to maintain at least the reading of the Scriptures in the schools organized by the district boards. As for the Catholic members, the fear of proselytism, the tradition set by the Irish Catholic hierarchy, and the example of what happened in the Irish schools strengthened their determination to exclude from these same schools any religious teaching, not excepting Bible reading without note or comment, since it would not be doctrine and practice sanctioned by the Catholic Church.

Perhaps the position of the two opposing factions is best summarized by John Kent, when later he was speaking in the House on behalf of the College Bill. He summed up the attitude of the opposing factions as follows:

¹⁰ Bishop Spencer, "Charge to the Clergy of Newfoundland," cited by Richard Barnes, Op. Cit., p. 2.

The essence of Protestantism is to repudiate the existence of any infallible authority and to assert the freedom of the exercise of individual opinion and the uncontrolled right of private judgment--here are the two great characteristic differences. No Catholic can interpret the Bible of his own unaided judgment, therefore no Catholic can attend a school where the Bible without note or comment is made the basis of religious instruction. The differences between Catholic and Protestant are on matters of Faith, they are essential, the differences between Protestants are on matters of discipline¹¹.

Apart from the insistence of the Protestant members on Bible Reading, the Catholics of 1836 would seem to have been content with the district schools as they were organized under mixed boards. A year later, when the question of a non-denominational academy was raised, it was the Catholic members in the Assembly who supported it, on the same grounds maintained in the controversy of 1836--that, in the matter of religious teaching in a mixed school, there is always the danger of proselytism; that, therefore, it was preferable to exclude religious instruction altogether¹².

2. Attempts at Compromise.

In 1838, the legislature passed an amendment to the Education Act of 1836, presumably in an attempt to make the

¹¹ John Kent, "Address on the Second Reading of the College Bill," in the Public Ledger, Vol. 21, No. 2105, issue of March 28, 1843.

¹² John Kent, "Address on the Second Reading of the Academy Bill," in "House of Assembly," reported in the Newfoundlander, No. 864, issue of April 4, 1844, p. 1, col. 3-4.

situation more acceptable to Catholics. By the second section of this amendment, ministers of Religion were permitted to visit schools under the control of the Boards of Education, but with the following restriction: "that nevertheless no Minister shall be permitted to impart any religious instruction in the school, nor in any way to interfere in the proceedings or management thereof¹³." A further precautionary measure was enacted concerning the books to be used in the schools:

And be it further enacted that no book or books shall be used in any school or schools established or to be established, supported or to be supported by any Boards of Education appointed or to be appointed under this Act or under any Act passed in the sixth year of His Majesty's reign entitled "An Act for the Encouragement of Education in this Colony," but such as shall be chosen and selected by the Board or Boards of Education aforesaid, having the superintendence or management of the said school or schools or any book or books of a character or having a tendency to teach or inculcate the doctrines of any particular or exclusive church or society whatever¹⁴.

Here again we see the efforts of the legislature to provide against any and every ground for suspicion on the part of Catholics that the schools might be a means of proselytism for the children of that, or of any other confessional group. It is clear that the assembly of that day were making every possible effort to render the schools acceptable to all

¹³ Newfoundland House of Assembly, An Act to Amend an Act Passed in the Sixth Session of the First General Assembly entitled "An Act for the Encouragement of Education in this Colony," (25th October, 1838).

¹⁴ Idem, Section III.

religious denominations; and the only conceivable means of achieving this purpose was, as they saw it, to exclude from the teaching, the texts, and the management all factors that could be interpreted as tending towards a proselytizing influence. It is obvious whither such a policy would lead -- carried to its logical conclusion, this course of action would have resulted in banishing every vestige of Christian teaching from the district schools.

The amendment of 1838, far from reconciling the differences between the members of the district Boards, brought to a more speedy climax the controversy that was to precipitate division of the grant for education.

So acute was the feeling of the Boards on what was termed the introduction of "sectarian books," that even the school texts used in the National Schools of Ireland were questioned by some of the Boards as suitable material for the children in the Board schools, since they contained extracts from the Scriptures¹⁵.

The larger outport districts were, therefore, without benefit of the funds voted by the legislature for education. In St. John's and to some extent in a number of the other districts, the Boards appear to have reached a working agreement.

¹⁵ "Report of the House of Assembly," August 1837, in The Newfoundland Patriot, St. John's, Newfoundland, Vol. 2, No. 21, issue of September 30, 1837, p. 2, col. 1.

Morris, who was a member of the St. John's Board of Education, affirmed that in that district the system was giving general satisfaction. A report of the St. John's Board for the year ending June, 1839, shows that 340 children were being accommodated in eleven schools, "each with a resident teacher," that the subjects being taught included Reading, Writing, Arithmetic, Holy Scripture, Navigation, and General History¹⁶. It would appear then that the members of the Board in St. John's had found a way of including Bible Study to the satisfaction of all denominational groups.

The deadlock in the Conception Bay District remained unbroken when the General Assembly met in the winter of 1843. Since the most urgent need for the district schools was in the outports, and as Conception Bay accounted for about one-third of the population of the Island, the need for finding an effective solution of the difficulties was one of the more imperative problems that the Assembly had to encounter.

It was not only Conception Bay that objected to the regulations of the boards. Trinity and Bonavista were equally affected by the controversy. That there was general concern over the predicament is understandable. The Governor's address on the opening of the Legislature in July, 1837 notes that:

¹⁶ Commissioners of the Board of Education for the Electoral District of St. John's, Report, July 4, 1839, in the Newfoundlander, No. 627, issue of August 1, 1839, p. 2, col. 3

...The act for the encouragement of Education, so benevolently conceived and so honourable to the Legislature has, I regret to say, met with considerable impediments. One District is for the present entirely deprived of its benefits and in but few places is its operation cordial and complete...I shall forward to you various letters and documents relating to this point, and most readily shall I assent to any measure that may tend to assuage religious jealousies and apprehensions and promote the inestimable blessing of universal instruction¹⁷.

The amendment of 1838 had made the situation more acute, rather than having the effect it was intended to produce.

This was the situation when the General Assembly met in the winter of 1843. Since the most urgent need for schools was in the outport districts, and as Conception Bay accounted for about one-third of the population of the island, the necessity for an effective solution of the difficulties was one of the more urgent of the problems awaiting the legislature.

3. The General Assembly of 1843.

The problem of legislating for the district schools was not the only issue which the General Assembly of 1843 had to meet. This period of early representative government was marked by political strife, not unmingled with personal and religious animosities. The colony which had for so long been what

¹⁷ Sir John Harvey, Address on the Meeting of the Legislature, in the Newfoundland Patriot, St. John's, Newfoundland, (New Series), Vol. 2, No. 201, issue of July 8, 1837, p. 2, col. 2.

has been termed "the sport of historic misfortune," the victim of the greed of the English merchants and of racial and religious persecution, was ill prepared for the novel experiment of managing its own affairs.

Lacking in political experience, it was inevitable that the representatives of the people should engage in personal as well as political rivalries, and should frequently place themselves in embarrassing and difficult positions. Thomas Talbot, who came to the colony from Ireland in the 1830's, has written an account of the governing body at this period. One must concede that lapse of years may have given a different shape to his views of the past. Nevertheless his description of the early Assembly accords with what one can gather from the press of the time. He writes:

Even at this early stage of their parliamentary government the population had divided themselves into two political parties, the one called Tory or Conservative, the other Liberal. Derisively they were called respectively the Merchants' Party and the Priests' Party. And most extraordinary parties they were. After sufficient enquiry, however, I soon found that the one party (The Merchants' or Conservatives) had for their guiding principle the resistance to all innovation, a name which they gave the promotion of any measure that had not the especial benefit of the fisheries for its sole object¹⁸.

Talbot hastens to add, however, that the Liberal Party were by no means remarkable for adhesion to the principle of

¹⁸ Thomas Talbot, Newfoundland, London, Sampson, Low, Marston Searle & Rivington, 1882, p. 34.

moral force in carrying out their objectives. He then gives the following picture of the House of Assembly:

The House was constituted chiefly of merchants and planters, with a lawyer or two and a medical doctor, a Scotchman, who was Speaker of the House. It was a noisy and turbulent little body, having high notions of its power and privileges....The Conservatives were very indifferent to the assumption of privileges inasmuch as they entrenched themselves behind the Legislative Council, or Upper House who always kept the legislation of the Lower House in check¹⁹.

Talbot speaks of "intimidation, violence, and outrage," during the early elections; he mentions "numerous riots²⁰," incidents which unfortunately mar the record of the first three decades of local government. So turbulent did the sessions become, that the Imperial Government suspended the Constitution and merged the two branches, the Lower House, and the Upper House into one, called the Amalgamated House, more commonly spoken of as The General Assembly.

In the General Assembly there were fifteen representatives of the people and nine or ten nominees of the Crown, sitting in one chamber, which constituted the whole legislative machine. The Governor, the representative of the Sovereign, Talbot added, assented to or dissented from the Assembly on the advice of his cabinet, the nominees of the Crown.

19 Ibid., p. 38.

20 Ibid., p. 40.

In spite of this rather unusual situation, Talbot notes that "much useful legislation was effected by this House, as I have shown with respect to the advancement of education, for it was during the Amalgamated House that this advancement had taken place²¹."

It was to this General Assembly, then, that the colony looked to find a way out of the impasse created by the controversy on religious issues described in the preceding chapter.

Fortunately, there were to be found in the Assembly men of sound principles and of vision, who could sink personal differences in an endeavour to provide for the youth of the colony some measure of instruction, both secular and religious.

Among the members who were more intimately connected with the development of educational legislation at this time, we find outstanding the following: Richard Barnes, Bryan Robinson, John Kent, and John Valentine Nugent.

Barnes was a native of the colony a partner in his father's mercantile business, who had devoted his leisure to the studies he had lacked opportunity to pursue in his youth. He was intensely interested in the development of the colony, and was one of the first group to form what was known as the "Newfoundland Natives' Society," a body devoted to charitable and educational works, especially to encourage older students;

²¹ Ibid., p. 41.

he established a circulating library in St. John's and served on the Board that directed its operation. Barnes was elected for the district of Trinity in 1842²².

When the Governor, Sir John Harvey, opened the Legislature in the winter of 1843, he stressed the need for providing further aid for educating the growing population, and insisted that the schools organized under government support should be "based upon sound principles of religion and morality²³."

Barnes, in his reply to the Governor's address, remarked that the precedence which had been given to education was particularly gratifying to the House, and that he trusted the Revenues of the colony would be found sufficient to establish means for both elementary education, and for aid to "a Collegiate or Academical Institution" as well. The reference to the problem of the revenues reminds one of the fact that the question of finances has been one that, through the years, has been the most besetting for legislators. The matter of providing even elementary instruction for a population scattered along six thousand miles of coastline, with inadequate means

²² Observer, "Some Notes on Our Leaders," in the Newfoundlander, No. 866, issue of August 15, 1844, p. 2, col. 1.

²³ Sir John Harvey, "Address of His Excellency, The Governor on the Opening of the Legislature," in the Journal and Proceedings of the General Assembly of Newfoundland, First Session of the Third General Assembly, 1843, St. John's, Newfoundland, Shea, Queen's Printer, p. 12.

of communication and transportation, and that for a region that has few primary industries, has been consistently a vexing problem for both Church and State.

During the winter of 1843, the problem of legislating for the district schools appears to have been one of those which stimulated contentious discussion throughout the colony. There were a number of petitions from the several electoral districts, some of them requesting from the legislature the means of building schools and supporting teachers, others dealing with the existing differences in the matter of Bible Reading. The newspapers carried a succession of letters to the editor, some approving, others, condemning the measures proposed in the Assembly. Editorials are frequently devoted to the educational situation, and the discussions on education in the Assembly were lengthy and frequently acrimonious.

The two education Bills brought before the Assembly during the session excited general interest, both within and without the walls of the House. The principles underlying the two pieces of proposed legislation were the same, namely, the provision for giving separate instruction for Protestant and Catholic children in schools organized and administered under separate Protestant and Catholic Boards.

The first Bill concerned with Education that was brought in--the Bill for Two Colleges--had to be abandoned, following much opposition from both the Assembly and the

public²⁴. It was not, however, without its influence in preparing the minds of both the people and their representatives for the acceptance of the provisions of the General Education Bill. The principle of proportionate division which it proposed, and the sponsor's intensive analysis of the educational situation, in Newfoundland, in Ireland, and elsewhere, seems to have made clear to the House both the importance of having religion taught in the schools, and the impossibility of reaching a compromise by which it would be possible to provide such instruction in mixed schools. Accordingly, when Richard Barnes made his eloquent plea for division of the grant and schools for each religious group, the Bill was passed with practically no alterations.

4. The General Education Act of 1843.

Several petitions were received by the General Assembly of 1843, asking for aid in organizing schools in the out-port towns, and for extension of the facilities in towns where schools had already been established. On the other hand, the funds for education that had been voted in 1836 were, in a number of districts, not being expended because of the inability of the boards to reach a compromise on the question of

²⁴ Bryan Robinson, A Bill for the Establishment of Two Colleges in Newfoundland, introduced into the General Assembly, February 6, 1843, published in the Newfoundlander, No. 309, issue of February 16, 1843, p. 1, col. 3-4.

Bible Reading.

The problem before the legislature was to find a means of satisfying the conscientious demands of the one religious group for Bible Reading, while at the same time respecting the convictions of another section of the colonists, which on principle objected to the practice. Obviously the only solution was division of the funds for educational purposes between the two factions, so that each could organize schools in which the demands of the parents would be recognized. This conclusion was clearly demonstrated by Barnes in his address on the second reading of the Bill for the Encouragement of Education in the Colony²⁵.

Barnes' address on the second reading of the Bill was a lengthy, logical, and well-developed elaboration of the main points at issue. The three points which he stressed were in brief (I) that elementary education was desperately needed in the colony, (II) that Religion must be the basis of a sound education, (III) that granted the second point, Catholic and Protestant children could not be instructed in the same classroom.

"Very lately," he told the Assembly, "my own views were decidedly averse to the great feature of this measure-- the division made between Catholic and Protestant." The

²⁵ Richard Barnes, "Address on the Second Reading of the General Education Bill," in the Newfoundlander, No. 812, issue of March 17, 1843, p. 2, col. 1-4.

member for Trinity then outlined the steps by which he had been led to adopt a different view of the situation. He affirms that he had proceeded by a "method as rigidly inductive, as truly philosophical as if I had been conducting an investigation in natural sciences."

The first question he had asked himself was why the earlier legislation had not worked successfully; and the possible answers he had considered were the meagre funds available and the lack of competent teachers for the district schools. He had concluded, however, that the real explanation of the failure of the measure was that the people had no confidence in the arrangements made for the management of the schools. He elaborates thus:

People had no confidence in it. They felt that if they met upon common ground it must be with an abandonment of religious principles or with violence to the religious feelings on one side or the other; and preferring considerations having reference to eternity to those which confined their attention to time only, they wisely forebore to avail themselves of the very questionable advantages offered²⁶.

Thereupon, Barnes gave a fairly comprehensive review of the Conception Bay controversy, which has been described above. He recalled the compromises suggested by various sources to make the schools acceptable to both Catholics and

²⁶ Richard Barnes, "Address on Moving the Second Reading of a Bill for the Encouragement of Education in this Colony," in the Public Ledger, St. John's, Newfoundland, Vol. 21, No. 2102, issue of March 17, 1843, p. 2, col. 1.

Protestants. He quoted the Conception Bay School Board to the effect that the only solution to the deadlock was division of the colonial grant.

One of the objectives to division that had been frequently expressed in the assembly was that such separation would weaken the cordial relationships between the religious groups in the outports. The member for Trinity disposed of that supposition as follows:

Are we quite sure that the whole will be swept away by the simple circumstance that two families in the same neighbourhood receive their education at different schools? As well might it be said that two families must be enemies because they are in the habit of returning from two churches²⁷?

Having thus swept aside the arguments against division, the member stressed eloquently the desperate need of some means of providing instruction for the families in the outports. The lack of literacy is such, he affirms, that "Out of a crew of forty sealers, only three or four can read or write."

To the lack of instruction, he ascribes the low level of moral and civic standards, the result he holds to be the effect of ignorance and lack of employment. To counteract the effects of ignorance, he would have

27 Richard Barnes, Ibid., p. 3, col. 2.

schools in every neighbourhood...it is a better deterrent of wrong doing than punishment. Let every man become acquainted with his rights and the necessary restrictions which the rights of others and the peace of society put upon his liberty, and the evil will be more effectively checked²⁸.

There was very little opposition to the terms of the Bill for General Education. The assembly as well as the people in the districts were acutely conscious of the need for organising schools for the outports, so that not even in the press is there found any serious objection to the several provisions of the Bill. The General Education Bill was passed on May 22, 1843, with no substantial alterations except the addition of provision for an inspector of schools to be appointed after the act had been in effect for the space of one year.

The "Barnes Act", as it was popularly called, was concerned chiefly with the allocations of the grant for the several districts, Catholic and Protestant; with the composition of the denominational Boards in the districts, and the powers and duties of the Boards. There was provision also for the transfer of property in the districts already organized so that buildings would be put at the disposal of the denomination which had the majority of population in each town.

The sum voted for educational purposes was 5100 pounds sterling. It was to be annually distributed, one part to the

²⁸ Ibid., p. 3, col. 1.

support of schools appropriated to the instruction of the children of members of the several Protestant Churches, and the remaining part in the support of schools appropriated to the instruction of children of members of the Roman Catholic Church²⁹. The Governor was to appoint in each of the educational districts seven persons to form a Board, of which the senior or superior clergyman actually resident or officiating in such district should be ex officio a member. This provision was separately specified in the case of the Protestant and the Catholic districts, and, in the case of the former, there was the special stipulation that the clergyman "of every religious denomination of Protestants therein," should be a member of the Board, and that the majority of the Board was to be composed of the denomination having the greatest numerical strength in the district³⁰.

The "Barnes Act" gave wide powers to the district Boards of Education, as to the regulations governing its schools, but safeguarded the rights of the state by the condition that:

²⁹ General Assembly of Newfoundland, An Act for the Encouragement of Education in this Colony, passed 22 May, 1843, in The Newfoundland Gazette, Vol. 37, No. 145, issue of June 6, 1843, Section 1, 2.

³⁰ Ibid., Section V.

...no such Bye-law, Rule, or Regulation shall be of any force until the same shall have received the sanction of the Governor, or person administering the Government for the time being³¹.

The Governor was ex officio a visitor of the district schools and was to receive a report of the proceedings of the Boards at the end of each school year.

As has been already noted, the legislation made specific provisions for the disposal of school properties acquired by the amalgamated Boards in previous years, the denominations having a majority in any locality retaining possession of buildings etc. There was re-enactment of the provision for the grants to schools managed directly under the auspices of the churches, namely the schools organized by the Newfoundland School Society, the Orphan Asylum School, the Nunnery School, and the St. Patrick's Free School³².

As has been indicated, there was little opposition to the Bill in its passage through the legislature. The Newfoundlander, which represented the views of the Irish Catholics, carried an editorial to the effect that, though it did not look with satisfaction upon the principle of separation, yet considering the failure of the amalgamated system, and the opposition encountered in the preceding years to the regulations of the district Boards, there seemed to be no other

³¹ Ibid., Section VII.

³² Ibid., Section XVI.

solution than the separation provided for in the "Barnes Bill³³."

That there should be no misapprehension with regard to the editor's position on the principles embodied in the College Bill, he stressed the fact that there is a "clear distinction" to be drawn between an elementary system of schools, in reference to which a necessity founded on public opinion had been shown for the application of the separation principle, and a collegiate institute for the higher branches of learning which affords no parallel, where boys do not enter until they have attained an age when religious principles are fairly supposed to be fixed³⁴.

It is interesting to note that John V. Nugent, a Roman Catholic, and Charles Fox Bennett, a member of the Church of England, each expressed strong opposition to the principle of separate education for Catholics and Protestants, but each had, he affirmed, supported the "Barnes Bill," because in every other respect it was "eminently suited to the colony at that time³⁵."

³³ Editorial in the Newfoundlander, No. 812, issue of March 16, 1843, p. 2, col. 3.

³⁴ Ibid.

³⁵ Newfoundland House of Assembly, "Debate on the General Education Bill," in the Ledger, Vol. 21, No. 2105, issue of March 28, 1843, p. 1, col. 4.

