

The 'No Popery' Crusade and the Newfoundland School System, 1836 - 1843

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The growth of the industrial nation-state in the last two hundred years has been characterized by two interlinked phenomena: the spread of secularism – driven forward by liberalism, science and anti-clericalism – and the introduction of systems of compulsory schooling.¹ The control over education exercised by churches and religious organisations in previous centuries has been whittled away or replaced by state schooling with legal requirements of attendance; religious instruction, particularly in the countries of the developed world, is absent from educational institutions or present in a merely marginal role, and only in exceptional cases do we find even a segment of a national educational system run by churches. One of the most outstanding examples of church dominance of schooling in the Western world is to be found in Canada's tenth province, Newfoundland, where four main denominations – Amalgamated Protestant, Roman Catholic, Pentecostal and Seventh Day Adventists – are responsible for the organisation and control of all of the province's schools. Until recently the validity of this situation was almost beyond dispute, but during the past decade debate about the future of the denominational system has increasingly occupied the press, the electronic media and public organisations. Should the system remain as it is, be modified, or abolished? Each position has its determined protagonists.²

¹ For secularism, see Owen Chadwick, *The Secularisation of the European Mind in the Nineteenth Century* (Cambridge: 1975); for an interesting discussion of the rise of mass compulsory education, see Pavla Miller, "Historiography of Compulsory Schooling: What is the Problem?" *History of Education*, vol. 18, no. 2, 1989, pp. 123-144.

² An overview of the main positions in the controversy can be found in W.A. McKim (ed), *The Vexed Question: Denominational Education in a Secular Age* (St. John's: 1988).

One feature of the controversy is the appeal to history. Supporters claim that denominational education is an expression of the response of the churches to the popular will, an inevitable and harmonious development rooted in the immemorial tradition of Newfoundland culture, and thus should remain unaltered. Critics point to the system's non-denominational origins, to the changes and conflicts that made the evolution of the system problematic rather than inevitable, and therefore open to future modification or dissolution.

Evidence can be found for both points of view, but what is beyond dispute is that public education for the children of Newfoundland began in 1836 on a non-denominational basis. Its subsequent history, however, was marked by violent disputes and divisions, culminating in the emergence, in the 1870s, of the multi-denominational system which has remained basically unchanged to the present day. The crucial period in the formation of the system was the years 1836 to 1843, when a tumultuous struggle was waged between Protestant and Catholic forces over the educational issue, culminating in an education act which instituted denominational schooling.

Disputes about the place of the churches in Newfoundland education may appear today to wear a somewhat parochial aspect. In the early nineteenth century, however, the role of the Christian religion in the education of the masses was a hotly disputed topic in both the United Kingdom and its growing colonial empire; controversy raged over the institutional position of Protestantism as against the claims of nascent Catholicism, particularly in the so-called "white-settler colonies" of the Canadas, Newfoundland, Australia and New Zealand. Newfoundland acquired full colonial status as late as 1832. Formerly merely a fishing station for West of England fleets, Newfoundland, following a wave of immigration from South-West England and South-East Ireland, in 1836 had a population of some 70,000, divided almost equally between Protestants and Catholics, nearly all of whom were engaged in the in-shore fishery. The main social cleavage was between a small group of merchants and an extensive class of fishers; the latter were in thrall to the merchants through the credit or truck system, by which the product of the summer fishing season – cured fish – was bartered for winter supply.³

In 1836, Newfoundland had enjoyed four years of Representative Government, following a long campaign for colonial status waged by political reformers. The structure and ethos of the new state, however, was essentially Protestant: a British governor, an appointed Legislative Council

³ See Gertrude Gunn, *The Political History of Newfoundland, 1832-1864* (Toronto: 1966), pp. 1-33; S. Ryan, "Fishery to Colony: A Newfoundland Watershed, 1793-1815," *Acadiensis*, vol. 12, no. 2, 1983, pp. 34-52.

consisting of Protestant merchants and officials, and the Church of England established as the official religion. In the Assembly, particularly after 1837, Liberal Catholics, with some Protestant allies, were in the majority and pursued fairly radical policies of exercising privileges, seeking control of finances and opposing the legal system; their main success was the forcing of the resignation of the unpopular Chief Justice, H.J. Boulton, in 1838.⁴ Previously lacking in civic institutions, the colony was determined to introduce a range of social amenities corresponding to its status, not least a system of public education. On this issue there was, initially, general agreement among the Liberals, largely but not entirely Catholic, and the Conservatives, almost wholly Protestant.