The act went into effect in September, 1843. When the legislature opened in January, 1844, there were several references made to the principles on which the "Barnes Act" had been founded. The consensus of opinion in the Assembly appeared to be that Richard Barnes had performed an outstanding service to the colony by the manner in which he had concluded a controversial and difficult situation.

As late as 1850, when the act had been in force for its stipulated six years, it was described by a Wesleyan correspondent to the Ledger, as a "masterpiece of wise and practised legislation, suited to the peculiar circumstances of the colony," and the correspondent added that "its provisions cannot be materially altered without impairing its efficiency." A meeting of the Wesleyans had adopted a resolution, said the letter, which read in part:

That this meeting, having carefully considered the Act for the Encouragement of Education in Newfoundland, the term of which has nearly expired, records its unanimous judgment as approving the principle of that important measure, with the wisdom and fairness of its provisions throughout³⁶.

Approval of the Education Act of 1843 appears to have the prevailing attitude in the colony. Even those who complain of the inefficiency of many of the district schools in the years following its implementation, have no complaint to

³⁶ "Letter to the Editor on Elementary Education," in the Public Ledger, Vol. 27, No. 2016, issue of February 9, 1850, p. 2, col. 3.

make with its provisions³⁷.

Only one section was added to the bill as drawn up by Barnes, and that was provision for an inspector of schools, to be effective after the act had been in operation for the space of twelve months. At the time when the first appointment to the inspectorate was made, we find further evidence of the delicacy with which denominational differences had to be considered. The first appointment to the post of inspector was John Valentine Nugent, an Irish Roman Catholic, who was a member of the legislature. The reaction of the Protestant section of the community to this appointment had to be considered, and at the time the appointment was made public, a letter to the Protestant Boards indicated the caution with which the Assembly made the announcement:

I am directed to acquaint you that the Governor has been pleased to appoint Mr. J.V. Nugent Inspector of Schools for the present year. As His Excellency is sensible of the objections that may be felt to the inspection of Protestant Schools by a Roman Catholic Inspector, he has limited Mr. Nugent's term of office to the term of one year, at the expiration of which period a Protestant Inspector will be appointed for the following year. Mr. Nugent will not be instructed to inspect any Protestant Schools except invited by the Boards to do so, in which case he is authorized to co ply with their request³⁸.

³⁷ W.F. "Letter to the Editor," Ibid. (refutation of charges in the Times, of February 2, 1850).

³⁸ "Letter from the Secretary's Office to the Protestant Boards," 15 July, 1844, from G 10. 9 Duplicates and originals of Enclosures to the Colonial Office, 1844-52, in the Provincial Archives, St. John's, Newfoundland.

A letter to Nugent includes the same directions. We learn, moreover, from this communication that both the Anglican and Roman Catholic Bishops had been consulted in the appointment of the Inspectors for their respective schools:

His Excellency has been pleased, on recommendation of the Rt. Rev. Dr. Fleming, to select you as the Catholic Inspector and your appointment will take place on the arrival of the Rt. Rev. Dr. Feild, the Lord Bishop of the Diocese, of whose recommendation His Excellency is desirous of availing himself in the selection of a Protestant Inspector³⁹.

The Governor, writing to the Colonial Office in London, explains the "position of embarrassment" in which he finds himself as a result of trying to provide inspection for the two denominations. He finds no alternative but to select two inspectors," who shall perform the duties and receive the assigned salary on alternate years...an arrangement by which an annual inspection will be offered and a biennial one will be secured to each class of schools⁴⁰."

The legislation of 1843, providing as it did for a division of the colonial grant between Protestant and Catholic schools, would seem to be at variance with the trend of the times in the American states and the neighbouring colonies. Where then did the legislators of that time find the

39 "Letter to John Valentine Nugent," Ibid.

40 Sir John Harvey, "Letter to Lord Stanley, June 3, 1844," from G 10, 9 Duplicates and originals of Enclosures to the Colonial Office, 1844-52, in the Provincial Archives, St. John's Newfoundland.

inspiration for the formation of policies which have shaped the course of educational organization in the colony for more than a hundred years.

A modern writer has said that

...The educational philosophy for a democratic nation cannot be created by one man or by a professional group. It must emerge from the convictions of the people and must stem from their mores, their folkways, their ethical beliefs and their concept of the good life⁴¹.

Yet for any democratic people, and more especially for the colonists of nineteenth century Newfoundland, there were needed leaders who could translate the convictions of the people into such principles as could be implemented into a system of educational policy. Such policy must be at the same time acceptable to the people as a body, and must admit of application to the actual working of the schools. It appears from the records of the time that the colony found such leaders both in Church and State. The Church had two outstanding leaders in the persons of Bishop Fleming of the Roman Catholic Church, and Bishop Feild of the Anglican persuasion. In the legislature, both Catholic and Protestant colonists could look to such men as Barnes, Robinson, Kent, and Nugent.

It would seem that the legislators, in choosing a prototype for the system of education which they envisaged

⁴¹ Paul Woodring, New Directions in Teacher Education, New York, Ford Foundation, 1957, p. 5.

turned to Europe rather than to the neighbouring colonies; for both Barnes and Robinson, as well as the men who opposed their views, showed an intimate acquaintance of educational systems in various European countries as well as in the British Isles. The major part of the references, however, are made to the experience of the Irish educators, which as has been noted, Robinson considered the most akin to and suited to the needs of the Newfoundland colonists, the educational policies that would answer the needs of the colony.

The frequent references to the Kildare Street Society's Schools, and to the National Schools of Ireland, the selection of the texts used in the National Schools of Ireland as the first texts introduced into the board schools by the Education Amendment of 1838, and the assertion of Bryan Robinson that the situation in Ireland is more, than any other that he has investigated, akin to the existing circumstances in Newfoundland, all seem to indicate the prevalence of Irish influence.

In his address to the assembly on March 15, Barnes quoted at some length from Thomas Wyse, member of Waterford, on a national system of education, and there appears to have been some suggestion that the Barnes Bill had been based on a similar bill drawn up by the Irish educator. The Newfoundland Patriot, however, sees no foundation for such an inference since:

one of the very fundamental principles of the National Schools of Ireland was secular education for all creeds indiscriminately, while Mr. Barnes' Bill creates a marked division of the public money among Protestants and Catholics⁴².

The Patriot makes a point by point comparison of the two bills and the conclusion would seem to be that however much the writings of the Irish member may have influenced his thinking, it did not affect materially the clauses of the bill.

It would seem to be the reasonable conclusion that the legislation of 1843 was directly the outcome of the demands of the people, represented by their district Boards, and stemming from the controversy on Bible Reading. The three large outport districts were concerned in this clash of convictions and in a case where such vitally important principles were involved no solution was possible except the one which was found in the provisions of the "Barnes Act." An excerpt from the letter of the Protestant members of the Conception Bay Board to the Governor seems to indicate this explanation:

⁴² "The Education Bill," editorial in The Patriot, St. John's, Newfoundland, Vol. 8, No. 10, issue of March 15, 1843, p. 3, col. 2.

The principle of sanctioning Scriptural Education for those children whose parents require it, has been, we would most respectfully remark, fully developed since the establishment of Educational Boards in 1836. Not only in the sentiments officially recorded by a large majority of the Commissioners for Conception Bay, but also in the extensive Districts of Trinity, Benavista, and Twillingate; and the fullest test afforded to the principle, by the non-appropriation of the Legislative Grants in all those places where the Bible could not be publicly recognized; and we learn that under a more recent Act for the establishment of a Grammar School at Carbonear, the funds placed at the disposal of the Town are wholly useless, as the Roman Catholic and Protestant Members are equally divided on the subject of the word of God⁴³.

It is perhaps stressing the obvious to remark that no school system can operate efficiently without the support of the families for which it has been established. It would seem that whole-hearted co-operation in the organization and management of mixed schools for English Episcopalians and Wesleyans, and for Irish Roman Catholics at this period was certainly not to be attained.

The colonists of Newfoundland, like their fellow-countrymen in England and Ireland, were acutely conscious of the religious issue in the schools. The situation was analogous to what Professor Beales writes of the English schools of the mid-nineteenth century:

⁴³ "Letter of the Protestant Members of the Conception Bay Board to the Governor, quoted by Richard Barnes in his Address on the second reading of the General Education Bill," in the Newfoundlander, No. 812, issue of March 16, 1843, p. 2, col. 3.

A century ago all the denominations spoke with the same voice; they were not in alliance, for the inherited distrusts of Catholic and Protestant, Anglican and non-Conformist prevented anything like a united Christian front in the struggle to secure Government grants for their denominational schools. But their separate issues vis-à-vis the State were the same.....

The (Anglican) National Society declared in 1846 "that it is essential to education that religion pervade the whole teaching of a school; and that the main direction of education should be left in the hands of those who would be prompted to approach and handle it from a care for the immortal souls of the children⁴⁴.

The declaration of the National Society quoted above would seem to epitomize the convictions of both groups in nineteenth century Newfoundland; and in order that "religion pervade the whole teaching of the schools," and that the "main direction" of the schools be left to those who have a care for the souls of the children, the division of the grant for education became a necessity.

It would seem from the record of the period that, if the legislators of Newfoundland sought a prototype for the system of schools they were establishing in the mid-nineteenth century, they looked to the "old country," rather than to the American or Canadian mainland. The members of the Assembly were, for the most part, natives of Britain or Ireland, the leading citizens of the island had but lately come from the

⁴⁴ A.C.F. Beales, "The Catholic Case for the Catholic Schools," in the Tablet, London, England, Vol. 194, No. 5712, issue of November 12, 1949, p. 308-309.

homeland, their traditions, their way of life stemmed from the countries they had left. And that way of life, be it English or Irish was built on strong religious conviction.

In the first seven years of state supported schools, then, we find that attempts on the part of the district Boards to organize schools for all confessional groups among the colonists. Almost immediately the question of Bible Reading led to a deadlock in the operation of schools in the more populous districts, to such an extent that the appropriations for one district were left unexpended.

When the Assembly met in 1843, the need for some settlement of the differences was imperative, and the answer to the differences was the enactment of that year which made provision for distinct appropriations and separate Boards for Catholic and Protestant, the only settlement that would be acceptable to the colony as a whole.

Thus the earliest years of legislation for public education in the island saw the implementation in the schools of the principle of recognizing diversity of religious belief and practice. The issues at stake in the Conception Bay Controversy on Bible Reading were so vital to the colonists, Catholic and Protestant alike, that the succeeding years were to see that principle of diversity still further implemented by providing for the several divisions within the Protestant population.

In the following chapter, we shall consider the course of the first decade of legislation for secondary education in the colony, and we shall find that the same pattern was followed: provision for a non-denominational academy, resulting in lack of confidence on the part of the parents, and adjustment of the legislation to meet their demands.

CHAPTER III

LEGISLATION FOR SECONDARY EDUCATION

The preceding chapter has reviewed the circumstances which led to the division of the government grant for elementary education in the districts. It has indicated the strength of Church influence in the outport towns and the determined stand of the colonists to protect their schools from either proselytism on the one hand, or from a purely secular character on the other.

The question of providing financial aid to secondary schools and the administrative problems raised by the legislation for an academy in St. John's will now be considered. In this matter, as well as in the case of elementary education, the legislation had to be several times amended before a working solution could be reached that would be satisfactory to all groups concerned. It will be seen that while the grammar schools in Harbour Grace and Carbonear appear to have functioned fairly successfully as non-denominational institutions, the first legislation for a purely secular academy at St. John's had to be amended after a trial of six years, during which period the institution fought a losing battle against adverse criticism from all quarters.

In this chapter, we shall review the unsuccessful attempt to provide a measure of secondary education for the

youth of St. John's, in the much discussed Two Colleges Bill of 1843; the outport grammar schools and commercial schools, established in that year, the St. John's Academy, its institution in 1844 and its subsequent failure, and finally the measures that were taken to endeavour to make the academy of service to the youth of the colony.

1. Early Attempts to Provide Secondary Education.

Newfoundland's earliest educational legislation was for elementary schools. The desirability of an academy had, however, been recognized at an earlier date. Moreover, the number of private schools offering instruction beyond the elementary level and the attempt to set up a private seminary in the early nineteenth century show that the colonists were conscious of the need of such an institution¹.

During the debate on the Two Colleges Bill in 1843, Bryan Robinson asserted that this was the seventh attempt to provide such financial assistance for secondary schools since the opening of the local legislature in 1632². Yet it appears the demand for such a grant had not been considered as urgent

¹ See notice in the Public Ledger, St. John's, Newfoundland, Vol. 8, No. 780, issue of August 17, 1830, p. 3, col. 3. Also Ledger, Vol. 15, No. 1490, issue of August 1, 1837, p. 3, col. 2.

² Bryan Robinson, "Address on the Introduction of the Two Colleges Bill," in the Public Ledger, Vol. 21, No. 2094, issue of February 7, 1843, p. 2, col. 2-4.

as was the need for aid for elementary schools. The general feeling in this respect is perhaps most clearly summed up by one of the members, who maintained in 1837 that: (1) The more urgent need was for schools in which the poor could be taught to read and write. (2) The colony could not afford to vote a sum that would be sufficient to set up the type of academy that was desired. (3) The proposed academy would be of benefit to a small number of students resident in St. John's, and parents in the outports would do better to send their sons and daughters to England or Ireland for study beyond the elementary level³.

It was not until 1843 that Bryan Robinson introduced a Bill for what he described as "two colleges," a designation which he later modified to "collegiate institutes," to furnish, he anticipated, besides instruction in the classics, the basis of a solid English education.

The Two Colleges Bill, as drawn up by Bryan Robinson, provided that grants should be made

³ Newfoundland House of Assembly, "Report of Proceedings," in the Newfoundland Patriot, Vol. 2, No. 30, issue of September 9, 1837, p. 2, col. 1-3.

...for purchasing, building, or leasing, and towards suitably furnishing edifices and grounds for two colleges in St. John's...and for providing suitable Libraries and Philosophical Apparatus for each of the said colleges⁴.

The two establishments were to be respectively "for the instruction of youth according to the principles of the Reformed Church," and "for the instruction of youth according to the principles of the Roman Catholic Religion⁵."

The Bill provided for two separate Boards of directors --the Protestant Board to include one member for every five thousand members of the Church of England in the colony and one for every five thousand members of the other Protestant denominations resident therein. The composition of the Roman Catholic College Board was not specified, and Robinson said he intended to leave the determination of that Board to the Roman Catholic members in the Assembly.

The directors of the Colleges were to appoint a Senior Professor, "who shall be a graduate of Oxford, Cambridge, or of Trinity College, Dublin." No clergyman having any fixed pastoral charge should be eligible as Professor or Assistant, and none holding a seat in the Legislature, or filling any public or political situation should be appointed while so

⁴ Bryan Robinson, A Bill for the Establishment of Two Colleges in Newfoundland, in the Newfoundlanders, St. John's, Newfoundland, No. 809, issue of February 15, 1843, p. 1, col. 1-4.

⁵ Ibid.

employed.

That Robinson anticipated considerable opposition to a number of the provisions of the Bill is evident from his remarks when introducing it in the House. He took care to call attention to some of the more controversial points and to explain the principle on which each was based.

His apprehensions were soon realized. Before the second reading of the Bill, a meeting of representatives of the several dissenting bodies of the Protestant Churches, discussed its provisions and drew up a set of resolutions which they forwarded, with a memorial to the Assembly.

As these resolutions form a fairly comprehensive résumé of the views on the proposed legislation that were held by the Wesleyan, Presbyterian, and Congregationalist bodies in the colony, they will be outlined here⁶.

The first point of contention was that the Bill did not do justice to the Christian denominations represented at the meeting, and it was considered that in a British colony settled by men of different religious persuasions, all had equal claims upon the support of the Legislature. The meeting maintained that the provision by which the Bishop of Newfoundland was to be ex officio a director of the Protestant College

6 "The Two Colleges Bill," editorial, followed by an account of the meeting held at the Factory, February 15, 1843, in the Ledger, Vol. 21, No. 2094, issue of February 17, 1843, p. 3, (complete page), col. 1-4.

implied a supremacy of that section of the Church over which he presided, and was at once offensive and injurious to the clergymen of other denominations.

Each denomination, the resolutions stated, possessed the means for imparting its particular principles and doctrines, and, what the colony required, was a "sound and practical secular education;" and, moreover, the provision to ascertain the strength of the respective denominations by the test of communion was delusive and unfair, since the last census taken had been incomplete, and, in many cases, erroneous.

The provision that the Senior Professor should be a graduate of one of the universities listed, said the resolutions, was considered disparaging to other seminaries as well as calculated to deprive the institute of available talent and enterprise.

The interests of those whose capital afforded the means of employment to the working classes of the community should be more widely recognized; and the means of supplying vacancies in the directory needed more consideration, so that the interests of the different denominations should be guarded in all future appointments.

Finally, the resolutions mentioned the objection that was most frequently repeated in subsequent discussion on the Bill--that to found two institutions on antagonistic principles was an unnecessary and extravagant expenditure of the public funds.

It was in the face of such opposition that Robinson undertook to defend the provisions when the second reading came up on February 17. In a lengthy exposition, evidently the result of painstaking research into prevailing administrative practice in European countries, he affirmed that he had sound reasons for the inclusion of each of the sections of the Bill:

I have given the subject of education a good deal of attention...I have marked the progress it has made in other and older countries, especially in Ireland, whose circumstances are more similar to those of this colony than any other...and I am irresistibly led to the conclusion that with an equal number of Protestants and Roman Catholics, no satisfactory mode of education can be adopted except by separate establishments for the tuition of those of both creeds⁷.

Robinson proceeded to draw upon an imposing number of authorities in Church and State, whose views were such as to support the principle of separate institutions. He made frequent references to the Irish situation, and developed fully his arguments concerning the educational problems which have been mentioned earlier, in connection with the Kildare Place Society's schools; this he made one of his most telling expositions for the impossibility of common teaching for Protestants and Roman Catholics. Having quoted evidence from statements made by Lord Stanley, by the Roman Catholic prelate,

⁷ Bryan Robinson, "Address on the Second Reading of the College Bill," in the Public Ledger, St. John's, Newfoundland, Vol. 21, No. 2093, issue of February 21, 1842, p. 2, col. 1.

Dr. Doyle, and by other Irish authorities, he climaxed his appeal with a quotation from the speeches of Daniel O'Connell:

We are desirous that Protestants or Presbyterians should educate their children with Scripture reading or any other course they may think proper, all we ask is that they will allow Catholic children to have the benefit of education accompanied with their own peculiar religious instruction; but we are told that the Catholic religion is false, and that we should not take any measure to propagate a false religion. I believe the Protestant religion to be false, and yet I contribute to its support. What I contend is simply this, that as the fund for Education is provided by Catholics and Protestants, the children of Catholics and Protestants should equally share in the advantages of that which is the property of the public⁸.

One gathers that perhaps the speaker was using the words of the great Irish agitator to impress the Irish members in the Assembly--there were six of them in the House at that time--at any rate he hastened to make clear his own position as follows:

It is too late now to say that Roman Catholics should not participate in the public revenue for purposes of education. The principle has been conceded by the British Parliament and principles of justice demand of us that if we are not prepared to share with them the funds of the colony we ought not to ask them to contribute to these funds⁹.

Whether or not Robinson had gained the ear of the Irish Roman Catholics in the Assembly, he had formidable opponents there, two of whom were the representatives of Ferryland and Conception Bay. Both these gentlemen were Scotsmen who

⁸ Ibid., p. 2.

⁹ Ibid., p. 3.

had been educated in secular institutions in the land of their birth, and neither of them could see the necessity for the type of establishment Robinson proposed. They maintained moreover, that the Bill would be an injustice to the Dissenters, who were becoming an influential body in the colony. While they were willing to concede the need of religion teaching in elementary schools, they strenuously objected to making it part of the course of instruction in a school such as was being planned. Munn, of Conception Bay, added that there had been much angry feeling among the public concerning this Bill, and that it would be acceptable only if it were established on the principle that the members of every religious communion could meet together for the purpose of instruction¹⁰.

Strange as it may seem, the Roman Catholic members of the Assembly showed little support of the Bill. Nugent considered that the proposed legislation would divide the community and sow seeds of bitter feeling. Kent, another Catholic member, while giving the Bill his support, made clear his position respecting the place of the Roman Catholic Bishop in the administration of the Catholic College, should the legislation be passed. Nugent, too, stressed the fact that "the spiritual head of the Catholic Church in the colony the control

¹⁰ Newfoundland House of Assembly, "Debate on the College Bill," in the Ledger, Vol. 21, No. 2096, issue of February 24, 1843, p. 1, col. 4.

to which the Canons of the Church entitle him." This precaution, he noted, would be particularly important with respect to the selection of persons to communicate religious instruction to the children of Catholics. Kent and Nugent each affirmed his readiness to move amendments corresponding to the views thus expressed¹¹.