The Education Act of 1836 was initiated by the Governor, Sir Henry Prescott, who proposed “the encouragement of education” in his speech to the Assembly in January 1836,⁵ supported by a Select Committee which looked to European experience for examples of the beneficial effects of education,⁶ and given substance by the Assembly, which established nine School Boards which were to include the senior or superior clergyman “of each of the several religious denominations.”⁷ The legislation was largely formal; no mention was made of school organization, teachers, curriculum or religious observance, and the nondenominational nature of the new “elementary schools” could be inferred only from the inclusion of ministers of all faiths on the Boards.

The Act was passed in the dawn of popular education; the non-denominational Irish National System had been established in 1831, providing a model for Newfoundland,⁸ and two years later England legislated financial support for the education of the poor. In the spirit of the times, the Select Committee hoped that education would “tend to improve the morals and religious habits, encourage and direct the industry and ensure the happiness and tranquillity of the people.”⁹

⁴ Gunn, *Political History*, pp. 43-45.

⁵ Journal of the House of Assembly [hereafter cited as JHA] 1836, 7 January 1836.

⁶ JHA 1836, 24 February 1836.

⁷ JHA 1836, 28 March and 8 April 1836; VI Wm IV, cap. 13, “An Act for the Encouragement of Education in this Colony” (6 May 1836). £1500 was granted to the elementary schools, £600 to existing institutions.

⁸ A month before the Select Committee reported, the *Patriot* had carried a long review of the Second Annual Report of the Commissioners of National Education for Ireland, which stated that the new system of education had proved ‘generally beneficial and acceptable to Protestants and Roman Catholics.’ (*Patriot*, 26 January 1836).

⁹ JHA 1836, 24 February 1836.

The Act became law on 6 May 1836, and Newfoundland appeared to have established a system of non-denominational popular education which had the support of all shades of political and religious opinion. The prospect of harmonious development was, however, to be short-lived. When the Governor's list of appointments to the School Boards was issued in July, an astonished and furious Catholic population found that of the 117 members, only 18 were of the Catholic faith, only 8 of the 18 Catholic clergy had been selected, and the Catholic Bishop, Michael Antony Fleming, had not been appointed to the St. John's Board.¹⁰ Though Fleming was later placed on the Board at the insistence of the other members,¹¹ the damage had been done and the *Patriot* alleged that the appointments were influenced by "Tory advisers" of the Governor, who was apparently absent at the time.¹²

Whether this decree was a calculated snub on the part of the Tory Protestant Council, or merely a reflection of their anti-Catholic prejudices is not clear, but it certainly opened a way for the Protestant majorities on the Boards, should they wish to do so, to bring undue influence to bear on policy decisions, since under the Act Boards could make their own bye-laws.¹³ The opportunity was soon taken. On 8 August, two Protestant members of the Board of Conception Bay, a populous fishing area adjacent to St. John's, the capital, proposed the division of their share of the grant between the Church of England, Roman Catholics and Methodists.¹⁴ This was lost, but a resolution to adopt as a school book the Authorised Version of the Bible (to be read by Protestants "out of school hours") was adopted as the 11th bye-law.¹⁵ Four Catholic members immediately resigned, complaining to the Governor that the clause was contrary to the Irish system and a diversion of public money to sectarian purposes.¹⁶

At the Governor's suggestion, the Conception Bay Board added the St. John's Board's 7th bye-law – which allowed ministers of religion to withdraw pupils of their communion for religious instruction, and which

¹⁰ *Patriot*, 9 July 1836.

¹¹ Public Archives of Newfoundland and Labrador [hereafter PANL], GN 2/1, J. Templeman to E. Wix, 8 July 1836; *Patriot*, 16 July 1836.

¹² *Patriot*, 9 July 1836.

¹³ Under Section III, Boards had "full power and authority" to make their own "Bye-Laws, Rules and Regulations" for the "establishment and management" of their schools and the distribution of their grant.

¹⁴ PANL, GN21/6, Proceedings of the Board of Education, District of Conception Bay, Minutes 1836-1841, 8 August 1836.

¹⁵ *Ibid.*, 9 August 1836.