According to Howley, a protest against the proposed establishment of two colleges according to the Robinson Bill was sent to the legislature by Bishop Fleming and was effective in bringing about its withdrawal. The grounds on which the Roman Catholic Bishop of St. John's made that protest were to the following effect: (1) That while Protestants were secured in their rights, there was no provision to secure the appointment of Roman Catholics as directors of the Catholic College, (2) That the ordinary is, de jure and de facto, the Superior of every Roman Catholic college; yet no mention is made of such fact, nor is he by the Bill supposed to have any control over it. (3) That the cause for vacancy, "death, resignation, or absence from the country," should have added to it other causes, such as gross misconduct or departure from the Catholic religion, that every director should be approved by the Bishop, and that the Bishop should have the power of

¹¹ John Kent and John V. Nugent, "Debate on the College Bill," in the Public Ledger, Vol. 21, No. 2105, issue of March 28, 1843, p. 2, col. 1-2.

suspending or dismissing a professor for the causes mentioned¹².

The points of opposition noted above have to do with denominational aspects of the Bill. These objections were expressed by members of the Assembly and by the Roman Catholic Bishop. The reaction of the general public to the provisions of the Two Colleges Bill we gather from a study of the press, which from the outset showed little favorable comment. The Ledger stressed the more urgent need for schools for the poor, especially in the outports, especially to the end that the ability to read the Scriptures might be put within the reach of the people of the colony, who, up to this time, had been deprived of this advantage. These views are expressed in an editorial:

We want first the means of providing for the education of the poor, more especially in our distant settlements; and then a college or colleges for the comparatively rich, upon wise and judicious principles, may be established with the hearty concurrence of all who desire to promote the scientific and literary advancement of the growing generation¹³.

The Newfoundlander objected to the provisions of Robinson's Bill on the ground that separation of the religious groups would widen the distinctions already existing, that the

¹² M.F. Howley, Eccelesiastical History of Newfoundland, Boston, Doyle and Whitten, 1888, p. 231.

¹³ Editorial in the Public Ledger, Vol. 21, No. 2094, issue of February 14, 1843, p. 2, col. 2-3.

amalgamated principle was best suited to a colony where there was difference of race as well as of religion¹⁴.

A number of letters to the editors of the journals repeated the same or similar objections. In the main, the public were averse to having the public funds expended in setting up what was termed two rival institutions.

To sum up the various objections to the Two Colleges Bill then, the Dissenters saw in it a want of due regard to their just and equal rights as members of the colony; the Catholics saw in its provisions disregard for the rights of the Bishop. All creeds, especially the people of the outports, considered provision for two colleges in St. John's an unnecessary expenditure of funds that were so sorely needed for the education of the poor.

It soon became evident that the College Bill was doomed to failure, and in the debate on the Bill for General Education towards the end of March, Robinson announced that he was abandoning it. It was suggested at that time that the Roman Catholic members in the Assembly would take up the matter of secondary education in the following session of the legislature, and that is what did occur. In 1843, however, the trend of public interest was towards elementary education, and the time was not yet propitious for the introduction of

¹⁴ Editorial in the Newfoundlander, No. 8, issue of February 16, 1843, p. 2, col. 2-3.

legislation for two distinct denominational institutions for secondary education. It was six years before the colony was prepared to give its assent to denominational academies.

2. Secondary Education in the Outports.

The proposed two colleges of the Robinson Bill were both to be established in St. John's, and presumably it was understood that youth from the outports would, in a limited degree, be able to avail themselves of its opportunities. Yet the need of a similar institution in the towns in Conception Bay District had been recognized two years after the first educational legislation had been passed. We find in the Supply Acts of 1838 mention of a grant towards procuring or building a grammar school in Carbonear and towards the support of the same. The amounts remained unexpended, however, until 1843, when legislation was passed for establishing and supporting a grammar school at each of the two larger Conception Bay towns: Carbonear and Harbour Grace¹⁵.

In each case, the 400 pounds sterling voted was for purchasing or leasing, for furnishing a suitable school house, for providing a library and "sufficient astronomical, nautical, and mathematical instruments for the same." Boards of Commissioners were to be appointed by the Governor,

¹⁵ Newfoundland, House of Assembly, Supply Acts, 2 Vic., Cap. 1, 1838, in Statutes of Newfoundland.

and each board might appoint a master, and, if necessary "an usher or assistant teacher." The boards might prescribe the branches of learning in addition to the Classics, Mathematics, and Navigation; they might also determine the appropriate fees. The legislation for the Carbonear Grammar School provides for inspection by the official appointed under the General Education Act of 1843, and subsequent Supply Acts provide votes for completion, repair, and maintenance of one or other of these two schools.

Since St. John's was always better copy for the newspapers in the nineteenth century, we find very little comment on the working of the outport grammar schools. It would appear that they were functioning effectively, since when the Legislature solicited comments on the general state of educational activity in the colony through the circular of 1873, the Harbour Grace Grammar School is described as one of the most useful educational institutions in the island. One gathers, however, that its efficiency was due in large measure to a dynamic and zealous principal, who was associated with this establishment for a number of years¹⁶.

It must be remarked that the two grammar schools, established in the same year as the General Education Act were,

¹⁶ Select Committee of the Legislative Council upon Education, Report, in the Journal of the Legislative Council of the Island of Newfoundland, 1874, St. John's, Newfoundland, Withers, 1874, p. 70-74.

nevertheless, non-denominational. It would appear, that at this period, that the people of the colony were not as yet prepared to permit State aid for secondary education, for separate denominational institutions, either in St. John's or in the outport towns. Reference is made to this prevailing attitude in the press of 1843, and again in 1844¹⁷. The Grammar Schools in Harbour Grace and Carbonear appear to have been generally acceptable to the people of Conception Bay; at any rate, as late as 1876 the provisions for these institutions are re-enacted in the legislation with the stipulation that "the Classics, Mathematics, and Navigation should be taught therein¹⁸."

In addition to the provision in the legislation for the St. John's Academy and the outport grammar schools, we find in the Supply Acts from 1845 onwards, grants for what was termed "Commercial Schools." The course of studies pursued in these schools is not definitely stated in the legislation, but one infers from incidental phrases in the Acts that they were meant to supply for the smaller outport settlements some measure of instruction beyond the elementary, and that one particular aim of the schools was the preparation of seamen,

17 Editorial in the Newfoundlander, No. 813, issue of March 23, 1843, p. 3, col. 3. See also Editorial in the Newfoundlander, No. 864, issue of April 11, 1844, p. 2, col. 3.

18 Newfoundland House of Assembly, An Act to amend and consolidate the Acts for the encouragement of education, in Statutes of Newfoundland, 39 Vic., Cap. 3, Section 23.

since Navigation is frequently enumerated in the accounts we find of the schools. In the case of the commercial school at Trinity, the condition mentioned is that "Provided Navigation be taught in the school¹⁹." There is special provision for the commercial schools included in the legislation of 1858, and the settlements wherein they were established are listed. From the Report of the Select Committee, quoted earlier in this chapter, we learn that the commercial schools included in their offering Navigation, Bookkeeping, Drawing, and "the ordinary branches of an English education together with French, Spanish, Latin²⁰."

Opportunities for secondary education in the outports then, comprised the two grammar schools at Carbonear and Harbour Grace, each under non-denominational management and serving all confessional groups; and the commercial schools scattered in the larger settlements in the several districts, offering a limited period of secondary education, including in practically all cases the study of Navigation. whereas the two grammar schools were entirely non-denominational, the commercial schools were included in the administration of the district schools, though they were financed with separate grants.

19 Newfoundland House of Assembly, Supply Act, 15 Vic., Cap. 19, Section 4.

20 Select Committee, Report, Op. Cit., p. 18.

3. The St. John's Academy, 1844.

It has been noted in connection with the abandoning of the Two Colleges Bill in 1843 that it was expected that the need for an institution for secondary education in St. John's would be taken up by the Roman Catholic members of the Assembly in the succeeding session. Accordingly, in the winter session of 1844, we find John Kent sponsoring a bill for the support of an academy in St. John's; unlike the abortive Robinson Bill however, Kent proposed a purely secular institution to serve all denominational groups in the colony, and with no provision for religious instruction of any kind.

John Kent was a young and energetic Irishman, the nephew of Patrick Morris, of whom mention was made in a previous chapter, and the brother-in-law of Bishop Fleming. He had come to Newfoundland from Waterford in his early youth, and had been for some years a member of the Legislature. The Academy Bill was drawn up in accordance with principles tempered to meet the views of both the Assembly and the public. Kent's address on the second reading was a plea for the education of leaders and thinkers in the colony, for what he termed the completion of the task begun in the Acts which had already provided for aid and encouragement to elementary schools.

Granted the need for an academy and the availability of the necessary funds, the major consideration to be studied was whether or not religious instruction should form part of

the offering of the proposed academy. Taking into account the consistent opposition to denominational division in the Robinson Bill of 1843, Kent concluded that the public would be satisfied only by one establishment, which would impart an efficient secular training, leaving the religious training of the students to the home or to the ministers of the several persuasions²¹.

Though the proposals made by Kent were in the main agreeable to the majority of the members in the Assembly, it was to be expected that those who had pleaded so eloquently for religious training in the debates of 1843 would find the provisions of the Kent Bill unacceptable. This was the case, and both Barnes and Robinson offered vigorous opposition to the proposal to make the academy purely secular in its teaching. Kent answered their objections as follows: His position in this respect was, he explained, not that he wished to deprive the students of religious instruction, but that rather he was determined to provide against the risk of proselytizing influences that might accompany the inclusion of any form of religious instruction. He therefore proposed that the academy should be such that it would "confine the education to secular courses, excluding religious instruction of any kind²²."

²¹ John Kent, "Debate on the Academy Bill," in the Newfoundlander, No. 864, issue of April 4, 1844, p. 1, col. 3-4.

²² Ibid.

Kent insists that he is "deeply anxious that the faith that is in us shall not be improperly interfered with," and he adds, "should the enactment provide for reading of the Scriptures, or any form of religious teaching, the liberty of the Catholics might be impaired in such a way as to prohibit them from attending the school". Lest his viewpoint should appear unfounded, the member cites the example of Prussia, in which country he reminds his hearers:

...in the Rhenish Provinces, where the population is part Catholic...a spirit of proselytism grew up. Catholics resisted, and the affair ended in the imprisonment of the Catholic Archbishop²³.

"Moreover, in Catholic Ireland as well as in Protestant Holland," continued the member, "the schools are organized on wholly secular principles, and, in each case, the system appears to be giving satisfaction. There are two alternatives," he concluded: "either to exclude religious instruction altogether, or to have two separate institutions" and the latter proposal, when suggested by Mr. Robinson a year earlier, had been found to be impracticable.

Nugent, speaking in support of the Academy Bill, based his views on the ground that, though he was thoroughly convinced that education should have its basis in religion, yet he doubted that "lay masters in schools should be teachers of divinity." Moreover, he affirmed, though religious instruction

23 Ibid.

is essential in the elementary schools established in the out-ports, where the illiteracy of parents made the school the sole agent of such teaching, the need is not so apparent in the case of older youth such as will be enrolled in the Academy²⁴.

Apart from the comments noted above, there appears to have been little discussion on Kent's plan for the organization of the St. John's Academy, and the bill was passed on the twenty-ninth of April, 1844²⁵.

Comments in the press were favorable to the enactment. The Newfoundlander maintained that the legislation was founded on the demands of the people, since it was based on "the principle which was inferentially sustained by the defeat of the measure of the last session." This editorial insists that discussion on the College Bill in 1843 had shown

...public feeling and sentiments on the system of an academic institution to which the public would be willing to accord its assent. In last year's session a large majority of the Legislature was ready to sustain the principle of the bill, but public opinion, the governing principle of our time, evinced

²⁴ Nugent, Ibid., p. 2.

²⁵ Newfoundland House of Assembly, "The Academy Act," published in The Newfoundland Gazette, Vol. 38, No. 1906, issue of May 7, 1844.

its hostility, and though we have seen it too often permitted to lay dormant, on this occasion its legitimate influence was asserted—and successfully asserted too²⁶.

Succeeding events, however, seem to indicate that public opinion in Newfoundland in the 1840's was a very unstable entity, a circumstance that is not astonishing when one considers the novelty of the whole problem of education in the colony. One remembers that, at this period, there were differences of opinion of a similar nature in England, and that, in Ireland, the years were marked by the continuation of the struggle begun in the early years of the century for religious emancipation.

The St. John's Academy was organized according to the Act of 1844. Its Board of directors included a number of the members of the Legislature, many of whom had, through the past sessions, been concerned with the problems of government and of education in the colony²⁷.

The senior master of the newly organized Academy was Charles D. Newman, B.A. (Oxon.), whom Bishop Feild had brought to the Island for his proposed Church of England Academy. The second master, John V. August, was a former member of the legislature. He had formerly held a teaching position in Waterford,

²⁶ "The Academy Bill," editorial in the Newfoundlander, No. 865, issue of April 11, 1844, p. 2, col. 3.

²⁷ Notice in the Newfoundlander, No. 840, issue of June 26, 1845, p. 2, col. 3.

Ireland, and had been the first appointee under the provision for an Inspector of the General Education Act of 1843.

4. The Failure of the St. John's Academy.

Under such competent administration, and with the apparent approval of the public, the Academy would appear to be assured of success. The hopes of its sponsors were not fulfilled. For six years, the St. John's Academy maintained a precarious existence. At the end of that time, it was evident that the experiment had failed and that some change in its organization was in order. Within these six years, Bishop Feild had set up his own collegiate school in St. John's²⁸, and Franciscan monks had come from Ireland at the request of Bishop Fleming and were to open St. Bonaventure's College within the decade²⁹.

So much discussion of the failure of the Academy is found in the press of 1850, and so many causes are adduced as having been the source of this failure, that it is difficult to extract from the welter of criticism just what were the main reasons involved in its break-up. We shall review some of the circumstances that have been alleged as the underlying

²⁸ Edward Feild, Correspondence, cited in H. W. Tucker, Life and Episcopate of Edward Feild, London, England, Gardner, 1877, p. 190, et seq.

²⁹ "Debate on Academy Amendment," in the Public Ledger, Vol. 27, No. 2030, issue of April 5, 1850, p. 2, col. 1.

causes of its not being accepted by the people.

The Public Ledger, when the amendment of the legislation concerning the Academy was pending, ascribes the failure of the original set-up to the following factors: The composition of the Board of directors was not acceptable to the people; the locality chosen for the building was unsuitable; the rate of fees, 8 pounds sterling per year, was prohibitive; and parents were unwilling to have their children educated in an institution wherein there was complete absence of religious training³⁰.

The Ledger stresses the fact that parents lack confidence in the Academy and explains that lack as follows: The ecclesiastical superiors of both the Protestant and the Roman Catholic denominations were not satisfied with the administration of the institution. The Catholic Bishop considered that the masters should be responsible to the superiors of the Church for the soundness of the instruction imparted to the students; the Prelate of the Church of England had equal objections to the organization of the Academy; he required the guarantee that Religious training should be given, and that, by a person in Holy Orders. Parents followed the sentiments of their respective churches, and the general feeling was that the institution could no longer function under the same

³⁰ Editorial, in the Ledger, Ibid., p. 2, col. 3.

conditions as had been in order for the six years of its existence³¹.

Clergymen of the dissenting groups were no less critical of the Academy. Adam Stuart Muir, Minister of the Free Church of St. Andrew in St. John's writes to the editor of the Ledger as follows:

I think that the Presbyterians of St. John's who know and value their distinctive principles, could not have full confidence in a master, unless responsible to the respective judicatories of their Church ... For the prosperity of the school, the teachers should have the confidence of the parents whose children are to be entrusted to their charge, and this can be secured only by assuring them that in literature, morals, and orthodoxy he will be controllable by the presbytery of the bounds³².

Whether this statement of a Free Church minister is a shift from the position of the dissenting bodies who had stood for a purely secular academy in the debates of 1843, it is not clear. What is clear is that the St. John's Academy lacked the confidence of the parents, a fact still further shown by the fact that whereas it had been expected that boys from the outports would be enrolled in the Academy, many students from St. John's had been sent to the Harbour Grace Grammar School.

Some three decades later, the following explanation of the Academy situation was written:

³¹ Ibid.

³² Adam Stuart Muir, "To the Editor of the Public Ledger, on Education," correspondence in the Public Ledger, Vol. 27, No. 2015, issue of February 12, 1850, p. 2, col. 2.

Its failure may be attributed to the following circumstances--the head-master was an English Episcopalian who had been only a month or two in the country before his appointment on the recommendation of Bishop Feild. To this most of the other denominations of Protestants had strong objections. The second Master was an Irish Roman Catholic who had resided some years in the colony, and had been a member of the House of Assembly, who is said to have been recommended to the appointment by the Roman Catholic Bishop. To his appointment the majority of all denominations were strongly opposed on the ground of the course in politics which the second master had pursued. The third master was an Irish Roman Catholic; and the Secretary was an Irish Episcopalian, who had been but a few weeks in the country before his appointment. The great majority of the native population objected to the Board of Directors, amongst whom was not one native of the country. And the Roman Catholics objected to sending their children to a school having a Protestant headmaster. And in addition to all this was the fact of 8 pounds sterling for each child. Under the circumstances it was impossible that the institution could prosper³³.

As the above excerpt seems to imply, it is quite probable that racial prejudice was involved in the failure of the Academy as well as the other several causes to which it has been ascribed.

5. Amendments of the Academy Act, 1850-1858.

The voluminous correspondence in the press during the winter of 1850 suggested by implication what was the obvious remedy for the situation. Some few attempts were made to maintain the Academy in a modified form. One Scottish

³³ Philip Toque, Newfoundland As It Was And As It Is In 1877, London, Sampson, Searle & Lowe & Rivington, 1878, p. 417.

clergyman presented a petition on behalf of his congregation in which he suggested that the vote of 550 pounds sterling for the salaries of the masters should be distributed among five masters, who should constitute a system of Grammar Schools such as was observed in Scotland, where each of the five should be accountable for the teaching of one class. He added that, with a modest contribution from the parents, this arrangement could be worked out³⁴.

The two masters of the Academy were asked to appear before the Assembly, not to be examined but to state their opinions on the situation, in order that the Assembly might have the value of their views in considering the changes to be made³⁵. The Ledger remarks that nothing that had not already been known came out of this report. The Senior Master advised a separation of the denominations in the amendments to be enacted.

Petitions came to the Assembly for the division of the Academy, and the inevitable separation came by legislation on April 30, 1850. This enactment divided the Academy grant as follows: 250 pounds sterling for defraying the salary of the Roman Catholic master, 200 pounds sterling for the salary of

³⁴ Thomas King, "Petition upon the St. John's Academy," in the Ledger, Vol. 27, No. 2024, issue of March 15, 1850, p. 2, col. 1.

³⁵ "House of Assembly," in the Ledger, Vol. 27, No. 2030, issue of April 9, 1850, p. 1, col. 2-3.

the Church of England master, and for one or more masters of the other Protestant denominations, 150 pounds sterling³⁶. The Act provided for three Boards to be nominated and appointed by the Governor, which Boards were to have power to appoint masters of their respective denominations. The amounts voted for the denominational groups were proportional to their respective numerical strengths, a principle established by the General Education Act of 1843 and still scrupulously observed in all government grants for education.

In 1858, still further amendments had to be made in the matter of distributing the Academy grant. The Wesleyan Methodists had increased in numbers during the 1840's and 1850's, and they had become dissatisfied with the functioning of the Academy. They considered that their numbers entitled them to consideration in the management of secondary education for their adherents and expressed their desire to be put upon the same footing as the Roman Catholic and the Episcopal groups. The Committee on Academy Amendment gave their demand a good deal of attention, and it was finally decided to divide the 1,100 pounds sterling granted for the Academy, among the three major denominations; namely, the Episcopalians, the Roman Catholics, and the Wesleyan Methodists, with a distinct vote

³⁶ Newfoundland House of Assembly, Academy Amendment Act, in Statutes of Newfoundland, 13 Vic., Cap. V, Section IV.

for the General Protestant Academy³⁷.

By the legislation of 1858, then, there was provision for four separate academies. In addition, the enactment of that year charged the denominational academies with the preparation of teachers for the schools in the districts. The sum of 3,000 pounds sterling, appropriated by the Supply Act of 1858 for the erection and establishment of a Normal School or Schools in St. John's, was to be divided among the denominational Boards in proportion to their populations, and suitable courses of training were to be organized by the Academies. These institutions continued to train the teachers of the colony from that date until the opening of the Newfoundland Normal School in the 1920's.

The financial support assured to the Academies by the arrangement and the importance of the task entrusted to them seems to have consolidated their position, for the institutions continued to provide instruction for students of both St. John's and the outport towns.

Thus, the course of legislation for secondary schools in St. John's had come full cycle. The unsuccessful Bill for two denominational colleges had been abandoned in favour of a purely secular institution, only to have that establishment

³⁷ Newfoundland House of Assembly, Committee on Academy Amendment, "Report of the Debates," in the Newfoundlander, No. 2021, issue of May 6, 1858, p. 1, col. 2.

divided into three, and eventually into four separate denominational academies. The wider influence exerted by the Academies, after they had become institutions for the training of teachers, still further strengthened the denominational position.

It would appear that, in the case of secondary education as in the provision for elementary schools, the course of legislation was determined by the demands of the people. With regard to English empiricism in Education, Kandel has remarked that "laws there are, but legislation is introduced after local experimentation and the status of public opinion warrants it"³⁶ⁿ. This attitude seems to be characteristic of the development of educational legislation in Newfoundland. In the case of both elementary and secondary schools, the legislation had to be amended time and time again until a form of educational organization and administration was achieved that met with the approval of the people.

When considering the development of legislation for the academies, one cannot overlook the fact that both the Roman Catholic and the Episcopal Church had, at this period, outstanding leadership in the persons of Bishop Fleming and Bishop Peild. The educational achievements of the former included the bringing of three teaching congregations to the colony, a fact which strengthened considerably the position of

³⁶ I.L. Kandel, Comparative Education, Boston, Houghton Mifflin Co., 1933, p. 29.

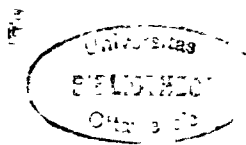
the Catholic Church in this respect. Bishop Feild's first interests, on coming to the Island in 1844, was the establishment of an Academy. In fact, he had planned for it before coming to his diocese and had secured the services of Newman, who, for some time, was headmaster of the St. John's Academy. According to Feild, the division of the Academy is, in large measure, due to the influence of Newman³⁹.

By 1858, then, the denominational Academies in St. John's had taken on the form according to which they would function in the general pattern of the colony's system of public education for more than a century. The two Grammar Schools in the Conception Bay District continued to serve the mixed population of that area very successfully, on the amalgamated principle, until late in the nineteenth century, when they were absorbed into the district schools. The smaller towns in the Island were offered some measure of secondary education by the commercial schools, operated under the denominational plan of the Boards in the districts. These were gradually passed over to the Boards as part of the elementary school system.

Elementary education, organized for the two confessional groups in 1843, was made purely denominational by the legislation of 1874. The course of the development of elementary school administration, from 1843 until the Education

³⁹ H. W. Tucker, Life and Episcopate of Edward Feild, London, Gardner, 1877, p. 490.

Act of 1874, will be elaborated in the following chapter. The General Education Act of 1843 had attempted a solution to the problem of grant division among the various confessional groups in Newfoundland. From that date on, efforts were made to satisfy the specific needs of the various denominational schools and respect their rights to impart education according to the requirements of their own creeds.



CHAPTER IV

SUBDIVISION OF THE PROTESTANT GRANT FOR ELEMENTARY EDUCATION

The legislation for government aid to the denominational academies which had been passed in 1850 and the further subdivision which was made of the same grant in 1858 indicated an increasing tendency towards autonomy of the smaller confessional groups for purposes of education. The General Education Act of 1843, the first legislation for denominational division, had provided for Protestants on the one hand and Roman Catholics on the other. About 1850, a movement was initiated, the purpose of which was to bring about the subdivision of the Protestant grant for elementary education so as to give each denomination control over the administration of its own schools.

In this chapter, we shall outline the course of that movement, from 1850, when the first bill for subdivision was introduced into the Legislature by W.H. Hoyles, through the debates, correspondence, and press comments of the two succeeding decades, to the legislation of 1874, which provided for complete denominational segregation of the several groups, for purposes of organization and administration of their respective school services, under boards constituted of members of the denomination for which each group of schools was established.

The arguments adduced for and against the principle of subdivision will be reviewed; the reaction of the Churches and the Families will be considered, especially as one finds evidence of these reactions in correspondence in the press; the general trend of thought on each side of the controversy will be examined, as it is indicated in the editorials in the two leading newspapers of the time. Finally, the investigation and the findings of the Select Committee of the Legislative Council on Education will be summarised, and the provisions of the Education Amendment of 1874 will be outlined.

1. The Movement Towards Subdivision - 1850.

Increasing awareness of the educational needs of the colony is apparent, as one scans the press in the years about mid-century. In 1849, for example, the Newfoundlander in an editorial published before the opening of the House for the winter session, maintained that among the most urgent of the problems, to be considered when the session began, would be, unquestionably, that of provision for education. "The immediate need," said the editor, was for competent teachers, and to secure the services of such, the government must subscribe a larger grant¹."

¹ Editorial in the Newfoundlander, St. John's, Newfoundland, No. 1050, issue of December 20, 1849, p. 2, col. 2.

The General Education Act of 1843 had been enacted for the space of six years, and "from thence to the next Session of the Legislature of this Colony²." Hence, the session that met in the winter of 1850 was faced with the task of making any revision that might be considered necessary in the existing legislation for the district schools.

During the first half of the nineteenth century, as has been noted in a previous chapter of this study, the Wesleyan Methodist group in the colony had been increasing rapidly and had taken a keen interest in the development of legislation for education. The Public Ledger, which appears to represent the views of the Methodists, carried, during the winter of 1850, a series of communications dealing with the question of the proposed subdivision of the Protestant grant. The general tenor of the correspondence was to the effect that such a policy would be neither desirable nor useful, that it would rather militate against the best interests of all concerned.

One of the most explicit and well developed of these communications is over the signature W.F. This correspondent advocated the continuation of the provisions of the General Education Act of 1843, which it described as "a masterpiece of wise and practised legislation, suited to the peculiar

² Newfoundland General Assembly, An Act for the Encouragement of Education in this Colony, passed May 22, 1843, Section 22, in Statutes of Newfoundland, 1843.

circumstances of the country³." "This opinion," the writer alleged, "represented the sentiments entertained by the Wesleyan body throughout the Island, as appeared by a resolution of their ministers adopted at a meeting held in August, 1849.

If the provisions of the legislation of 1843 resulted in dissatisfaction," the writer continued, "this fact could be attributed to the ineptitude of those who directed its working in the schools." As the resolution referred to above appears to embody the carefully considered opinion of the clergymen who represented the Wesleyan body at that time, we shall quote it in full. It reads as follows:

That this meeting, having carefully considered the Act for the Encouragement of Education--the term of which has nearly expired--records its unanimous judgment as approving the principle of that important measure with the wisdom and fairness of its provisions throughout. This meeting also expresses its desire of seeing the same principles and details retained in any similar enactment which may be passed in the next session of the Legislature, and that it may be rendered increasingly efficient by an enlarged grant from the public funds of the Colony⁴.

The same correspondent added "that the question of subdivision should be determined less by the views of any one or other of the religious bodies concerned. than by the condition of the public funds. The effect which subdivision would have

³ W.P., "Letter to the Editor on Elementary Education," in the Public Ledger, St. John's, Newfoundland, Vol. 27, No. 2016, issue of February 8, 1850, p. 2, col. 3.

⁴ Ibid.

upon the smaller settlements would, this writer held, be most unfortunate unless the funds were sufficient to allow for the needs of each group; and he suggested further⁵ that, in case the separation should take place, it ought not to be based entirely upon the majority of the religious denomination in each locality, for, the Wesleyan group, being the smaller of the two denominations immediately concerned, would suffer most by such discrimination⁵."

The tenor of this letter seems to indicate that the principal objection to subdivision of the Protestant grant, at least in the judgment of this correspondent and those whom he represented, was that the meagre funds at the disposal of the Boards of Education in the districts, and the increased expenditure involved in providing schools for each denomination would impede the efficient operation of all the schools concerned. It is perhaps worth noting here that this fact of limited funds and division of facilities is the objection most frequently adduced against maintaining the denominational system of administration, and it must be conceded that, on the face of the matter, and from the point of view of economy only, there would appear to be some ground for such an argument.

If there were those who tried to forestall the possibility of having the Protestant grant subdivided, there were

⁵ Ibid.

on the other hand, a number of petitions to the legislature on behalf of subdivision. These petitions came, in great part, from representatives of the Episcopalian body, and one of the strongest proponents of the principle of subdividing the grant was that great Anglican prelate, Bishop Feild. The Bishop had come to Newfoundland in 1844. Immediately, he had set about providing improved facilities for education. One of his cherished projects was an academy for young men. Some of the students thereof, he hoped, would join the ranks of his clergy; others would be leaders in the civic and economic life of the colony⁶.

In a lengthy communication to the Ledger in 1850, Bishop Feild set forth the "real advantages contemplated by me and by those who advocate a further division of the colonial grant⁷."

These advantages, as the Bishop enumerated them, might be summarized to the following effect: (1) By subdivision of the grant and reorganization of the schools along denominational lines, more persons would be directly interested in education and would be occupied with the improvement of the schools.

⁶ H.W. Tucker, Life and Episcopate of Edward Feild, London, Gardner, 1877, p. 190.

⁷ Edward Newfoundland, (Bishop Feild), "Letter to the Editor," in the Public Ledger, Vol. 27, No. 2019, issue of February 26, 1850, p. 1, col. 1-3.

(2) The persons most capable and most frequently called on, that is, the Ministers of Religion, would labour in the schools more freely and more effectively, "each at his proper work, each in his own place." (3) The most sacred, most necessary and responsible part of education, the teaching of religious truth, would be openly and honestly carried on, and carried on "without jealousy or reserve, without hindrance or opposition⁸."

The Bishop's letter had stressed the advantages to be expected from a subdivision of the Protestant grant. As he represented a considerable proportion of the colonists, it is to be expected that his views were of no small weight in strengthening the cause of subdivision. The matter was referred to a select committee of the legislature of that year; and during the winter of 1850, the group undertook a study of the educational situation. Not much information is given us of the methods they used to make this study, and the report does not express any official opinion on the part of the committee. However, the report was made at the same time that a bill for subdivision was introduced, and it concluded thus:

⁸ Peild, Ibid.

...The practical operation of combined Protestant schools being already known by the working of the existing act, they have deemed it but fair to those who desire a separation in this respect, to allow them the opportunity afforded by the introduction of a new bill, of putting before the House and the Public the details of the system which they advocate⁹.

The committee did not make any recommendations on the advisability of subdivision as a principle; they did however, suggest that it would be prudent to continue the existing provisions for a limited period, not to exceed one year.

The bill introduced in this session for subdivision of the grant was sponsored by Hugh W. Hoyles, a rising young lawyer, at that time member for Fortune Bay, who was later appointed Judge of the Supreme Court in the Colony. Hoyles¹⁰, who was also the chairman of the Select Committee mentioned above, was associated with the proposals for subdivision during the succeeding sessions of the Assembly. This first bill was brought in ostensibly as the result of several petitions from members of the clergy and laity of the Church of England, who were seeking "a proportional grant according to population for the support of Schools in connexion with the

⁹ H.W. Hoyles, "Report of the Select Committee on Education," in the Ledger, Vol. 27, No. 2017, issue of February 19, 1850, p. 2, col. 1.

¹⁰ "A strong Conservative and staunch Protestant, whose judgments were masterpieces of critical analysis," according to Edward B. Foran, "Newfoundland Statesmen of the Past," in The Book of Newfoundland, St. John's, Newfoundland Book Publishers, 1937, Vol. 1, p. 248, at seq.

Church of England, and under the direction of the clergy and other members of the Church only¹¹." A year later, Hoyles claimed that this bill was rejected on the ground that the grant for education was insufficient to make subdivision a practicable course at the time¹². Events of 1850 seem to suggest that another reason why the bill for elementary education was set aside could be that the protracted debate on the Academy Amendment outweighed other issues in education. At any rate, the bill for subdivision in 1850 attracted little notice in the press.

The existing legislation was continued for another year, as had been suggested in the report, and it was therefore a foregone conclusion that the same problems should be revived in the session of 1851.

On the fourteenth of February, 1851, the clergy and laymen of the Church of England held a meeting in St. John's, to study the educational situation in the colony, and a resolution proposed by Bryan Robinson, and seconded by Thomas Rowe--both members of the Colonial Legislature--was unanimously passed. The tenor of this resolution shows how firmly the

11 "Petition of the Bishop, Clergy, and other Members of the Church of England in St. John's," in the Journal of the Legislative Council of the Island of Newfoundland, 1850, p. 61.

12 H.W. Hoyles, "Debate on the Second Reading of the Education Bill," in the Newfoundlander, No. 1112, issue of March 21, 1851, p. 2, col. 3.

members of the Church of England were ranked with their Bishop and clergy in the demand for proportionate grants. Since the motion sets forth the position of the Church of England in the controversy on subdivision, we shall quote it in full:

That the Legislature of Newfoundland, having recognised the principle of distinctive education by having in 1843 appropriated half the Educational vote to the use of the Roman Catholic Church, for the support of her schools, and having in 1850 affirmed and extended the same principle by establishing in St. John's three Academies—one for the use of the Church of England—one for the use of the Church of Rome—and one for the use of Protestants dissenting from the Church of England, the meeting relies confidently on the justice and consistency of the local legislature that it will so carry out the system of Education thus established that the poorer members of the Church of England may enjoy the benefits of it as fully as their richer brethren¹³.

The meeting claimed moreover, "a full and fair participation in the benefits to result from all public acts of the Colonial Legislature." If the Church were to have this participation, the grant should be divided so that the schools under that church should receive their due proportion according to the authorized census, and her schools should be under the exclusive management of the Church, but open to all who may desire to attend there¹⁴."

¹³ Bryan Robinson, "Resolution proposed at a Meeting of the Members of the Church of England," February 14, 1851, in the *Times*, St. John's, Newfoundland, Vol. 28, No. 14, issue of February 15, 1851, p. 2, col. 1-4.

¹⁴ *Ibid.*, p. 3.

The meeting noted above represented a large and influential sector of the population of the colony. As the Bishop of Newfoundland was absent from the colony at the time this meeting took place, the members presented him with a summary of the proceedings on his return. The prelate approved the action taken, and, in his reply, he remarked:

Education cannot be carried on without religion, and religion can never be truly and honestly taught without frequent reference to and inculcation of those distinctive matters of faith which each Church recognizes as the groundwork of its system¹⁵.

It appears then that the Church of England stood firmly for the principle of denominational administration of the district schools. The Wesleyan groups, it would seem, were not so united in their demand. At any rate a member of the Assembly, who was present at the meeting noted above mentioned that several Wesleyan congregations had strongly protested and petitioned the legislature against the fusion of Protestant teaching, and had asked for distinct grants¹⁶.

According to the Ledger, however, such was not the general position of the Wesleyan body. The editor gives his views decidedly as follows:

¹⁵ Bishop Field, "Reply to the Report of the Meeting of the Members of the Church of England," in the Times, Vol. 28, No. 37, issue of May 7, 1851, p. 1, col. 1-2.

¹⁶ C.F. Bennett, "Address to the Meeting of the Members of the Church of England," February 14, 1851, Ibid.

Though no one particular mode seems to have received the seal of anything approaching to universal sanction, either in the 'Old Country' or in this colony, nevertheless there is a manifest preference for the education of children whose parents are of different religious persuasions without any especial respect to their denominational differences¹⁷.

The Ledger is prepared to concede that it may be advisable to have Protestants and Catholics segregated for purposes of education, but refuses to admit that the same necessity holds in the case of the different Protestant denominations. This is how the matter is dealt with:

If the elements of a religious education are desirable, as we think they are, to be introduced in our ordinary schools, then clearly one great objection has been removed, in the simple division between the Roman Catholics as one body of professing Christians and the Protestants as another...There are important, and as it has been conceived, essential differences between them, not easily to be reconciled, and at least obstructive of any cordial co-operation. But there are grounds upon which Protestant Churchmen and Protestant non-Conformists can support each other in the promotion of their common faith...There are surely no distinctive doctrines to be inculcated in our elementary schools that can produce rivalries of faith or even modes of ecclesiastical government which can seriously affect the pupils in their training in after life¹⁸.

It can be seen how different were the trends of thought between Churchmen on the one hand and the non-Conformists on the other in this matter of subdivision. The clergy and

¹⁷ Editorial, in the Ledger, Vol. 28, No. 2121, issue of February 14, 1851, p. 2, col. 2.

¹⁸ Editorial, in the Ledger, Vol. 31, No. 2120, issue of February 14, 1851, p. 2, col. 2.

laity of the Church of England continued to petition the Assembly for schools under the direction of members of their own communion; the non-Conformists, with some few exceptions, were persuaded that the two groups could be instructed together without danger to doctrinal belief or moral training.

2. Progress of the Subdivision Movement.

In an effort to compromise with the issue, or it may be to give subdivision a trial, the suggestion was made that the existing legislation should be continued with a special provision for subdividing the Protestant grant in such districts as would not suffer any serious financial difficulties thereby. This suggestion was put into effect two years later.

The amendment of 1851 increased the grant for education to 7,500 pounds sterling and re-enacted the provisions of 1843 and 1850. The most radical change made in this year was that the grants for the two confessional groups--Protestants and Roman Catholics--were to be controlled by two newly constituted Central Boards of Education in St. John's. This change was so unacceptable to the outport districts that its existence was short-lived; it was abolished by the legislation of 1853¹⁹.

¹⁹ Newfoundland General Assembly, Education Act Amendment, 16 Vic., Chap. 2, Section 2.

The controversy over subdivision continued throughout the succeeding decades, and, as has been remarked, it frequently dominated all other issues in the debates in the Assembly²⁰.

Several editorials in the press at this time deplore the time consumed in the House by protracted discussions on what one organ terms a "vexatious and interminable question," and comments that the education problem is degenerating into "party discussions²¹."

The first legislation that involved subdivision was made in 1852. The twelfth and last section of this enactment provided that the Governor could, on the recommendation of the Central Protestant Board of Education, permit the separation of Protestant school boards in the electoral districts of St. John's and Conception Bay, so as to permit the organization of schools for both Church of England and other Protestant groups, on condition that such an arrangement would not result in reducing the annual salary of any teacher to less than thirty pounds sterling²².

This first concession to the demands for subdivision, it will be noted, did not apply to the more remote outport

²⁰ See F.W. Rowe, The History of Education in Newfoundland, Toronto, Ryerson, 1952, p. 136.

²¹ Editorial, in the Times, St. John's, Newfoundland, Vol. 29, No. 42, issue of May 26, 1852, p. 2, col. 1.

²² Newfoundland House of Assembly, Education Amendment, 15 Vic., Cap. 2, Section 12.

districts, in which, in addition to the fact that these were more sparsely settled than the two districts mentioned, the northern districts were increasing their quota of Wesleyan Methodists, who were less favorably inclined towards the principle of subdivision.

In 1853, a correspondent who signs himself "An English Churchman," reviews the course of the legislation from 1843, with a view to pointing out that the Church of England had not been given equal rights with the Roman Catholic Church in the apportionment of funds, and that the amalgamated plan would militate against the best interests of the schools since it would result in lack of interest on the part of all the Protestant denominations²³.

"Episcopalians, equally with the Dissenters," this writer affirmed, "felt no interest in, nor responsibility for the schools, since neither had the power of carrying out its own policies in organizing and administering them." The government was unable or unwilling to maintain an efficient supervision over the schools, and the result was a loss of any regular superintendence. The lack of such supervision resulted in incompetence and neglect in the teaching.

²³ An English Churchman, "Letter to the Editor of the Times," forwarded to the Ledger, for publication, by "Episcopalian," in the Ledger, Vol. 33, No. 2354, issue of May 13, 1853, p. 3, col. 2.