¹⁶ Journal of the Legislative Council [hereafter cited as JLC] 1837, Appendix, D. Machin et al to J. Templeman, 10 August 1836.

selected only unsectarian school books¹⁷ – to its regulations, but refused his request to expunge their own 11th rule.¹⁸ The Governor, however, insisted that he could not sanction it.¹⁹ In October they went further and passed a resolution in favour of dividing the district’s grant between Protestants and Catholics; at the same time several members of the Board expressed the determination of the Protestants of Conception Bay to withhold their children from schools in which the Bible was prohibited.²⁰ Governor Prescott was undeterred, however, and on 11 November he announced that he would not sanction any expenditure of money except in accordance with rules approved by himself.²¹ The work of the Board was effectively brought to a standstill and no meetings were held until the latter part of 1838.²²

The board of Trinity Bay, which contained no Catholic members, proposed to give religious instruction from the Authorised Version, though prohibiting books of a sectarian tendency.²³ The members refused Governor Prescott’s advice to drop the Bible,²⁴ whereupon he attempted to conciliate them by suggesting that the rule concerning Bible reading be rescinded only if religious difficulties arose in practice; the Board again refused to agree and he was forced to declare that “for the present” the district would be deprived of the benefits of the Education Act.²⁵ Such being the case, wrote one of the Commissioners, “the Board of Education for this district is now virtually dissolved.”²⁶

¹⁷ *Ibid.*, E. Wix to J. Templeman, 14 July 1836, enclosing the “Bye-Laws, Rules and Regulations of St. John’s Board of Education.”

¹⁸ PANL, GN 21/6, Board of Education Conception Bay, Correspondence Book, J. Templeman to J. Burt, 15 August 1836; Board of Education Conception Bay, Minutes, 30 August 1836

¹⁹ PANL, GN 21/6, Board of Education Conception Bay, Correspondence Book, J. Templeman to J. Burt, 1 September 1836.

²⁰ PANL, GN 21/6, Board of Education Conception Bay, Minutes, 31 October 1836.

²¹ PANL, GN 21/6, Board of Education Conception Bay, Correspondence Book, J. Crowdy to J. Burt, 11 November 1836.

²² PANL, GN 21/6, Board of Education Conception Bay, Minute Book, October 1836 – November 1838.

²³ JLC 1837, Appendix, G. Skelton to J. Templeman, 8 July 1836, enclosing the “Bye-Laws, Rules and Regulations of the Board of Education for Trinity Bay.”

²⁴ PANL, GN 2/1, J. Templeman to G. Skelton, 22 August 1836; JLC 1837, Appendix, G. Skelton to J. Templeman, 12 September 1836.

²⁵ PANL, GN 2/1, J. Crowdy to G. Skelton, 19 September 1836, 1 and 8 October 1836; JLC 1837, Appendix, G. Skelton to J. Crowdy, 24 September and 4 October 1836.

²⁶ *Public Ledger*, 11 October 1836, “A member of the Board” to the Editor.

If Governor Prescott had acted decisively to uphold the principles of the Act in Conception Bay, he temporised when faced with the intention of a third Board, that of Bonavista, to flout the law. This Board opted to use as school books those provided by the Newfoundland School Society, a militant Evangelical missionary body. In a long correspondence with the Governor's office, Bonavista made it clear that these books would include the Authorised Version, refusing the suggestion that they should adopt the non-denominational Irish National School Books, which the Chairman declared were "repugnant" and "hateful" to Irish Protestants. The Governor allowed the Board to proceed with its intentions on condition he reserved the right to rescind the rule concerning books, should it prevent Catholic children from participating in the benefits of the Act.²⁷ In the following year, the Board of Education for Twillingate, also on the North-East Coast, joined the other Boards by authorising the New Testament as a reading book in their schools (with the proviso that Catholic children should read from parent-approved texts). The specific resolution was refused sanction by the Governor.²⁸

Though the responses of the four Boards to the imperatives of the Act were not uniform, all shared the sentiments expressed by a correspondent in the Ledger: "the great Protestant principle of education – putting into the hands of Protestant children, the Bible, the whole Bible and nothing but the Bible."²⁹

The actions of the recalcitrant Boards were in line with those of Protestants in other countries. In England, the Evangelicals of Liverpool were mounting a full-scale (and ultimately successful) assault against the local Council's non-denominational school system,³⁰ and a similar campaign was being waged by the same forces in Australia.³¹ Few words, in any country, were spoken about the fate of the children whose schooling was at

²⁷ PANL, GN 2/1, J. Templeman to H.J. Fitzgerald, 6 September 1836; J. Crowdy to H.J. Fitzgerald, 5 October and 22 December 1836; JLC 1837, Appendix, H.J. Fitzgerald to J. Templeman, 19 August 1836, enclosing the "Resolutions of the Board of Education for Bonavista"; H.J. Fitzgerald to J. Templeman, 19 September 1836; H.J. Fitzgerald to J. Crowdy, 25 November 1836; *Public Ledger*, 3 October 1836, "Catholicus" to Editor.