The letter mentions numerous petitions sent to the Legislature in 1850, urging subdivision, and claims that the Roman Catholics, with the exception of Shea, had joined the Dissenters in opposition to the subdivision demanded. The explanation of this move on the part of the Catholic members in the House would seem to be, in the main, political, since they had achieved for their Church schools the control over finance and local administration since 1843. The Church of England, nevertheless, stood firm on the principle of subdivision, but while the amendment of 1853 abolished the central boards and the local administration reverted to the district boards, the question of denominational subdivision remained on the same footing as had been provided for in the enactment of 1852.

The legislation of 1853 appears to have been the first in which appears what has been termed the "conscience clause," which makes it unlawful for teachers in schools appointed under the Education Act to impart to any child in such schools religious instruction to which parents or guardians object²⁴. This clause remains part of the Education Act to the present, and both Burke and Rowe note "that never in the history of the

²⁴ General Assembly, Education Act Amendment, 16 Vic., Cap. 2, Section 10.

district schools has its observance been questioned²⁵."

The demands for subdivision of the Protestant grant, as has been indicated, had been granted in part by the amendment of 1852. The two most populous districts--St. John's and Conception Bay--had in part achieved the desired separation. The provision for a separate Wesleyan academy and a general Protestant academy by the legislation of 1858 has been mentioned in a previous chapter. The enactment of 1858, possibly because of the repeated imputations of incompetence in the schools, also made provision for minimum requirements for a uniform course of instruction in the schools. That minimum was to include:

...Reading, Writing, Arithmetic, English Grammar, and where required, Geography, History, and Navigation; also such Industrial Employment as may be directed and seem necessary by the said Boards²⁶.

In 1855, the colony achieved Responsible Government. That event seems not to have affected the educational situation. Demands for subdivision were debated in the Assembly again in 1860. A suggestion was made in that year that the different Protestant school boards should be requested to set forth in writing, either collectively or individually, their

²⁵ V.P. Burke, "Two Centuries of Education in Newfoundland," in The Book of Newfoundland, St. John's, Nfld., Newfoundland Book Publishers, 1937, p. 291. Cf. Rowe, Op. Cit., p. 83.

²⁶ Newfoundland House of Assembly, Education Amendment, 21 Vic., Cap., 7, Section 20.

sentiments on the question of subdividing the Protestant grant. In making this proposal, Rendell states that he is not in favour of subdivision, but that so many petitions had come to the Assembly in the preceding years, both for and against the principle of subdivision, that he considered the real trend of public opinion might in such a poll be more readily determined²⁷.

The suggestion was acted upon. The report of the Select Committee in 1873 notes that, in 1860, many of the Boards of Education had given expression to their views on the matter, but that the replies were generally dictated by local circumstances, and that "there was no marked preponderance of opinion on the one side or the other²⁸." That the state of public opinion was somewhat erratic at this time appears from a further remark in this report that, while in 1860 the Wesleyan Conference of Ministers had petitioned the Legislature for subdivision, "they now (1873) seem unanimously opposed to it²⁹."

The early 1860's was marked by considerable disturbance in the form of election riots; these demonstrations appear to have begun in Harbour Grace and to have had a

²⁷ Rendell, quoted in an editorial in the Ledger, Vol. 40, No. 3011, issue of May 22, 1860, p. 2, col. 2.

²⁸ The Select Committee of the Legislative Council on Education, "Report", in the Journal of the Council, 1874, p. 6.

²⁹ Ibid., p. 6.

definitely sectarian character. The riots were concerned mainly with political antagonisms between Protestants and Catholics, so it would appear that they would not have affected directly the question of subdivision of the Protestant grant. Nevertheless, sectarian outbursts of such violence would have had repercussions on the educational scene. The Newfoundland Royal Commission of 1933 notes that these disorders led to an arrangement that "all religious parties should be fairly represented in the arrangement of an administration and in the distribution of offices³⁰," an understanding, the Report adds, which has been faithfully observed since that time.

This understanding did enter into the educational issue to the extent that the representatives so selected in the administration felt called upon to support the position of their respective denominations. James Clift, in a debate on subdivision in the Legislative Council in 1874, avers that there should not ever have been division, but that nevertheless he has favoured subdivision for some years, and he proceeds to give the reasons. "When, in 1861," he says, "the Premier filled up this Council on denominational principles," and he, Mr. Clift, was chosen by his fellow-churchmen to represent them in that body and defend the particular interests of that Church

³⁰ Newfoundland Royal Commission, Report, London, H.M. Stationery Office, 1933, p. 88.

as far as they might be affected by any legislation, he felt it to be his duty to give the proposal his support, since the Bishop and with, he believed, only two exceptions, the clergy were in favour of its clauses³¹."

The 1860's did not see the final settlement of the subdivision question. For the most part, amendments in that decade had to do with the creation of new districts and the redefining of those already established, an indication that the number of schools was being increased, since the administration called for smaller territorial units. There was provision, in 1866, for settlements "not hitherto included in any district for grants;" and, in these settlements, the sums allotted were to be distributed according to the population of the several denominational groups:

\$1,800 to be appropriated annually in places outside St. John's, where there are not means for the support of schools within or without any of the Educational districts, in the furtherance of education to be apportioned according to the population of the several denominations of the colony³².

It was apparent that the course of the legislation was moving steadily towards the subdivision of the Protestant grant that had been sought in 1850.

³¹ James Clift, "Debates in the Legislative Council," in the Newfoundlander, No. 7115, issue of May 8, 1974, p. 1, col. 3-4.

³² Newfoundland House of Assembly, Education Amendment, 29 Vic., Cap. 16, Section 4.

3. The Investigation and Report of the Select Committee of the Legislative Council.

There was so little agreement in both the petitions to the legislature and among the members of the House on the long-vexed subject of denominational subdivision that the Legislative Council finally decided to appoint a select committee to study the matter as thoroughly as might be, to investigate the state of public opinion on the various aspects of the educational scene, and, in particular, on the advisability of dividing the Protestant grant.

A committee of six members was appointed in 1871. They proceeded to prepare a circular which they forwarded to "clergymen, magistrates, schoolmasters, chairmen of Boards of Education, and other persons who might be interested or in a position to judge of the educational needs of the colony³³."

This circular solicited information and opinion on thirteen areas of the educational situation, namely: the quality of the instruction being imparted in the Board schools and other elementary schools in the colony, the qualifications of the teachers, attendance, the age of students on leaving school, the condition of the school buildings, the relative sufficiency of the grant, inspection, the constitution of the

³³ The Select Committee of the Legislative Council on Education, "Report" in the Journal of the Council, 1874, Appendix, p. 29-31.

school boards, and their competence, training of teachers, the desirability of establishing a system of compulsory school attendance, the relative advantages of central or local control, the value of the commercial schools, and the contribution being made to the colony by the academies.

A separate section of this circular was devoted to the question of the advisability of subdividing the Protestant grant for education, and the persons circularized were requested to give to this problem their particular attention³⁴.

The committee made its report to the Council in 1873. They noted that in addition to direct replies to the circular, there had been forwarded to the legislature thirty-five petitions on the specific question of subdivision. The report stated that this point was the one which attracted most attention, and "excited most feeling," and added that the subject is one "which may be justly esteemed as second to none amongst the question with which the Legislature of the country has to deal³⁵."

A number of the individual replies to the circular are included in the report, and these furnish us with a cross-section of public sentiment on this much debated question and indicate the thinking behind the arguments for and against the

³⁴ Ibid., p. 32.

³⁵ Ibid., p. 27-28.

principle of subdivision. In brief, those who favoured the separation based their position on the following premises: (1) Each denomination, in case it should be given autonomy in its educational administration, would take a greater interest in the schools; (2) Only the smaller settlements would suffer financially by subdivision; (3) The principle of division had already been recognized by the division of the education grant between Protestants and Roman Catholics by the legislation of 1843; (4) The mutual distrust, jealousies, and antipathies engendered by religious differences were actually intensified under mixed boards; (5) Subdivision would make possible more frequent visits to the schools by the clergy, who would feel that they could take part in the teaching and the training of both pupil and master without fear of offence. "As far as the financial problems of such a plan were concerned," said one of the replies, "the increased costs of operating the schools that would be necessitated in case of separation could be met either by a direct tax or by an increased grant from the Revenue³⁶."

The arguments adduced against subdividing the grant were just as convinced and convincing as those in favour of it. They may be summed up as follows: (1) Such subdivision would widen the breach already existing between the different Protestant groups; (2) Subdivision would render less feasible the

³⁶ Ibid.

provision for a number of much needed improvements, among them the institution of a Normal School for the training of teachers; (3) Separation of the denominational groups in the schools was not necessary on the ground of providing religious instruction, since each denomination had the utmost freedom in teaching the distinctive principles of its belief and practice; (4) The increased expenditure made necessary by subdividing the Protestant grant would be an injustice to the public³⁷.

The above arguments included in replies to the questionnaire of the committee do not really add anything new to the views already expressed in the press, and cited also in the various petitions to the legislature. They are cited to show that the select committee were endeavouring to consider the problem from the point of view of individuals in all parts of the colony, and in all walks of life, and in presenting a resume of these views to the legislature, making an effort to obtain as complete and accurate an understanding as was possible of what the majority of the colonists desired.

After a summary of the views expressed in the replies to the circular, the report quoted in full some of the letters which dealt more fully with the question of subdivision. We shall summarize the contents of a number of these communications since the writers are representative of many callings

³⁷ Ibid., p. 33, et seq.

and have varying comments to offer.

One of the lengthiest and most reflective of the replies came from William Netten of Catalina, a town in the northern district of Bonavista. This gentleman outlines his views on inspection, on the training of teachers, and on compulsory attendance at school. Then he turns to the matter of subdivision of the grant and quotes in support of that measure, statements made by Bishop Feild, by C.F. Bennett, M.H.A., and by H.W. Hoyles, M.H.A. These authoritative views, he maintained, showed clearly that the Church of England is entitled to the same rights and privileges as the Roman Catholic Church, which has its own school grant. He added that subdivision would be a definite advantage to the town of Catalina³⁸.

Brock, a teacher in Western Point, holds views that are in direct opposition to those of Netten. He states emphatically "that subdivision is unnecessary in the case of elementary education." Similar sentiments are expressed by Joseph Peters of Harbour Grace, who adds that, after thirty years of experience as a teacher in a mixed independent school, and in a Wesleyan school averaging from eighty to one hundred fifty pupils of all ages, he is convinced that Wesleyans and Episcopalians can be taught religion together, since they use the same articles of religion, ordain on the same form, and have

³⁸ William Netten, "Reply to the Circular of the Select Committee," in the Report, Ibid., p. 55-56.

the same Book of Common Prayer³⁹.

The Reverend M. Harvey, who forwards a petition from a number of his congregation, considers that subdivision would (1) needlessly multiply schools, (2) lower the salaries of the teachers, and so lead to general deterioration, (3) delay the institution of a normal school. Religious instruction is necessary in the schools, they maintain; but subdivision would be calculated only to create wider separation of the various Protestant communities⁴⁰.

A number of the replies to the Committee make specific reference to the Newfoundland School Society, which had recently completed fifty years of service in the Newfoundland communities. References to this organisation are unanimous in expressing praise of the work it has done and in urging that, whatever changes may be made in educational administration, its rights may be safeguarded. The position of the School Society had been questioned in the contentions of 1850, one correspondent claiming that it was a purely Church of England institution. Bishop Feild, in a reply to this attack, showed that though the masters and mistresses of the schools might be, in general, members of the Anglican communion, the society was

39 Philip H. Brock, Joseph Peters, "Replies to the Circular of the Select Committee," in the Report, Ibid., p. 62-63 and 74.

40 M. Harvey, et al., Ibid., p. 75-78.

independent of control by ecclesiastics, and it served the children of all denominations, without respect to class or creed⁴¹.

It is clear, from a number of the letters quoted in the Report of the Select Committee, that the usefulness of the Newfoundland School Society to the people of the colony was beyond dispute. It was one of the earliest and one of the most permanent of the institutions for schooling in the Island, having continued in operation well into the twentieth century.

John Haddon, Inspector of Protestant Schools in Newfoundland in the 1860's and 1870's prepares reports, covering this period, that are detailed and insightful. His reports include not only his observations on the condition of the schools, but they offer constructive suggestions for the improvement of their operation. Haddon replied at length to the circular of the Select Committee of 1871, and he stressed mainly the following points: (1) subdivision of the grant is of secondary importance and would not achieve the reform that is required in the schools, (2) central control should be established, (3) a normal training school should be set up. The inspector continues with the following comments on the religious instruction imparted in the Protestant schools:

⁴¹ Edward Newfoundland, (Bishop Field), "Letter to the Editor," in the Public Ledger, Vol. 27, No. 2019, issue of February 26, 1850, p. 2, col. 1-3.

The great question on national education is whether the public schools should be denominational or unsectarian, and lest the question should be stated by our legislators I beg to be allowed to give my testimony to the value and acceptability of the religious and moral instruction imparted in the Protestant Board schools. Where the agencies of the Church are constantly at hand to impart religious truths, and the parents themselves are competent, it is of less consequence that the schools should be strictly secular. But in this country, where so many parents are unable to read and there are so many settlements where the minister of religion visits only two or three times in a year it is far otherwise⁴².

It is clear that Haddon is in agreement with the Bishops of the Church of England in their insistence on the need for religious instruction in the remote settlements. But Haddon and the majority of the Dissenting groups are equally insistent that there is no necessity for distinctive teaching for the several Protestant denominations. In his Report in 1870, the inspector of Protestant schools expressed his strong disapproval of subdivision and gave his reasons to the same tenor as those noted above, adding that education is far safer, more justly and satisfactorily administered, and more progressive in the hands of the government than in the hands of the Church. He added, then, that there are many districts where subdivision would not affect the schools, since certain districts are representative of one

⁴² John Haddon, "Reply to the Circular of the Select Committee on Education," in the Journal of the Council, 1874, Ibid., p. 96 et seq.

specific denomination -- for example Fortune Bay and Burgeo are almost wholly Episcopalian, Bay de Verde mainly Wesleyan⁴³.

In his reply to the Committee in 1873, Haddon maintains views almost identical with those he expressed in 1870, but he sees the possibility of subdivision, and is prepared to accept it, if need be, and offers some suggestions to safeguard education under subdivided grants.

However, his views on the situation are that the present division between Protestants and Roman Catholics which was made in 1843 proved entirely satisfactory, and has occasioned but small economic loss; and he is of the opinion that any attempt to bring Protestants and Roman Catholics together for educational purposes would be useless and abortive. The inference seems clear--Haddon sees no cause for subdivision of the Protestant grant on the ground of religious training in the schools.

When we consider the diametrically opposed views offered by the several writers quoted above, the results of the survey made by the Committee seem not to have given any conclusive results. It has been noted earlier that, in addition to the individual replies, a number of petitions on the question of subdivision had been forwarded to the legislature.

⁴³ John Haddon, "Report upon the Schools under Protestant Boards," in the Journal of the House of Assembly, 1871, Appendix, p. 527-541.

The signatures to those petitions represented, in all 2,740 of the colonists, a considerable number of whom the report stated, were unable to write. Of these individual petitioners, 1,508 were in favour of subdividing the Protestant grant, while 1,232 were opposed to that measure. It would be perhaps imprudent to assume that these numbers represented the exact proportion of colonists opposed to and in favor of the measure. One must remember that numbers of the colonists were illiterate, and that, in addition, there was, on the evidence of many thoughtful men, much indifference to the educational needs of the colony. It may be assumed that a number of those who added their names to the petitions were merely assenting to the opinions of the more vocal members of the community in which they lived.

Still, there was a small margin in favor of the subdividing of the grant, and the time had come when some stand on the matter had to be taken.

The committee concluded its lengthy report with the following statement:

With the example before us of systems of National Education, the results of the wisdom, the experience and learning of the Public men of all countries, and under a great variety of circumstances, there should be no serious difficulty in making such provision for the Scholastic Training of our people as shall command

itself to the combined intelligence and good will of those with whom may rest the responsibility of legislation. At the same time it is to be borne in mind that there are many local peculiarities that have to be considered, which would make it impossible that any system existing elsewhere could be adopted without considerable qualification⁴⁴.

It would seem that the last sentence of the above excerpt underlines the source of the difficulty the legislature was experiencing in deciding on the type of school administration which would be most effective in meeting the demands of the people. Local peculiarities could not be disregarded, and the solution that appeared best adapted to conduce to the general welfare of the colony, and, at the same time, to satisfy local needs, was to subdivide the grant for education, and so, to allow each denomination to organize its schools and maintain a supervision of the teaching.

The press of 1874 notes the progress of the bill for subdivision, and even the Ledger, which had been consistently opposed to that principle, admits the wisdom of the measure. An editorial explains the situation thus:

⁴⁴ Select Committee on Education, Report, Ibid., p. 94-95.

It is to be regretted for the sake of the rising generation that there should be either division or subdivision, but circumstances are such, or to put it more plainly the position of the three religious denominations towards each other is such, as to render separation necessary, and therefore we think the government is right in granting it⁴⁵.

Some time later the same organ reports that

...This Bill provides for subdivision of the Protestant portion of the grant, and the matter having been mutually and amicably arranged between the contending parties, that Bill will pass without opposition⁴⁶.

The Newfoundlander expresses a similar sentiment and remarks that, though there still appears to be much diversity of opinion regarding the measure, there is also "a general desire of amicable settlement of this long-vexed question, which, it is hoped, the present measure will produce"⁴⁷.

We have dealt at considerable length upon the circumstances leading to the legislation of 1874, and as the firm stand of the Church of England on this point of subdivision has been stressed, it would seem useful to review some of the reasons given for their position.

The claim of the Episcopalian group, repeated in petitions and resolutions, was in the main that the Church

⁴⁵ Editorial, in the Ledger, Vol. 15, No. 6, issue of February 20, 1874, p. 2, col. 3.

⁴⁶ Editorial, in the Ledger, Vol. 15, No. 21, issue of April 14, 1874, p. 2, col. 2.

⁴⁷ Editorial in the Newfoundlander, No. 7111, issue of April 24, 1874, p. 2, col. 3.

maintained the justice of her claim to receive a share of the education grant proportionate to her numerical strength in the colony, in the same way as the Roman Catholics had been provided for in the legislation of 1843. Such an arrangement would allow them to organize and operate their schools under the supervision of the clergy, who were the persons most fitted and prepared to maintain such a supervision.

Now the reasonableness of their stand will appear when one recalls that since the proclamation of Gilbert, the Church of England had been the "official" religion of the colony. As Bryan Robinson reminded the members of the Assembly in 1843, the Bishop of the Church of England

...is an ecclesiastical functionary who holds his office under the same authority as the highest individual in this Colony holds his under the authority of the Queen of England⁴⁸.

In this respect, the Episcopalians considered that, at least, they should have the same rights as the Roman Catholic Church, instead of being included as but one among the several Protestant denominations.

Moreover, as Robinson also noted, in the first half of the century, the Church of England compared to the other Protestant denominations in the ratio of three to one. And, as Bishop Field had reminded the Committee of the Church in

⁴⁸ Bryan Robinson, "Debate on the Second Reading of the College Bill", in the Public Ledger, Vol. 21, No. 2095, issue of February 21, 1843, p. 3, col. 1.

1851, religion could not be properly taught without reference to the distinctive doctrines that each denomination holds. To Englishmen of the nineteenth century, as one English writer notes, "Religion still meant for most people a particular religion, Church of England, Roman Catholic, Judaism, or some type of organized Nonconformity"⁴⁹.

The educational legislation of 1874 provided for the complete denominational segregation of the school system. It was a concession to the demands of those who saw in subdivision the only means of preserving any positive religious teaching in the schools.

We shall now examine the more pertinent sections of the educational amendment of 1874, and note how thorough is the provision made for denominational segregation, embracing practically every aspect of the administration of public education in the colony.

4. The Education Act of 1874.

It was the legislation of 1874 which gave to Newfoundland what has been termed "public education within a denominational framework". The description is rather apt, for, the education so provided is truly public, since it serves all creeds and classes without discrimination, and its

⁴⁹ H.O. Everett, The Catholic Schools of England and Wales, Cambridge, University Press, 1944, p. 130.

denominational aspect embraces every area of the educational sphere.

The first section of the Education Act Amendment of 1874 provides for the subdivision of the annual appropriation for Protestant educational purposes to be apportioned among the several Protestant denominations according to the population by the several Boards of Education to be appointed in the Protestant Districts⁵⁰. The succeeding sections dealt with the apportioning of the grants for Commercial Schools, for training of teachers, for repairs and other purposes, in each case the sums to be divided on the same principle.

Provision was made for the creation of new boards to serve the Church of England Schools, the Wesleyans, the Congregationalists, the Church of Scotland, and the Free Church of Scotland.

The legislation of 1874 provided for allocations to the Newfoundland School Society from the appropriations of the Church of England. It provided for inspectors for both the Church of England and the Wesleyan schools, and allocated the specific sums for these appointments.

The Act was not to come into operation until July 1, 1875, after a census had been taken, upon which the appropriations were to be based, and these were to be readjusted

⁵⁰ House of Assembly, Newfoundland, Education Act, 37 Vic., Cap. 5, Section 1.

on the basis of each subsequent decennial census⁵¹.

The enactment of 1874 entailed a considerable amount of reorganization of the school districts. Protestant districts had to be redefined in terms of the denominations, and new Boards had to be appointed in the newly constituted districts.

The school "districts" in Newfoundland, it may be well to remark here, are not distinct territorial areas. It is not uncommon for three educational districts to overlap, and for schools for each to be organized in the same general neighbourhood.

In 1876, a Consolidating Act was passed, and all former legislation was repealed. The colony had established its system of public education within a denominational framework.

The provisions summarized above, then, established by legislative enactment the denominational system of organization and administration of education as it exists in Newfoundland since that time. That the legislature was acceding to what it believed to be the will of the majority of the colonists is fairly evident from the efforts made both in 1860 and in 1873 to obtain a cross-section of public opinion on the matter of subdivision. If the results of the surveys made seem to be inconclusive, it can be said that they did, in 1873,

⁵¹ Ibid., Section 20.

indicate that, at least, a small majority was in favour of the measure passed.

The legislation of 1874 was the final outcome of the movement for subdivision which had begun in 1850, and had been discussed in the House and in the press for more than two decades. In the end, even those who opposed on principle the provision for subdivision conceded that it was the only satisfactory solution to the problem of satisfying conflicting demands. Whatever may be the evidence for or against the system so developed, on the ground of efficiency, economy, or its contribution to solidarity among the scattered communities, it can be affirmed without fear of contradiction that the system has been democratically evolved.

It was only as the colony developed, and the need for expansion of educational services arose, that all the implications of the pattern set by the enactment of 1874 became apparent. The final chapter of this study will endeavour to show how the expanding needs of administration were met without detriment to the general principle of this legislation. It will examine the way in which that legislation recognizes the prerogatives of family, church, and state; and show that all three agencies have been closely associated in an effort to promote the best interests of the growing generation, and that too, in spite of ever recurring difficulties--questions of finance, the problems involved in reaching a scattered population, and differences in outlook, both racial and religious.

CHAPTER V

IMPLICATIONS OF THE EDUCATION ACT OF 1874

The Education Act of 1874 and the Consolidation of the various educational enactments in 1876 established the system of administration of public education in Newfoundland according to a multi-denominational pattern. The several denominations forming the bulk of the population at that time were separately provided for in the allocation of the government grant, and the colony was divided into educational districts for each of the groups specified in the Act. Thus the denominations were in a position to organize their schools under the management of boards, the members of which belonged to the confessional group for which the district schools were established.

The lapse of the ensuing nine decades has seen little essential change in the system as multi-denominational. Funds voted for educational purposes are still divided on a per capita basis among the several recognized denominations; the education districts are defined along denominational as well as territorial lines; the boards in the districts are still denominationally constituted, with the exception, that is, of the amalgamated boards which will be dealt with in a later part of this chapter.

The growth of population and the increasing number of schools, as well as the constantly expanding needs of the colony soon necessitated more complex administrative machinery at the central level. Amendments to the legislation since 1874, however, have always been enacted within the framework of the denominational pattern.

It is obvious that such an administrative set-up must involve problems of a peculiar nature. The Island's uncertain economy, difficulties of communication and transportation intensify the complications arising from the heritage of racial and religious prejudice. But the basic problem which confronts the legislature, and the one which it must of necessity endeavour to meet is that of providing by its enactments that every parent may be insured his right "to have his children brought up in his own religion without this privilege costing him more than it costs his neighbour"¹.

In the following pages, we shall consider the development of organization and administration, of education in Newfoundland after the legislation of 1874, including the establishment of the Department of Education of the Colonial Government, with the several modifications within the form of the Department. We shall examine the way in which the Education

¹ A.C.F. Beales, "The Catholic Case for the Catholic Schools, The Setting of the Hierarchy's Appeal for New Legislation", in the Tablet, London, England, Vol. 194, No. 5712, issue of November 12, 1949, p. 308.

Act functions in order that it may ensure the recognition of the rights of Family, Church, and State. We shall review some of the appraisals made on the denominational set-up by churchmen, by statesmen, and by educators in the Island. Finally, an attempt will be made to evaluate the system in the light of Catholic principles of education as set forth in the Encyclical on Christian Education of Youth, and in the writings of Christian thinkers in America and in Europe. It will appear that such principles are implemented in the basic pattern of the system.

1. Development of Educational Administration since 1874.

When the legislation of 1874 was enacted, the machinery for administration of education was meagre in the extreme. It was not until 1898 that educational matters in the colony were placed under the direction of the office of the Colonial Secretary. It appears from a study of the reports and the journals of this period that a major part of the responsibility for both initiation of legislation, and the implementation thereof fell to the three denominational inspectors, later to be known as superintendents of education. It would appear too that, fortunately for the colony, these functionaries were men of ability and devotion to the cause of education. Their numerous journeys about the Island, penetrating into the most remote harbours and coves, brought them into intimate contact

with the working of the district schools, and gave them insight into the colony's educational problems. Their reports indicate the extent to which the operation of even the smallest outport school had been studied, and these reports are not lacking in frank and vigorous suggestions for improvement².

The inspectors in the late nineteenth and early twentieth century formed a sort of liaison between the central and the local administration, and though the reports were made separately for each denominational group, the inspectors frequently collaborated in projects for improving the work of both the Boards and the teachers.

It was not until 1920 that a Department of Education was set-up, headed by a Minister, who was an elected representative of the people. In 1927, the Department was replaced by a body known as the Bureau of Education, a change made on the ground that the latter form of organization was a more democratic form of educational administration³. The Bureau comprised twelve persons--the Prime Minister who was the president, the Secretary for Education, who was deputy president, the three denominational superintendents, the three assistant superintendents,

² See Reports of the Inspectors of the Church of England, Roman Catholic, and Methodist Schools, St. John's, Queen's Printer, for the years 1871, 1872, 1873, 1874, 1879, 1893.

³ Newfoundland House of Assembly, Proceedings, 1927, St. John's, Newfoundland, King's Printer, 1927, p. 382, 965, 1035.

the Educational Secretary for the Salvation Army, and three other members nominated by each of the larger denominations.

In 1933, Newfoundland's local government was suspended, and a Commission of Government was set up. The ensuing years appear to have been a critical period for the existing state of affairs in education. Amendments in 1935 abolished the Bureau of Education, and the superintendents, while the powers and functions of the Bureau were vested in the person of the new Secretary for Education, subject to the Commissioner for Home Affairs and Education. The superintendents and the assistant superintendents were replaced by two assistant secretaries whose functions were not defined. A committee was formed that was to be "the channel of communication between the heads of the several denominations and the Commissioner for Education⁴."

The enactments of 1935 appeared to many thoughtful persons as a step towards the ultimate abrogation of existing system; therefore, during the course of the next few years, developments were closely followed; the people were alert to the possibility of radical changes in the system. Though the meetings of the Commission of Government were held in cabinet, and no minutes were published, various rumours gave to people

⁴ Commission of Government of Newfoundland, Acts of the Honorable Commission of Government, 1935, in Statutes of Newfoundland, 1935, No. 11.

a sense of impending change, and both Church leaders and heads of Families found means of making known their position on the question of changes in the system through public assemblies and through articles in the press⁵.

It appears that even the Commission of Government at length decided that it was premature to contemplate any radical departure from the traditional pattern in education, and the legislation of 1939 brought back, according to Frecker, "a type of organization that in many ways was similar to that which existed previous to the changes made in 1935"⁶.

The Education Amendment of 1939 established the Council of Education, with the Commissioner for Home Affairs and Education as Chairman, and the Secretary as vice-Chairman, the three Executive Officers, (the designation given the former superintendents), and a representative of the Salvation Army forming the body which was to be "subject to the Commissioner, the authority for all educational policy"⁷. The more recent amendment of this section particularizes this authority to the following effect:

⁵ See issues of the Monitor, St. John's, Newfoundland, for the years 1934-1938, also The Daily News, St. John's, for the same period.

⁶ G.A. Frecker, Educational Administration in Newfoundland, Address delivered at the Convention of the Newfoundland Teachers' Association, July 23, 1943, manuscript copy, p. 5.

⁷ Acts of the Honorable Commission of Government No. 6 of 1939, 30th March, 1939, Section 5.

The Council shall, subject to the Minister, be the authority for all educational policy dealing with Boards of Education, schools, Boards of Directors, colleges, and teachers under the Education Act⁶.

Since the position of superintendent of education in Newfoundland has been, following the practice set in the appointment of the first inspectors in 1843, a denominational appointment, the position of these officials on the Council strengthens the status of the churches in the formation of general educational policy.

An examination of the several legislative enactments dealing with policy, both at the central and the local level, will show that the legislators have been unceasingly mindful of the place which educational planning should accord to the Church and to the Family. We shall consider briefly the more pertinent sections of the Education Act which provide for the adjustment of the rights of the three agents in the educational set-up as by law established.

⁶ Newfoundland, House of Assembly, An Act Respecting Education, Chapter 13, Section 6(2).

2. Co-ordination of Rights of Family, Church, and State.

Both the encyclical on Christian Education of Youth⁹ and the Universal Declaration of Human Rights¹⁰ insist upon the place of the Family in the management of the education of youth. In the encyclical, there is found very clearly the "competence and jurisdiction" of the three agents involved in this task of education. With the principles enunciated in the encyclical in mind, we shall examine the provisions which the legislation of 1874 made to ensure the recognition of the rights of Family, Church, and State in the management of public education.

We shall consider these provisions as they affect general educational policy, local administration, compulsory school attendance, supervision, and the distribution of government grants for educational purposes.

It would seem clear, from the record of development of administration at the central level as outlined above, that, in the case of the provincial Department of Education, the place of both Church and State are adequately considered. In the

⁹ Pius XI, Encyclical Divini Illius Magistri, in Papal Teachings in Education, Boston, St. Paul Editions, 1960, p. 237 et seq.

¹⁰ General Assembly of the United Nations, Universal Declaration of Human Rights, December 10, 1948, Final Authorized Text, Lake Louise, Department of Public Information, United Nations, March, 1949, Article 26(3).

constitution of the Council of Education, which is the very core of the administrative set-up, we have the Minister of Education as chairman, the Deputy Minister as vice-chairman¹¹, and the five Superintendents of Education,

one a member of the Church of England, one a member of the Roman Catholic Church, one a member of the United Church of Canada, one a member of the Salvation Army, and one a member of the Pentecostal Assemblies of Newfoundland, and every such Superintendent shall be the recognized representative of the religious denomination for which he has been so appointed on educational matters within the Department affecting the Boards of Education, schools, Boards of Directors, colleges and teachers of that religious denomination¹².

Local administration is by Boards appointed by the Lieutenant-Governor in Council, on the recommendation of the proper superintendent¹³. These Boards are provided for as follows in the Education Act:

....The Lieutenant-Governor in Council shall, on the recommendation of the proper Superintendent, appoint, in each district, a School Board consisting of five or more persons of the same religious denomination as that for which the district was established and representative of the most important parts of the district, one of whom shall be the senior clergyman or other officer of the denomination of the district...¹⁴.

¹¹ Newfoundland, An Act Respecting the Department of Education, in the Revised Statutes of Newfoundland, 1952, Chapter 13, Section 6(1).

¹² An Act to Amend the Department of Education Act, July 6, 1959, No. 83, Section 2(1).

¹³ The "proper superintendent" as used in the Act refers to the superintendent appointed for the particular denomination concerned.

¹⁴ Education Act, 1960, No. 50, Section 6(1).

The place given to Church leadership in the district Boards is obvious enough; what is not apparent is what place, if any, is given to the heads of Families in Boards so constituted. The method of appointing Boards has been the subject of adverse criticism on more than one occasion in the debates of the Assembly¹⁵.

It should be remarked here that the practice of electing district Boards is becoming more general in practice in a number of the districts. Since it has been the order of things in Newfoundland that legislation follows custom in education, one foresees the possibility of such a practice becoming part of the educational legislation in the not too remote future. On the other hand, it appears that the people of the Island have, for more than a century, been content to entrust the management of the schools to Boards that have been appointed under the conditions specified, it would seem that these bodies have functioned in a manner that was satisfactory to the public. For, the record of the years does not indicate that the colonists have been quiescent under educational practices that were unacceptable to the majority of the people.

In the matter of supervision, the denominational principle has been observed since the first inspector was appointed

¹⁵ See W.W. Halfyard, quoting W.F. Coaker, on the undemocratic constitution of the district Boards, in the Journal and Proceedings of the Assembly, 1916, p. 163-168.

in 1843. Inspectors under the Act are appointed "who shall, as far as possible, be representative of the" denominations mentioned in the schedule, and their duties require that they supervise schools of the denomination for which they were severally appointed¹⁶.

The two aspects of the Education Act in which the rights of the families are most directly concerned are those which pertain to finance and to school attendance. We shall first consider the school Attendance Act, passed in 1942 under the Commission of Government, and several times since that date amended. In this enactment, the "prior right" of the parents is respected, since the legislation provides that no person is liable to a penalty for failure to enrol a child at school, if conditions are such that a school acceptable to the parents is not conveniently available. The Attendance Act lists such circumstances as the distance of the nearest school of the denomination to which the parents belong, modified by the age of the child, and the possibility of bus transportation. Again, parents are not liable for the child's non-attendance, if there is competent certification that the child is "under continuous and efficient instruction at home or elsewhere"¹⁷.

¹⁶ Education Act, 1960, Section 53(1).

¹⁷ An Act Respecting School Attendance, in the Revised Statutes of Newfoundland, 1952, Chapter 105, Section 7(b), 8(a), (d).

Such legislation does not preclude any child from attending a school of a different denomination from that to which the parents belong, if they so desire; and, moreover, in such case, the child is protected by the "conscience clause" mentioned in a previous chapter. The public schools of Newfoundland, then, are such as the Meeting of the Members of the Church of England envisaged them in 1851, that is "under the exclusive management of the Church, but open to all who may desire to attend there¹⁸."

It is especially in the distribution of the financial aid voted annually by the State, that the rights of the Families are protected. The encyclical Divini Illius Magistri lays down, as a condition for the practice of distributive justice in educational grants, that financial aid be granted by the State to the several schools demanded by the Families. A.C.F. Beales speaking to the International Congress on Education at Santander in 1949, emphasizes the fact that "the Holy See takes its stand upon ground which is ultimately the same for parents of all religious creeds¹⁹." Consideration

¹⁸ H.P. Thomas, "Resolution proposed at the Meeting of the Members of the Church of England," February 14, 1851, in the Pines, St. John's, Newfoundland, Vol. 18, No. 13, issue of February 15, 1851, p. 2, col. 1-4.

¹⁹ A.C.F. Beales, "The Problem of Christian Education in the Modern Secular State," in the Actas of the 1949 Congreso Internacional de Pedagogia, published by the Instituto "San Jose de Calasanz," de Pedagogia of the Consejo de Investigaciones Cientificas (Madrid 1950-1952. 5v.), p. 122 (Photostat from the Library of Congress, Washington, D.C.).

of the pertinent section of the Education Act shows how fully the principles so set forth are implemented in the legislation. Salaries and maintenance are paid to the School Boards on a basis proportioned to the numerical strength of the denominations. Other grants are thus to be apportioned:

...that a share shall be set aside for each of the denominations recognized under this Act, and one share for all other religious denominations represented in the province, and every such share shall bear the same ratio to the aggregate of such moneys as the number of persons of the denomination or denominations concerned bears to the total population of the province²⁰.

As we have devoted so much attention to the individual rights of the three agents of education, it seems appropriate here to remark that there is scope within the provisions of the legislation for interdenominational co-operation. As early as 1903, provision was made for setting up amalgamated schools in localities where there were not a sufficient number of children of any one denomination to make the establishment of denominational schools a feasible practice. The organization of such schools was not widespread until the legislation of the 1940's extended the provisions, and, in recent years, a number of such amalgamated schools have been set up, especially since the special grants for regional high schools have been inaugurated. The arrangement seems to have worked out with gratifying results. Roman Catholic Boards have not taken

20 Education Act, 1960, Section 56(1).

advantage of the legislation for amalgamated schools.

In a study which is concerned with the relations of Family, Church, and State in public education, it would be misleading to concentrate upon rights and to overlook the contribution which each of these agents has made through the years, and which they continue to make. As early as 1852, there was provision in the legislation that no settlement should receive grants towards the building of schools unless the inhabitants should make a contribution towards the cost. This provision is still in effect part of the Act; and the contribution made by the Families under Church leadership for the most part, is a matter of record. In a recent editorial, the Daily News reminds us that

....It is all too facilely assumed that the only money spent on education comes from general taxation. That, of course, is quite fallacious. Government may provide the lion's share. The Public's contribution is far from negligible²¹.

In fact, up to 1909, as McKay notes, every school building erected, had been built by the people under Church leadership, without government support²².

²¹"Education in Hard-Pressed Newfoundland", Editorial in the Daily News, St. John's, Newfoundland, Vol. 68, No. 264, issue of November 27, 1961, p. 4, col. 1-2.

²²R.A. McKay, (Ed.) "Education", in Newfoundland, Economic, Diplomatic, and Strategic Studies, Toronto, Oxford University Press, 1946, p. 166, et seq.

In the light of this circumstance, it is easy to appreciate the insistence which the former Minister of Education places on maintaining good relations with the public. He realizes that the people support the school system in material aid, as well as in less tangible expressions of their good will. Mr. Chalker, speaking to the winter Conference of the District School Supervisors in 1953, said in part:

In the final analysis much of our common efforts will prove unrewarding and fruitless without the active good will of the people of the Province. In education this is all the more true that we must rely so much on voluntary agencies and persons not directly in the employ of the department for the carrying out of our policies....The building up of good relations with Boards of Education, with teachers, and with the people is not something which can be left entirely to the officials at headquarters though their relations with the public are also of very great importance. In speaking thus of the need for good public relations, I speak not only from the point of view of policies but of successful administration as well²³.

The words of the Minister of Education recall those of Bishop White, when, in 1938, he insisted "that education in Newfoundland is a partnership²⁴". Without co-operation among the agents of education, even such progress as has been achieved would have been inconceivable.

²³ J.R. Chalker, "Address to the Conference of the School Supervisors", in the Daily News, St. John's, Newfoundland, Vol. 60, No. 6, issue of January 8, 1953, p. 3, col. 1-2.

²⁴ Bishop White, "Charge to the Synod", in the Monitor, St. John's, Newfoundland, Vol. 5, No. 6, issue of June 25, 1938, p. 8, col. 2. Also see ref. No. 30, this Chapter, p. 156.

In this connection, one recalls the words of Bishop Feild, when in 1850, he explained what he considered the possible advantages to be expected from complete denominational division, that he foresaw the fact that the several groups would "labour more freely and effectively, each at his proper work, each in his proper place"²⁵.

There is no intention of conveying the impression that relations between the denominations, or between the agents within the denominations for that matter, have always been ideal, or that differences more or less serious have not arisen in the working out of educational policy and practice.

What does appear, however, is that within the framework of the legislation for denominational administration, it has been possible to reach a working agreement in accord with what Maritain has termed "an inner pluralistic organization according to the diversity of spiritual lineages in the nation"²⁶.

Having thus far outlined the way in which the provisions of the legislation are implemented in the operation of the schools, we shall now consider the reaction of the people to the system as multi-denominational, since no educational administration can function successfully, except in so far as

²⁵ Edward Newfoundland (Bishop Feild), "Letter to the Editor of the Public Ledger", in the Ledger, Vol. 27, No. 2019, issue of February 26, 1850, p. 1-3.

²⁶ J. Maritain, Man and the State, Chicago, University of Chicago Press, 1951, p. 124.

it has a degree of acceptance by the people for whom the system has been established.

3. Local Evaluation of the System.

How do the people of Newfoundland judge the worth of the system of denominational schools administered in general by local denominational Boards? How do they appraise the part played by the denominations in the formation of general educational policy? As might be expected, there has been and there is diversity of opinion on the merits and demerits of the system. We shall cite briefly from writings of Church leaders, of statesmen, of educators in the Island, opinions expressed in various circumstances and at various periods within the nine decades since the legislation of 1874 provided for denominational administration of education within the colony.