²⁸ JHA 1838, Appendix, Twillingate: Education Report (23 August 1837); J. Crowdy to Rev. Chapman, 12 September 1837, and Chapman to Crowdy, 9 October 1837.

²⁹ *Public Ledger*, 9 April 1839, "Biblicus" to Editor.

³⁰ J. Murphy, *The Religious Problem in English Education: The Crucial Experiment* (Liverpool: 1959); P. McCann and F.A. Young, *Samuel Wilderspin and the Infant School Movement* (London: 1982), chap. 12.

³¹ See F.T. Whittington, *William Grant Broughton, Bishop of Australia* (Sydney: 1936).

the mercy of theological disputations which disrupted school life in many parts of the colony. Governor Prescott stated in July 1837 that the operation of the Education Act had met with considerable impediments; one district was “entirely deprived” of its benefits, and in but few places was its operation “cordial and complete.”³²

Governor Prescott, as he later admitted, favoured non-denominational education and supported the Assembly’s view on the matter;³³ these sentiments were probably in his mind when in the following session of the Assembly he announced that he would “readily consent” to any educational measure that would assuage religious jealousies and promote universal instruction.³⁴ He was taken at his word by Peter Brown, a radical Catholic from Conception Bay, who introduced “A Bill to Grant a Further Sum of Money and to Amend an Act for the Encouragement of Education in this Colony.”³⁵ Arguing that the 1836 Act was a dead letter – religious differences had left most of the grant unappropriated – Brown proposed the exclusion of all “sectarian books” (the Bible presumably included), but permitted the introduction of those similar to the Irish National School Books. With the acerbity of the controversy in mind, Brown inserted a clause allowing Board members to sue and be sued. Finally, £750 was to be added to the existing annual grant.³⁶

The bill, sent for approval to the Legislative Council, was promptly amended by that body. A conference was called, the outcome of which was entirely negative. The Council, in a lengthy statement, rejected the Assembly’s arguments: the Act had not been rendered inoperative, Council members declared, by dissensions on a few Boards and the Governor’s refusal to sanction certain rules; the Assembly’s proposals to restructure the Boards would merely allow the views of the minority to predominate, the latter being entirely prejudiced in preventing those who wished to read the Bible to do so.³⁷ The bill was rejected, joining the dozen or more, the *Patriot* noted, which had been “burked” by the Council.³⁸

³² JHA 1837, 3 July 1837, Address to the Assembly.

³³ *A Sketch of the State of Affairs in Newfoundland*. By a Late Resident in that Colony (London: 1841), pp. 60-61; Colonial Office [hereafter CO] 194/111, Prescott to Russell, 9 June 1841.

³⁴ JHA 1837, 26 August 1837, Address to the Assembly.

³⁵ *Patriot*, 21 October 1837.

³⁶ *Patriot*, 30 September 1837, speech on second reading of the bill.

³⁷ JHA 1837, 4 October 1837, “Report of a Committee appointed to prepare reasons to be offered at a conference with Her Majesty’s Council on Education Bill;” “Report of Conference.”

³⁸ *Patriot*, 21 October 1837.

This was the first intervention by the (wholly Protestant) Council in the field of public education, and marked an intensification of Protestant opposition to non-denominational education. The *Public Ledger* continued to act as a focus of this opposition. In 1836 it had printed letters urging “No Bible – No Schools,”³⁹ and warning the Governor of “a flame of opposition” that would teach him not to interfere with “our English privileges.”⁴⁰ In the following year the *Ledger* publicised opposition to the Irish National System by the Irish Church and the Irish Methodists, and published a plea for Protestants to support the Newfoundland School Society against “the designs of the enemy.”⁴¹

The Newfoundland School Society, founded in 1823 by Newfoundland merchants and English Evangelicals, had established its own network of schools in Newfoundland, supported financially and morally by the British government. The Society’s status was enhanced in 1839 when the first Church of England Bishop of Newfoundland, the Evangelical Aubrey Spencer, became its Vice-President.⁴² The Society, in fact, not only played a leading part in the fight against Catholicism and its support of non-denominational education, but also acted as a platform for Protestant and Conservative opinion. The Annual Meeting of the Society in London in 1838 extended a welcome to former Chief Justice Boulton, the hammer of the Catholic radicals, who reiterated the allegation that an attempt was being made in Newfoundland “to establish schools excluding the Bible,” and declared that no system of education could be good that forbade the reading of the Scriptures.⁴³ In the areas in which the Protestants kept their children from school, the Society collected subscriptions and set up temporary schools for “Protestant instruction.”⁴⁴ Opposition to the whole government scheme of education in the Island, the Society stated unequivocally, was due to “the combined exertion of some influential persons, most of the clergy, some of the Wesleyan missionaries, and the entire body of your teachers.”⁴⁵

Despite the unpromising political climate, another education bill, again presented by the indefatigable Peter Brown, was put before the Assembly in

³⁹ *Public Ledger*, 16 September 1836, “Z” to Editor.

⁴⁰ *Ibid.*, 23 September 1836, “A Protestant” to Editor.

⁴¹ *Ibid.*, 5 September 1837 and 3 October 1837, “Z” to Editor.

⁴² W.P. McCann, “The Newfoundland School Society, 1823-1855: Missionary Enterprise or Cultural Imperialism?” in J.A. Mangan (ed), *‘Benefits Bestowed’? Education and British Imperialism* (Manchester: 1988), pp. 94-112.

⁴³ *Record* (London), 3 May 1838.

⁴⁴ Proceedings of the Newfoundland and British and North American Society for Educating the Poor [hereafter cited as NBNASEP], Fourteenth Report, 1838, pp. 10-11.

⁴⁵ *Ibid.*, p. 12.

August 1838 and, surprisingly, passed by the Council, possibly influenced in this instance by Governor Prescott. Brown's intention was, as he declared at the Committee stage, to remove from Board members the power to obstruct the progress of education by empowering the Governor to fill vacancies on the Boards.⁴⁶ The Council took the step (unexpected in the light of its previous opposition to non-denominationalism) of safeguarding the non-denominational status of schools by agreeing to forbid any minister to impart religious instruction therein, even adding a clause "or in any way to interfere in the proceedings or management thereof." Even more unexpectedly, it proposed a section forbidding the use of books inculcating "The doctrines or peculiar tenets of any particular or exclusive church or religious society whatsoever,"⁴⁷ a proviso which obviously excluded the use of the Bible. The Act, passed on 25 October 1838, contained these clauses, plus the authorization of a special grant of £150 which was to be spent on the purchase of books used in Irish National Schools for School Boards "who may approve the same." Finally, the Boards of Conception and Trinity Bays were ordered to expend the monies not disbursed in previous years to build or procure school houses.⁴⁸

The act undoubtedly strengthened the non-denominational nature of the system. Yet within less than a year Protestant forces contrived to nullify its most important provision – the exclusion of the Bible as a reading book. In order better to understand the atmosphere and context in which Protestants were able to achieve this success, a closer look at the ideology of international Protestantism in the late 1830s is necessary.

The world-wide expansion of the Protestant missionary movement in the early Victorian era was a function of the expansion of Europe overseas. During the nineteenth century an estimated 8 to 9 million square miles of territory in North and South America and Australasia alone was occupied,⁴⁹ within which the British Empire had expanded to 105 million people and 1,120,000 square miles by 1840.⁵⁰ Contemporaries saw the growth of British commerce and the extension of civilisation as going hand in hand. To Protestants, the spread of the Gospel, particularly to the "heathen" areas of the globe, was inextricably bound up with the progress of commerce. The

⁴⁶ *Patriot*, 1 September 1838, reporting the Assembly debate of 29 August.

⁴⁷ JLC 1838, 11 and 14 September 1838.

⁴⁸ II Vic., cap. 5, An Act to amend an Act passed in the Sixth Session of the First General Assembly, intitled "An Act for the Encouragement of Education in this Colony," 25 October 1838.

⁴⁹ A.J. Youngson, "The Opening Up of New Territories," in *The Cambridge Economic History of Europe*, Vol. VI (Cambridge: 1966), p. 139.