Even before that period, we find an expression of satisfaction from Bishop Mullock, the Bishop of the Roman Catholic section of the population to the effect that the Government had made "a fair provision for education", and that "We enjoy perfect religious freedom". Bishop Mullock was expressing the Catholic point of view in respect to the provisions enacted in 1843 which divided the education grant between Protestants and Roman Catholics²⁷.

²⁷ John T. Mullock, cited in Howley, Ecclesiastical History of Newfoundland, Boston, Doyle & Whittle, 1888, p. 233.

One of Mullock's distinguished successors was Archbishop Roche, who, during an episcopate of thirty-five years, maintained a close watch over the educational developments in the Island. One of Roche's earliest pastorals, written in 1917, was devoted to the educational situation in the colony. The pastoral may have been occasioned by the fact that, at that time, developments were being discussed in the local Assembly, and the Education Acts had been revised and consolidated by the Act of 1916.

Reviewing the role of the Church, the Family, and the State in providing education for the youth of the colony, and concerning the relation between Church and State he wrote:

With the system of education by law established in this Colony we have every reason to be satisfied. The principles on which it is founded are eminently just and reasonable, and in general meet the conditions which should govern Church and State in the education of its youth. It exercises supervision over the purely secular side of the training given and over educational finance, whilst at the same time due and proper regard is shown for the conscientious convictions of the various religious bodies to which its members owe spiritual allegiance²⁸.

The pastoral was written before the legislation had enforced school attendance, and the archbishop, while reminding parents of the just and equitable treatment which all families received under the legislation, stressed their duty

²⁸ E.P. Roche, "Pastoral Letter, 1917", reprinted in the Monitor, St. John's, Newfoundland, Vol. 1, No. 7, issue of October 6, 1934, p. 9, col. 2-3.

to avail themselves of the opportunities offered for having their children educated in Catholic schools. When this letter was reprinted in 1934, the editor commented as follows upon the educational set-up in the colony:

Here in Newfoundland we have happily an educational system based on the wishes of the parents and supported by the State, a system whereby our Catholic children are trained under Catholic auspices and Catholic teachers, ... We believe more and more in principles and they mean more to us than material progress or industrial development²⁹.

The pastoral letter cited above represents the viewpoint of the Roman Catholic Archbishop of St. John's in the first half of the century. Some four years after the pastoral was reprinted, the Monitor, Newfoundland's only Catholic periodical, devoted an editorial to the same trend of thought and cited the charge of the Anglican Bishop of Newfoundland to the Synod of that Church. In his address to the Synod, the prelate recalled the sympathetic consideration which the clergy had always given to education, and he added that this good understanding was the natural result of two factors in particular--the first that the Church was the pioneer in providing educational facilities in the colony, and the second that the Church and the laity had always been acutely conscious of the importance of the Church's role in education. He elaborated as follows:

²⁹ Editorial in the Monitor, St. John's, Newfoundland, Vol. 1, No. 7, issue of October 6, 1934, p. 8, col. 4.

In this country - whatever may be the position elsewhere - there is no reason to believe that satisfactory progress in Education can be maintained unless the Church and the State agree that the closest co-operation between them must continue. To sever this partnership or to create hostility between the partners would be to invoke disaster. The Church has no desire to sever it; on the contrary she wishes to give the most whole-hearted co-operation provided that the position she claims be duly recognized. We, as a Synod, should make this quite clear: that this Church will insist upon her right to be consulted when the policy to be pursued in Educational development is under consideration³⁰.

The distinguished Anglican prelate, who addressed the Synod in the words cited, truly followed in the tradition of his eminent predecessor in that See nearly a century earlier. Bishop Feild, who laboured so untiringly in the cause of education in the difficult days of the 1850's, insisted in equally vigorous terms on the recognition of the place of the Church in the organisation and management of the schools. He it was who had so insisted on schools under Church control, but open to all who might wish to attend; and, again and again, he stressed the need for the management of schools under the Church, so that in them might be taught "those distinctive matters of faith which each Church recognizes as the groundwork of its

³⁰ Philip White, (Anglican Bishop of Newfoundland), "Charge to the Synod", reprinted in the Monitor, St. John's, Newfoundland, Vol. 5, No. 6, issue of June 25, 1938, p. 8, col. 2.

system³¹.

Having cited the words of both the Roman Catholic and the Anglican Bishops of the present century as representing the viewpoint of their respective Churches, let us consider some opinions by statesmen of the same period. P.F. McGrath, writing in the early part of the century, remarked that the educational system had succeeded in keeping the matter free from friction by "early adopting the principles of mutual toleration, and the recognition of denominational rights". Of the practical results of the set-up, he added that they were as creditable as could be expected, considering how the population was dispersed along a lengthy coastline³².

A little later in the century, a member of the House of Assembly remarked during the debate on the Education Bill:

I fear that a situation may be created in connection with our educational affairs that would be anything but democratic and that would violate all our conceptions of what constitutes fair representation in connection with the government of public affairs....For the present, at any rate, I feel that I am perfectly justified in regarding democracy and denominationalism in education as synonymous³³.

³¹ Edward Newfoundland, (Bishop Veild), "Reply to the Address to the Lord Bishop of Newfoundland", in the Times, St. John's, Newfoundland, Vol. 18, No. 25, issue of May 7, 1851, p. 1, col. 1-2.

³² P.F. McGrath, Newfoundland in 1911, London, Whitehead, Morris, & Co., 1911, p. 230-231.

³³ R. Mosdell, "Debate on the Education Bill", in House of Assembly Proceedings, 1920, p. 980.

The opinions cited thus far have all been favourably disposed to the denominational principle in education. Not all appraisals have taken this point of view. In general, the arguments against the system have stressed the fact that the multiplication of services needlessly dissipates the resources at the disposal of the school Boards. One recalls that such were the objections held as far back as 1850 when the question of subdivision was initiated.

The position taken by Hickman in a thesis presented to Acadia University in 1943 is similar. The writer considers that the existence of more than one school in a community where one well-equipped institution could conceivably serve the needs of the school population, is a useless expenditure of public funds. Hickman is of the opinion that the organization of undenominational schools would present no difficulty and would involve a saving of time and energy on the part of school personnel no less than of financial resources, with the result that more efficient work would be done in the schools.

This thesis notes that the United Church favours the amalgamated plan, but that the Roman Catholic Church and the Church of England are opposed to amalgamation. It would appear that, what Hickman considers feasible is an arrangement such as was provided for by the earliest legislation for education in 1836, providing for an organization in which all

pupils might be taught secular branches together, while a period of religious instruction daily would be provided for those who so desired³⁴.

At about the same time, a thesis was presented to Mount Allison University, by L.W. Shaw of Charlottetown, P.E.I., formerly Secretary of Education for Newfoundland under the Commission of Government. Shaw concludes, not perhaps without some justification, "that the denominational pattern of the administrative set-up, especially in the central department, renders administration more complex than it would be under another system, and that it delays unduly the implementation of policy"³⁵.

The controversy on the pro and con of the denominational pattern of educational administration has continued throughout the century and more since subdivision was first advocated, and one could cite many varying views on the justice and the wisdom of the principles on which the system is based. Despite much adverse criticism, however, sometimes in powerful circles, the legislation of 1874 has not been essentially altered throughout the varying changes of the form of government,

³⁴ G.A. Hickman, History of Education in Newfoundland, unpublished M.A. thesis, presented to Acadia University, Nova Scotia, 1943, p. 40 et seq.

³⁵ L.W. Shaw, Education in Newfoundland with special Emphasis on some Recent Developments, unpublished M.A. thesis presented to Mount Allison University, New Brunswick, 1943, p. 48.

through which the Island has passed.

Finally, the terms of union with Canada in 1949 have incorporated the existing pattern into the Canadian Constitution, since Term 17 states:

In and for the Province of Newfoundland the Legislature will not have authority to make laws prejudicially affecting any right or privilege with respect to denominational schools, common (amalgamated) schools, or denominational colleges that any class or classes or persons have by law in Newfoundland at the date of Union³⁶.

Thus, the agitation for segregation of the denominations which began in 1850 and received the colonial assent in 1874 has, by the term cited, been still further confirmed and more fully recognized.

We have summarized the provisions of Newfoundland's educational legislation; we have noted that it has been and still is a controversial issue for two opposing trends of thought in the province; on the one hand, there are those who are convinced that only in denominationally organized and administered schools will their children receive the type of instruction that is in keeping with the particular doctrines which they profess; on the other hand, there are an equally sincere segment of the population who are just as strongly persuaded that the educational needs of the province could be more efficiently supplied by a system of amalgamated schools

³⁶ Statutes of Canada, 1949, Assented to 18th February, 1949, 13 George VI, Chapter 1, Term 17.

under Boards composed of the several confessional groups for whom the schools would be established.

Let us now attempt some examination of the denominational system of education as established in the province, in the light of Catholic principles of Education. These principles have been most succinctly and luminously expressed in the Encyclical on the Christian Education of Youth. They have been elaborated on in the same tradition by A.C.F. Beales of King's College, London University. Similar principles have been discussed in the writings of Maritain and of Father McCluskey and other Catholic writers of the present decade.

4. Evaluation of the System in the Light of Catholic Principles of Education.

The essential characteristic of the Newfoundland system of public education is, as has been stressed in the preceding pages, that the State provides funds for the organizing and operating of schools, to be administered by local Boards, under the supervision in great many instances of the local clergyman, and composed of members of the particular confessional group for whom the school was intended. Even at the central level, the Churches are represented in the Council of Education, which is the policy making body for the entire province.

Now, it would seem that such a pattern meets the requirements of justice and freedom as expressed by the

encyclical Divini Illius Magistri, in the words:

Let it not be said that in the case of a nation where there are different religious beliefs, it is impossible to provide for public instruction otherwise than through neutral or mixed schools. In such a case it is the easier and more reasonable method of procedure to leave free scope to the initiative of the Church and the family, while giving them such assistance as justice demands³⁷.

If we recall the words of Archbishop Roche in the Pastoral already cited, it will appear that the State's provision for the educational needs of its people are in keeping with the ideal as set forth in the words just quoted: The Archbishop wrote:

The State provides, according to its circumstances the means for the education of its youth. It exercises supervision over the purely secular side of the training given and over Educational Finance, whilst at the same time due and proper regard is shown for the conscientious convictions of the various religious bodies to which its members owe spiritual allegiance³⁸.

The ideal of justice in the allocating of educational grants is very concisely stated by A.C.F. Beales in his address given at the International Congress on Education at Santander in 1949, in the following words:

³⁷ Pius XI, Encyclical Divini Illius Magistri, in Papal Teachings Education, Boston, St. Paul Editions, 1960, p. 237.

³⁸ E.P. Roche, "Pastoral Letter 1917", Ibid., p. 8.

In the first place, civic justice demands that (apart from poverty or riches, apart from ability or inability to maintain your own schools if necessary) the State should be impartial in its support of schools, and not discriminate³⁹.

It can be asserted that in Newfoundland there is no discrimination in this respect, and that all creeds and all classes are provided with educational allocations on the same basis, according to numerical strength.

Maritain has expressed the same basic principles in his work, Man and the State, and, like Beales, has cited the Dutch schools as one of the systems that give equitable treatment for all denominations. He writes:

As regards the very controversial issue dealing with the financial subsidizing of denominational schools by the State, the general principle to be considered could, in my opinion be expressed as follows: Either the various religious inspirations traditional in the nation are integrated in the public school system, or they give rise to merely private schools. In the first case the public school system admits of an inner pluralistic organization, according to the diversity of spiritual lineages in the nation (cf. the Dutch School system) and the denominational schools - or those sections of the public school system which correspond to them are State supported. But the denominational schools are no longer autonomous, they are subject to the general regulations of the public school system⁴⁰.

³⁹ A.C.F. Beales, "The Problem of a Christian Education in the Modern Secular State," in the Acta of the 1949, Op. Cit., p. 130.

⁴⁰ J. Maritain, Man and the State, Chicago, University of Chicago Press, 1951, p. 124.

The pattern of denominational subdivision embodied in the legislation of 1874, it would seem, is in accord with the view expressed above. The various confessional groups are integrated into the public school system, are financed by the state, and are subject to the general regulations of the system, but with perfect freedom to incorporate their own doctrines and the inspirations of their spiritual traditions into the instruction of the schools. Pius XI cites the "experience of some countries comprising different religious denominations," in which "the school legislation respects the rights of the family, nor is distributive justice lost sight of, as is evidenced by the financial aid granted by the State to the several schools demanded by the families." Beales, in the lecture cited above, specifies as countries wherein this state of things exists, mentioning Ireland, Scotland, and Holland. The details of the solution that has been worked out, he remarks, differ profoundly, but the three solutions are identical in principle.

Speaking of Holland he remarks:

For no one has a grievance in the matter of education. All pay their taxes, all have maintained, out of the public funds, the kind of education their individual consciences demand for their children. And the State and the local authorities exercise an educational inspection which preserves pedagogical standards⁴¹.

⁴¹ Beales, Op. Cit., p. 129.

It is not too much to claim that Newfoundland has achieved, if not so ideal an educational set-up as those given above, at least the same principle of equitable treatment for all groups. It may be that Newfoundland achieved this settlement of the education issue so early in its history because, among other circumstances, the colony had leaders in both Church and State who were men of vision and of strong determination in their stand for what they considered a just allotment of educational funds. One cannot revert to the history of educational legislation in the nineteenth century without remembering the part played in that development by Churchmen such as Fleming and Field, or statesmen of the calibre of Carson, Morris, Kent, Barnes, Nugent and others whose strong insistence on the rights of the Family and the Church, was influential in directing the course of the legislation. Thus they made certain that the training given in the schools should openly recognize the religion of the Family, and "that the whole school environment should be an authentic copy of the families' spirit"⁴².

Neither the Church leaders of the nineteenth century nor the men who guided the course of legislation would have been content with the formula of religious training in the schools that was described by Ryerson in the words: "By

⁴² Line A. Ciarrantini, The Liberty of the School and Family Education, New York, Educational Publishers, 1954, p. 76.

religion and morality I do not mean sectarianism in any form, but the general system of truth and morals taught in the Holy Scriptures." They were so thoroughly convinced of the justice of their demands, that they would have been willing to forego government aid, rather than accept it on conditions which they considered subversive of their "sacred rights to have their children educated according to the demands of conscience"⁴³." In fact, that is what did happen in the case of the Conception Bay Boards in the controversy over Scripture Reading.

The years since 1874 have witnessed many upheavals in the life of Newfoundland, social, political, economic. Fires, marine disasters, depression, political change have marked the course of the past century, and have, to a greater or less extent, affected the provisions of the State for education. Periods of prosperity saw the grant increased, with wider opportunities for expanding educational facilities. Years of depression reduced the salaries of teachers to a mere pittance, and, as Walsh noted,

...the position of Boards endeavouring to carry on the educational services became almost as desperate as that of the teachers, and the impoverished communities could make but little contribution for educational purposes⁴⁴.

⁴³ Beales, Op. Cit., p. 126.

⁴⁴ Albert Walsh, "School Financing," unpublished manuscript, circa 1953, in the private notes of the late Chief Justice Walsh, p. 6.

Yet the "people" held to the position they had so consistently maintained, and the essential pattern of the legislation of 1874 remains intact.

It appears that the form which the legislation for education was to take was shaped in the earliest years of State support for Education. The controversy on reading of Scriptures in the schools which was evoked by the legislation of 1836, and which resulted in the division of the grant for educational purposes, led to the inevitable subdivision in 1874.

The roots of the discord that called forth that controversy, however, lie deep in the past. They arise from the first three centuries of misrule and repression as well as from racial and religious antagonisms. The Newfoundland Irish were stirred to action and encouraged in their struggle by the success of O'Connell's agitation in the Irish parliament. The English and Scottish settlers were no less strongly determined that "Religion must be the basis of sound education⁴⁵."

It seems to emerge from the records of these early years that the leaders in Church and State were men who could formulate and synthesize the vague aspirations and hopes of

⁴⁵ Bryan Robinson, "Debate on the College Bill," in the Public Ledger, St. John's, Newfoundland, Vol. 21, No. 2095, issue of February 21, 1843, p. 2, col. 3.

the unlearned, inspire confidence, and finally lead the people on to the attainment of that public welfare which has been described as "what men would choose, if they saw clearly, thought rationally, and acted disinterestedly"⁴⁶.

In fine, the State has assumed responsibility for, but not an autocratic control of the organization and administration of Public education in Newfoundland. It has found, we believe, a means of establishing "a pluralism in education which will correspond to the desires of all the citizens;" an arrangement which the Rector of the University of Ottawa has termed the only possible solution to a situation such as exists in a mixed population⁴⁷.

It would be futile and beside the point to attempt any surmise of what the near future may bring to the province in the way of reorganization and development of educational resources. The past decade has witnessed immense progress in material facilities, and in opportunity for all of the youth of the province to share in these facilities. Yet one realizes that much remains to be accomplished before the

⁴⁶ Walter Lippman, in The Public Philosophy, Boston, Little, Brown & Co., quoted by Paul Woodring in New Directions in Teacher Education, New York, Ford Foundation, 1957, p. 5.

⁴⁷ H. Légaré, cited by Bernard Daley, in "Difference of Philosophies, Aims Seen as Key to CCE Sessions," in the Canadian Register, Kingston, Ontario, 21st year, No. 4, issue of March 24, 1962, p. 7, col. 2.

objective of equalization of educational opportunity will be achieved. What does seem to emerge from a study of the development of the legislation through the first four decades of State provision for education, is that an understanding of the past history of our educational institutions can be helpful in appraising the pattern that has become the basis of our administrative practice. Historically and geographically, Newfoundland has problems that are inherent in the nature of the people and the features of the territory. One may bring forth without too much difficulty mathematical facts and figures to emphasize a need for radical changes in the system. These figures attain their true interpretation only in the light of less tangible circumstances.

With some diffidence, one might suggest that an investigation of the more recent developments within the framework of the legislation might yield insights into the value of the pattern as established in 1874, and effective in the present century.

SUMMARY AND CONCLUSIONS

The pattern which organization and administration of public education was to follow in Newfoundland for more than a century was set during the first four decades of state aid to education in the colony. During this period, division of the grant for educational purposes between Catholics and Protestants in 1843 led to agitation for complete denominational subdivision in 1874. The establishment of separate Boards for the several confessional groups necessitated special legislation to co-ordinate the rights and duties of Family, Church, and State in the administration of the system.

This study has examined the history of the four decades of educational development from 1836 to 1874 in an attempt to determine the underlying factors that produced in the educational life of the colony the situation that led to this separation, and to see how far such an arrangement could be evaluated in the light of Catholic principles of education.

The study is, in the main, historical. The development of educational practice in the years after the State began to take an active part in its administration was modified by the events of the preceding three centuries in the Island's history; and reflected, as Kandel reminds us, the social and political as well as the cultural and spiritual ideals of the

people¹.

The population of Newfoundland, in the first three centuries after its discovery came in the main from West England, from the South and West of Ireland, and from parts of Scotland. During the late eighteenth century and the early 1800's, the Irish came in increasing numbers.

While the population of St. John's was of mixed ethnic stock, and the more affluent of the settlers were engaged in trade, the fishermen of the remote coves and harbours along the coast tended to settle in groups that were more or less of the same racial and religious ancestry.

Until the late eighteenth century, the laws of the Imperial Government were directed against settlement, and against Roman Catholicism. Hence when redress came both socially and politically, and when the colony elected its first representative assembly, racial and religious antagonisms had already become a considerable factor in the course which the political and educational life of the Island would follow.

Before the Colonial Government made its first effort to aid and encourage education in the colony in 1836, the comparatively wealthy among the colonists sent their children to private schools, either in the Island or to the "Old Country". The poorer members of the population were dependent

1 I.J. Kandel, Comparative Education, Boston, Houghton Mifflin Co., 1933, p. 29.

for such educational opportunities as were available, upon the several voluntary undertakings by the Churches, and by Church sponsored Societies. The schools so organized included the St. John's Charity School, open to all denominations, and the schools managed by the Society for the Propagation of the Faith and the Church and School Society, both in St. John's, and in a number of the outport towns. For Catholics, there were, in St. John's, the Orphan Asylum School and the Presentation Convent School, and in Harbour Grace, the St. Patrick's Free School.