⁵⁰ "Extent and Importance of the British Colonies," *Colonial Magazine*, vol. vi, no. 23, 1841.

providence of God, it was argued, had happily placed Britain in the position of acquiring power and territorial possessions, not for greed or self-aggrandizement, but to bring Christianity and civilisation to heathen regions.⁵¹ The belief that its mission was a fulfilment of a divine providential plan gave Protestantism a confidence and sense of superiority which inspired even its humblest labourer in the field. Only one power appeared to be able to challenge or frustrate the design – renascent Catholicism, directed from Rome.

Protestants had watched the restoration of Pope Pius VII to Rome after the upheavals of the Napoleonic period, followed during the next decade by the revival of overseas missions, the re-establishment of the Jesuit Order and Propaganda Fide, and the founding of the Association for the Propagation of the Faith.⁵² The passing of the Catholic Relief Act by the British Parliament in 1829, which gave Catholics access to “offices, franchises and civil rights” seemed to be the last straw. Beginning in Ireland, the long tradition of hostility to Catholicism was revived and intensified, and under the slogan of “No Popery” an international crusade was launched against Catholicism, depicting Catholics as deviant, superstitious and irrational, and as likely to give their political allegiance to the Pope as to the sovereign. Fanned by their dissemination of tracts and pamphlets, highly-coloured “revelations” by renegade priests and the invective of Protestant divines, the crusade spread throughout the British Isles, to Canada, Australia and the United States.⁵³

The anti-Catholicism of the Protestants of Newfoundland thus did not spring entirely from local conditions, through the activities of the Irish Catholic community – political speeches from the pulpit by priests, rowdy marches and demonstrations at election times in which injuries were sustained, unrelenting radical policies in the Assembly – thoroughly alarmed the Tory-Protestant elite. The “No Popery” crusade, however, with its stark division of the world into devious Catholics and heroic Protestants,

⁵¹ For an illuminating account of “commercial Christianity,” see B. Stanley, “Commerce and Christianity: Providence Theory, the Missionary Movement and the Imperialism of Free Trade, 1842-1860,” *Historical Journal*, vol. 26, no. 1, 1983, pp. 719-4. See also Rev. S. Wilberforce, “The Law of Christian Colonisation,” *Proceedings of the NBNASEP, 1841-1842*.

⁵² For a brief account of this period, see T. Bokenkotter, *A Concise History of the Catholic Church* (New York: 1979), p. 286ff. See also J.N.D. Kelly, *The Oxford Dictionary of Popes* (Oxford: 1988).

⁵³ E.R. Norman, *Anti-Catholicism in Victorian England* (London: 1958), pp. 13-21; G.F.A. Best, “Popular Protestantism in Victorian Britain,” in E.R. Robson (ed), *Ideas and Institutions of Victorian Britain* (London: 1967), pp. 115-142; R.A. Billington, *The Protestant Crusade, 1800-1860* (New York: 1938); N.G. Smith, “Religious Tensions in Pre-Confederation Politics,” *Canadian Journal of Theology*, vol. ix, no. 4, 1963, pp. 248-262.

strengthened and united all sects of the latter community; both the Church and Dissenters, a leading Methodist J. Pickavant asserted, were aware of the necessity of saving Newfoundland from the influence of the agents of the Church of Rome.⁵⁴

A united front of Protestants could only have been brought into being by the perception of a common danger. There was no natural sense of unity between the orthodox Anglicans, Evangelicals and Methodists of Newfoundland. Spencer was opposed to any form of Dissent,⁵⁵ and the Methodists complained of the encroachments of the Newfoundland School Society on what they considered “their” territory.⁵⁶ The perceived threat from Rome, whipped up by “No Popery,” temporarily united the different sects by making the defence of Protestantism seem more important than the interest of any particular group within it.

Strengthened by this conviction, Methodists and Anglican Evangelicals acted together to attack the bastion of non-denominational education, the 1838 Education Act. Four months after the 1838 Act was passed, five members of the Conception Bay Board resigned – Burt and Pickavant, Methodist ministers, and Stark, Ridley and Stirling, the last three subscribers to the Newfoundland School Society.⁵⁷ They informed the Governor that they considered the Act an “exclusive enactment” which penalised the Protestant majority and called for a division of the grant on religious lines.⁵⁸ At the first opportunity Prescott filled the vacant places with Catholics,⁵⁹ precipitating the resignation of the remaining Protestant, the Rev. Charles Blackman, a prominent Evangelical, who threatened that henceforward not a single Protestant child would be sent to School in the Conception Bay district.⁶⁰

The tactics of resignation and the withdrawal of pupils were negative and ultimately self-defeating. A more positive and more adroit manoeuvre would be to attack the problem at its source by changing the law, or at least the interpretation of it, and this the Protestant majority on the Trinity Bay Board proceeded to do – by calling the Protestant state to their aid. On 12

⁵⁴ Methodist Missionary Society [hereafter cited as MMS], North America, Box 100, F10E, Newfoundland, J. Pickavant to Secretaries, 12 September 1838.

⁵⁵ A.G. Spencer, *A Brief Account of the Church of England* (London: 1867), p. 10.

⁵⁶ MMS, North America, Box 103, F13E, Newfoundland, W. Faulkner to Secretaries, 4 January 1843; I. Sutcliffe to Secretaries, 20 November 1843.

⁵⁷ Proceedings of the NBNASEP, 1833-1834, 1843-1844, passim.

⁵⁸ JLC 1839, Appendix, J. Burt et al to Colonial Secretary, 22 November 1838.

⁵⁹ PANL, GN 21/6, Board of Education, Conception Bay, Minutes, 18 February 1839.

⁶⁰ PANL, GN 2/2, C. Blackman to J. Crowdy, 2 May 1839.

June 1839, the Board declared the Authorised Version of the Bible to be unsectarian and submitted Section III of the Act to the Attorney-General and Council member James Simms, requesting an opinion as to whether the Bible fell within its provisions.⁶¹ In a carefully worded but nonetheless remarkable judgement, Simms declared that he had “great doubts” as to whether the Bible inculcated the doctrines of any particular or exclusive Church or Society; he leant towards the opposite inference – that it was not of a sectarian character. If that were so, then the Boards were authorised “to choose and select such books as may be used in the schools.”⁶² In other words, the Authorised Version of the Bible was a school book which the Boards were legally entitled to select for use under clause III of the 1838 Act.⁶³ Though J.V. Nugent, one of the leading Liberal-Catholic politicians in the Assembly, in moving an Address to the Governor, described Simms’ ruling as given in “great doubts and professed uncertainty,”⁶⁴ the judgment was allowed to stand.

Did the Council (of which Simms was a member in 1838) have a possible future change of interpretation in mind when it added clause III to the Assembly’s draft of the 1838 Act? It is an attractive but unproven hypothesis. What is certain is that Simms’ ruling had an immediate effect; Governor Prescott withdrew his objection to the use of the Bible, and sanctioned the rules and regulations to the Trinity Board.⁶⁵ Thus the tables were neatly turned against the Assembly on the most crucial issue which faced the educational system. Nugent gloomily predicted that if the system were broken down in Trinity it would eventually be broken down everywhere else.⁶⁶

What effect did the three-year Protestant campaign have upon the schooling of children as envisaged under the Education Acts? Conception Bay was hit particularly hard; the withdrawal of Protestant children from school resulted in seven to eight thousand children being deprived of schooling, according to Peter Brown in August 1838.⁶⁷ The Governor’s restrictions on the operations of the Trinity Bay Board, declared Richard Barnes, author of the 1843 Education Act, had left everything “at a stand”

⁶¹ JLC 1839, Appendix, W. Bullock to J. Crowdy, 12 June 1839.

⁶² JLC 1839, Appendix, J. Crowdy to W. Bullock, 19 June 1839, enclosing opinion of J. Simms, 17 June 1839.

⁶³ II Vic. cap 5, 25 October 1838; this clause forbade the use of Books “having a tendency to teach or inculcate the Doctrines or peculiar Tenets of any particular or exclusive Church or Religious Society whatsoever.”

⁶⁴ *Patriot*, 29 June 1839.

⁶⁵ PANL, GN 2/1, J. Crowdy to W. Bullock, 19 June 1839.

⁶⁶ *Patriot*, 22 June 1839.

⁶⁷ *Patriot*, 1 September 1838, reporting debate on the education bill, 29 August 1838.

in that district for two years.⁶⁸ The Assembly later stated that the Act was inoperative “in several districts” in 1837.⁶⁹ When the Bible was introduced into the schools of Trinity Bay after the Simms’ ruling of 1839, Catholic children in attendance were kept at home by their parents as a consequence.⁷⁰ After the assumption of office by Catholics on the Conception Bay Board in February 1839, not a single Protestant child was sent to school in that region.⁷¹ The evidence is impressionistic, and though a small number of schools were in operation,⁷² it tends to confirm the Governor’s assessment of the position in 1843 that in nearly every district of the island the children either of Protestant or Catholic parents had been, at one time or another, excluded from the benefit of schooling.⁷³ Expenditure on public elementary education, in fact, was \$3,780 in 1836 and only \$2,400 in 1841, as compared with \$30,858 in 1846.⁷⁴