The Education Act of 1836 provided for the grant for educational purposes to be divided between the voluntary agencies and the newly established district schools. Of the 2,100 pounds sterling voted, 600 pounds sterling was equally divided between the schools operating under Protestant auspices and those managed by Catholics. The district schools were to be managed by the Boards of Education to be appointed in the nine electoral districts of the Island, and these district schools were to be non-denominational in personnel and management; there was provision, however, that the senior local clergyman of each denomination resident in the district was to be ex officio a member of the Board.

Opposition to the provisions of the Act of 1836, as implemented in the schools, arose because of differing views on the question of Bible Reading, and, in 1843, an Act of the

General Assembly divided the grant between Protestant and Roman Catholic Boards of Education in newly defined districts. This enactment was a decisive step in the development of the pattern of administration which the legislation of 1874 was to complete.

During the two succeeding decades, legislation for a non-denominational academy was passed, and amended in 1850 and again in 1858, so as to provide grants to three and finally four separate denominational academies in St. John's.

In the meantime, a movement had been initiated for the subdivision of the Protestant grant for elementary education. The Church of England, and in particular Bishop Feild, strongly supported this movement. Following a survey of the Select Committee of the Legislative Council on Education in the years 1871-1873, the legislature passed, in 1874, an amendment dividing the grant among the several denominational groups, in proportion to their respective numerical strengths.

While the succeeding years witnessed the development of the system of administration, especially at the central level, the various modifications were made within the framework of the denominational Act of 1874.

Local administration, meanwhile has changed very little in essentials. The district schools are administered by local Boards of which the local clergyman is a member ex officio.

The financial apportionment according to population for the several denominations would seem to be an implementation of principles embodied in the encyclical on Christian Education of Youth, and in the writings of Christian thinkers of our time.

From the record of the early years of educational legislation in the island, the following conclusions seem to emerge: The racial and religious antagonisms inherent in the background of the colonists were accentuated by the social and religious repression that marked the first three centuries of the Island's history. The successful outcome of O'Connell's struggle for Catholic Emancipation in 1829, and his persistent struggle against the danger of proselytism in the schools in Ireland, incited the Newfoundland Irish to a more confident effort in their demands for social and religious liberties.

The opposition of the Irish Catholics to Bible Reading in the schools on the ground that it could become a source of proselytism, was met by the equally strong conviction of the Protestant colonists that at least this minimum of religion teaching should be preserved in the schools.

The increasing strength of the non-Conformist bodies, in particular of the Wesleyan Methodists, tended to produce difference of outlook among the Protestant groups.

The legislation of 1843 was the result of a strong determination on the part of both Catholics and Protestants to

achieve and maintain a way of life in their new land, in which their distinct religious teachings and traditions could be fostered and preserved. This decision to divide the grant and establish separate Boards of education was the result of competent leadership in both Church and State, by men who were broad enough to sink personal differences of outlook for the attainment of the democratic ideal in political life and in education.

The principle established by the legislation of 1843 and further developed in the enactment of 1874 continues to be the basis of all subsequent legislation for education in the Island.

The model on which the legislators of nineteenth century Newfoundland patterned the system of public education which they developed in the various enactments was the English and Irish systems--and their very isolation from the American mainland kept the ties with the European background more close.

English empiricism, and Irish intransigence each played its part in the final pattern which the administration of public education assumed.

BIBLIOGRAPHY

Anderson, James, History of the Church of England in the Colonies, Second Edition, Vol. I, Rivington's, London, 1856, XL-512 p.

Contains history of the Anglican Church in Newfoundland, as well as data on early colonization. Useful in understanding the position of the Churches in the colony in the early nineteenth century.

Anspach, Louis Amadeus, A History of the Island of Newfoundland, London, Sherwood, Gilbert & Piper, 1827, xxvi-510 p.

A clergyman of the early 19th century reviews the history of the colony, gives data on the Society for the Propagation of the Faith, discusses religious policy in the island. Not too well documented but useful in understanding the state of society in the island at that period.

Barnes, Richard T., "A Bill for the Encouragement of Education in the Colony of Newfoundland," published in the Public Ledger, St. John's, Newfoundland, Vol. 21, No. 2099, issue of March 7, 1843, p. 2, col. 1-4.

The first attempt to provide for division of the grant for educational purposes according to the numerical strength of the denominations, therefore the foundation of all subsequent denominational division. The Bill passed without any essential alterations.

-----, "Address to the General Assembly on Motion of the Second Reading of the Education Bill," in Report of the General Assembly, published in the Public Ledger, Vol. 21, No. 2101, issue of March 17, 1843, p. 2, col. 1-4, p. 3, col. 1-3.

The member responsible for the drafting of the Bill set forth in great detail the course of the Conception Bay Controversy on Bible Reading and the issues in the other northern districts. One of the most useful documents in an understanding of the religious issues of the time and the position of the Assembly on the question.

Beales, A.C.F., "The Catholic Case for the Catholic Schools," in the Tablet, London, England, Vol. 194, No. 5712, issue of November 12, 1949, p. 308-309.

A well-known Professor of Education at King's College, London University, discusses the school situation in England, compares it with the situation in Scotland, Holland, Eire. Elaborates on principles set forth in the encyclical Christian Education of Youth. Useful in indicating the educational thought in England in the mid-nineteenth century--which trends seem to have affected the educational scene in Newfoundland at that time. Useful also in its discussion of the application of Catholic principles of Education in administrative practice.

-----, "The Problem of a Christian Education in the Modern Secular State," in the Actas of the 1949 Congreso Internacional de Pedagogia, published in the Instituto "San Jose de Calasanz," de Pedagogia of the Consejo Superior de Investigaciones Cientificas (Madrid, 1950-1952. 5 v.), Actas v. 1 (1950), p. 121-132. (Photostat copy from the Library of Congress).

Penetrating discussion of the Church-State problem in modern education. Useful in getting insight into the "norms" set forth in Divini Illius Magistri, as applied to all creeds; also into contemporary trends in the implementation of these principles.

Benevolent Irish Society, Centenary Volume, Cork, Ireland, Gay & Co., 1906, 260 p.

Detailed account of the founding of the Society and the establishment of the Orphan Asylum School in 1824. Data on the work of the school before government aid was granted. Useful in appreciation of the work of Church sponsored schools in Newfoundland before the first educational enactment.

-----, Report of the Benevolent Irish Society and of the Committee of the Orphan Asylum School, in the Newfoundland, No. 384, issue of December 4, 1834, p. 2, col. 3-4.

-----, Report of the Benevolent Irish Society and the Committee of the Orphan Asylum School, in the Newfoundland Patriot, Vol. 2, No. 11, issue of February 23, 1836, p. 3, col. 1.

These reports show the amount of expense, the enrolment, and the classes taught in the school. Useful in showing the contribution of private and voluntary agencies to education in the colony before the State took an active part in providing educational facilities.

Bennett, G.F., "Address to the Meeting of the Members of the Church of England," February 14, 1851, in the Times, St. John's, Newfoundland, Vol. 18, No. 14, issue of February 15, 1851, p. 2, col. 2.

A plea for complete denominationalization; maintains that the "amalgamated system has been tried and proved an extensive failure." Cites subdivision of the Academy grant as a precedent for subdivision of the grant for elementary education. Useful as summing up the Church of England position at mid-century.

Blackall, W.W., "A Brief Survey of Education in Newfoundland," in the Diocesan Magazine, issue of July-August 1939, p. 250-261.

An outstanding Anglican educator and Superintendent of Anglican schools in Newfoundland gives an account of the early work of the Society for the Propagation of the Faith and of the Continental Church Society, with an appraisal of the pre-legislative and early legislative period of education in the island. Useful for further insight into the historical background of the problem, Chapter I.

Bonnycastle, Richard Henry, Newfoundland in 1842, London, Henry Colburn, 1842, Vol. I, x-369 p.

Limited value, but some information concerning the population in the early nineteenth century, data on religious prejudice, and on the establishment of the St. John's Charity Schools.

Burke, Vincent P., Historical Summary of Education in Newfoundland, manuscript in the private papers of the late Dr. Burke, formerly Superintendent of Roman Catholic Schools in Newfoundland, circa 1930.

Stresses the extent of educational effort before 1836, and the circumstances that influenced the drafting of the first educational legislation in the colony.

Colony of Newfoundland, Records, manuscript in the Legislative Library, (now the Provincial Archives), The Colonial Building, St. John's, Newfoundland, 1835, p. 121-124; 1837, p. 125; 1850, p. 147-149.

Statistics concerning the schools established before Board schools were established, and of the work of voluntary agencies after the establishment of the Board schools.

Fitzpatrick, J.D., Edmund Rice, Dublin, Gill & Son, 1945, xvi-364 p.

A member of the Christian Brothers of Ireland, and an authority on the educational history of Ireland, gives insight into the Irish situation in the early nineteenth century. Details of the Kildare Street Society's Schools, and the famous Hussey Pastoral Letter. Useful in understanding the attitude of the Catholic Irish in Newfoundland towards mixed schools and Bible Reading.

Foran, E., Interview, with the writer, June 1956.

Mr. Foran has studied deeply into the early history of Newfoundland, and has written on the subject. He discussed the early Charity Schools, the influence of Bishop Fleming, the history of the Orphan Asylum School. His views were helpful in understanding the early development of Catholic education in the Island.

Frecker, G.A., Educational Administration in Newfoundland, Address delivered at the Convention of the Newfoundland Teachers' Association, July 23, 1943, manuscript copy.

The then Secretary for Education in Newfoundland reviews the history of administration of education, and compares the organization as established by the Act of 1927, and the subsequent amendments of 1935 and 1939. Useful in appreciating the modifications within the Department of Education under the Commission of Government, Chapter V.

-----, "Notes sur l'Education à Terre-Neuve," in Relations, 8th year, No. 62, issue of February 1946, p. 57-58.

Summarized the survey made by the supervising inspectors in 1944 to determine what per cent of the population of the Island was affected by duplication of services because of denominational administration. Useful in appraising the financial implications of the denominational pattern.

-----, "Education and Minority Groups in Newfoundland," manuscript of a report prepared by the then Deputy Minister of Education in connection with a study by Dr. H.P. Moffatt on Minority Privileges in Education in Canada. September 9, 1952, 11 p.

The Deputy Minister, among other circumstances, outlines the position of the amalgamated Boards of Education, and the provisions for confessional groups not recognized as "denominations" for educational purposes.

Government of Newfoundland, An Act for the Encouragement of Education in this Colony, 6 Wm. IV, Cap. 13, May 6, 1836.

The first educational legislation passed in the colony. Shows the importance of the schools under Church auspices in the fact that specific sums were allocated to them.

-----, An Act to Amend the Education Act - 1836, 2 Vic., Cap. 5, 25 October, 1838.

The amendment shows that the first Act was not satisfactory, that denominational difficulties were already apparent, provides for clergymen to visit the schools, but they were not to give any instructions.

-----, An Act for the Encouragement of Education, 6 Vic., Cap. 6, 22 May, 1843.

The first legislation for division of the education grant. Important enactment in as much as it is the principle on which all subsequent legislation was patterned.

-----, An Act to Provide for the Establishment of an Academy at St. John's, 7 Vic., Cap. 3, 29 April, 1844.

The earliest legislation to provide for Secondary Education in the colony. The Academy was not to be denominational in organization.

-----, Amendment of the Academy Act, 13 Vic., Cap. 5, 30 April, 1850.

Academy to be under three Separate Boards, the enactment indicates the trend that was growing, towards having schools supported by the legislature, but administered along denominational lines.

-----, An Act for the Encouragement of Education in Newfoundland, 14 Vic., Cap. 3, 3 June, 1851.

Provided for Central Boards of Education at St. John's for Protestant and Roman Catholic schools.

-----, An Act for the Encouragement of Education, 15 Vic., Cap. 2, 14 June, 1852.

Provision for subdivision of the Protestant grant in specified districts and under special conditions.

-----, An Act for the Encouragement of Education, 16 Vic., Cap. 2, 29 April, 1853.

Central Boards discontinued, Boards might exclude from participation in public monies, settlements which did not contribute to the costs of Education.

Government of Newfoundland, An Act for the Encouragement of Education, 21 Vic., Cap. 7, 10 May, 1858.

Grant for training of teachers to be divided among the denominations.

-----, Education Amendment, 29 Vic., Cap. 16, 1866.

Provision for places outside St. John's where there are not means for support of schools, to be apportioned according to population among the several denominations.

-----, Education Act Amendment, 33 Vic., Cap. 4, 1870.

Grant for educational purposes to be appropriated by the Governor in Council among the several religious bodies pro rata, in accordance with the Census of 1869.

-----, Education Act, 37 Vic., Cap. 5, 1874.

Annual appropriation for educational purposes to be divided among the several Protestant denominations according to population by the several Boards of Education hereafter to be appointed in the Protestant districts as altered.

The several enactments for education from 1836 to 1874 show the modifications that led to the final complete segregation of the denominations by the Act of 1874.

Haddon, John, Report upon the Inspection of Protestant Schools, in the Journal of the Assembly, for the years 1871, 1872, 1873.

These reports, in addition to giving data on the schools visited in the several districts, set forth the inspector's views on the subdivision of the Protestant grant with the reasons for his holding such views. Useful as indication of the reasons against subdivision.

Hewley, M.P., An Ecclesiastical History of Newfoundland, Boston, Doyle & Whitten, 1888, 426 p.

Hewley, the first "native born" Bishop of St. John's, who was a student of the Island's history and tradition, gives a wealth of detail on the early history, as well as the Catholic outlook on legislation and practice, often in the correspondence and diary of Bishop Fleming. Useful in Chapter I and in interpreting the Legislation of 1843-1844.

Hoyles, Hugh, Education Bill, in the Report of the Debate in the Assembly, in the Times, St. John's, Newfoundland, Vol. 28, No. 12, issue of February 12, 1851, p. 2, col. 2-3 and p. 3, col. 1.

Hoyles, an Anglican, one of the most able lawyers of the period, elaborates on his reasons for bringing in a Bill to subdivide the Protestant grant. Editorials in the same issue indicate the reactions to the Bill. Useful in ascertaining the opposing views at that time.

Kent, John, "Debate on the Two Colleges Bill," March 15, 1843, in the Public Ledger, St. John's, Newfoundland, Vol. 21, No. 2105, issue of March 28, 1843, p. 2, col. 3-4.

Kent, who later sponsored the Academy Bill, sets forth the Catholic position on the provisions of the College Bill, insists on the Catholic Bishop's position in the management of educational institutions.

-----, "Debate on the Academy Bill," in the Newfoundlander, No. 864, issue of April 4, 1844, p. 1, col. 3-4.

The member explains why he has insisted on the Academy being completely non-denominational, and has not provided for any religious training therein.

The arguments adduced in the two addresses cited show that the Catholics were still apprehensive of proselytism in the schools, and for that reason would choose that no religion whatever should be taught.

Morris, Patrick, Remarks on the State of Society, Religion and Morals at Newfoundland, London, England, published by A. Hancock for Sherwin, Gilbert & Piper, 1827, 76 p.

Morris, one of the men who helped obtain local representation from the Imperial Government, gives details on the conditions of the colony. Useful for Chapter I.

McLintock, A.H., The Establishment of Constitutional Government in Newfoundland, 1783-1832. A Study of Retarded Colonization, London, Longmans Greene & Co., 1941, xii-246 p.

Useful in connection with the study of early repressive laws of the Imperial Government. Insight into qualities of the men who engaged in the struggle for local representation.

Nugent, John Valentine, "Address" during the Debate on the Constitution Bill, in the Newfoundlander, No. 865, issue of April 11, 1844, p. 3, col. 1-2.

Reviews the grievances of the Catholics regarding political and educational appointments. Useful in both Chapter I, and Chapter II.

Pedley, Charles, The History of Newfoundland from the Earliest Times to 1863, London, Longmans, 1863, xix-531 p.

Some details on the social situation in the late eighteenth century, also useful correspondence. Limited value.

Pius XI, "Divini illius Magistri Encyclical," December 31, 1929, in Papal Teachings in Education, Boston, St. Paul Editions, 1960, p. 200-248.

Summary of Catholic educational principles. The criterion of justice in financial arrangements in education.

Reeves, John, History of the Government of Newfoundland, London, England, Sewell, 1793, 166 - cxvi p.

Possibly the earliest study of the struggle between the settlers and the merchant adventurers, Basic material for Chapter I.

Roche, Edward P., Pastoral Letter to the Clergy and Catholic People of St. John's, 1917, reprinted in the Monitor, St. John's, Newfoundland, Vol. 1, No. 7, issue of October 6, 1934, p. 12-13.

A learned prelate of the Roman Catholic Church appraises the educational system of the colony, and interprets it in the light of Catholic principles. Useful in evaluating the principles underlying the denominational pattern, and in understanding the relations of Church and State in Newfoundland education.

_____, "Address on Educational Matters," to the Members of the Presentation Convent Association, in the Monitor, Vol. 3, No. 2, issue of February 22, 1936, p. 8-9.

Discusses the critical condition of the educational situation at the time. Outlines and reviews Church's position. Useful in Chapter V.

Spencer, Aubrey, "Charge to the Clergy of the Diocese," quoted by Richard Barnes, in his "Address," in the Public Ledger, Vol. 21, No. 2101, issue of March 7, 1843, p. 2, col. 3.

The first Anglican Bishop charges the clergy not to give their time and energy to schools in which reading of the Scriptures is not permitted. Useful in showing the importance which the Anglican Bishop placed on Religion Teaching in the District Schools.

Talbot, Thomas, Newfoundland, London, England, Low, Marston, Searle & Rivington, 1882, 67 p.

A review of the developments in the colony from 1837 to 1882, by an Irishman who had spent several decades in the Island, and had been a master in the Academy, a member of the Legislature, and earlier a Reporter for the General Assembly. Useful for understanding the political events in the early years of local government.

Tucker, H.W., Life and Episcopate of Edward Feild, London, England, Gardner, 1877, xii-312 p.

Letters quoted bearing on the founding and the division of the St. John's Academy. The influence of Bishop Feild in the events that led to the establishment of the denominational system must be considered; therefore, the usefulness of this biography.

White, Philip, "Charge to the Synod," reprinted in "Matters Educational," in the Monitor, Vol. 5, issue of June 25, 1938, p. 8, col. 2.

Bishop White reminds the Synod that education is a partnership between Church and State, and that the place of each must be recognized. Useful in appreciating the position of the leader of the Anglican Church in this century.

Wilson, William, Newfoundland and Its Missionaries, Cambridge, Dakin & Metcalfe, 1866.

Details of Methodist activity in the Island, some historical data also, some helpful insights for Chapter I.

"Education Week," editorial in the Monitor, St. John's, Newfoundland, Vol. 5, No. 4, issue of May 21, 1938, p. 8, col. 1-2.

Reaffirms the Catholic position on Education in the colony, reviews the contribution of the Church to educational progress.

ABSTRACT OF

A Historical Study of Family, Church, and State
Relations in Newfoundland Education¹

This thesis was an attempt to investigate the historical development of Family-Church-State relations in the system of public education which was established in Newfoundland by the Legislation of 1874.

The sources available were, in the main, the legislative enactments beginning with the earliest Education Act of 1836 to the final denominational division made in 1874; the Proceedings of the House of Assembly and the Journals of the Legislative Council, and the Reports of the School Inspectors for the period being studied. These documents were supplemented by an examination of the local newspapers of the time.

All of the legislative enactments may be examined in the Law Library of the Court House, St. John's, Newfoundland. The Proceedings and the Journals are available in the Provincial Archives at St. John's, as well as in the Gosling Memorial Library, where may be found the Reports, the newspapers, and various historical references. A number of the sources are available in the Public Archives, Ottawa, Ontario.

¹ Sister Mary Teresina, R.S.M., (Mary Jane Bruce), doctoral thesis presented to the School of Psychology of the University of Ottawa, Ontario, May 1963, xv-186 p.

The main impressions from the study indicate that racial and religious differences which characterized the early history of the colony were intensified by the repressive laws of the three centuries before representative government was achieved; that the struggles against proselytism in the schools in Ireland encouraged the Newfoundland colonists in their struggle to secure denominational autonomy. It would appear that the course of future legislation for education was determined by the events of the first seven years of State aided education in the colony, that is from 1836 to 1843, since the division of the education grant in 1843 was the principle on which subsequent legislation was based.

The research involved in this study suggested that an inquiry into the development of curriculum in the district schools would show to what extent each of the three agents had influenced that development.