In January 1840, Prescott made a last attempt to influence legislation by presenting to the Assembly, “as a model,” the rules of the St. John’s Board which, as we have seen, forbade the teaching of sectarian tenets and enjoined the use of the Irish National School Books.⁷⁵ The following year the Assembly, heeding the advice, sent to the Council an education bill, one clause of which excluded the use of the Bible as a textbook. The Council, on the Assembly’s refusal to withdraw the clause, put forward two proposals: either that no Catholic child should be compelled to read any book of a religious tendency; or, that the education grant should be divided on religious lines if parents could not agree to have their children educated in the same school.

The Assembly rejected both propositions, the former on the grounds that it would allow Protestant doctrines to be taught in all schools to all the children, but for Catholics “the only return made them for the degradation was, that they should not be compelled to *read books* they disapproved of.” After lengthy negotiations with the Council, the Assembly, anxious to place an Act on the Statute book before the original Act of 1836 expired in May

⁶⁸ *Public Ledger*, 17 March 1843.

⁶⁹ JHA 1841, 23 April 1841, Address of the House of Assembly.

⁷⁰ JHA 1841, 23 April 1841, Address to Her Majesty.

⁷¹ Public Record Office [hereafter cited as PRO], CO 194/117, Harvey to Stanley, 30 November 1843.

⁷² In 1840, 66 schools were open. Five years later, after the 1843 Act, 128 were in operation. This has been calculated from the appendices of the JHA, 1836 through 1845-1846.

⁷³ PRO, CO 194/117, Harvey to Stanley, 30 November 1843.

⁷⁴ Blue Books, Newfoundland, 1836, 1841 and 1846. Figures converted from sterling at the rate of \$4.8 to £1.

⁷⁵ JHA 1840, 17 January 1840.

1841, submitted a compromise proposal that would permit the introduction of the Bible into “all the exclusively Protestant schools,” provided “mixed schools” would limit “religious books” to those of the Irish National System.⁷⁶ The Council refused to agree to the Assembly's proposal and the bill was lost.

After the failure of the 1841 bill, the direction of Newfoundland popular education began to be influenced by political developments arising from the repercussions of the “No Popery” crusade on imperial policy. The British government had begun to take a close interest in Newfoundland affairs in the mid-1830s. In 1834 Governor Prescott had begun a clandestine correspondence with the Colonial Office in an attempt to persuade Rome to remove the Roman Catholic Bishop Fleming,⁷⁷ and from the mid-1830s onwards copies of the main St. John's newspapers began to be sent to London on a regular basis.⁷⁸ Inflammatory articles from these papers were also reproduced (often with considerable embellishment) in Tory and Protestant journals in Britain from the *Standard* to the *Evangelical Record*, from the *Protestant Magazine* to the *Methodist Watchman*, often utilising material from the *Times* and *Ledger*. The Newfoundland press frequently reproduced this material as evidence of “respectable” British opinion.⁷⁹ There was thus an intense two-way journalistic traffic across the Atlantic, embodying one persistent theme – that the “Popish hierarchy” in Newfoundland was fomenting “discontent, disorder and ultimately rebellion.”⁸⁰

The Chamber of Commerce, representative of the merchant community, petitioned the Queen for abrogation of the Representative Assembly, declaring they would not be ruled by those who paid no taxes nor owned any

⁷⁶ JHA 1841, 29 March, 15, 21, 23 and 24 April 1841; JLC 1841, 19, 20 and 23 April 1841.

⁷⁷ P. McCann, “Bishop Fleming and the Politicization of the Irish Roman Catholics in Newfoundland, 1830-1850,” in T. Murphy and C.J. Byrne (eds), *Religion and Identity: The Experience of Irish and Scottish Catholics in Atlantic Canada* (St. John's: 1987), pp. 81-97.

⁷⁸ As can be seen from the Colonial Office files in the Public Record Office, London, England.

⁷⁹ See *Public Ledger*, 24 February 1837, for suggestions of this process.

⁸⁰ *Record*, 20 September 1838. Cf. also *Standard*, 24 September 1838; “Popery in the Colonies,” *Protestant Magazine*, vol. 1, March 1839, pp. 33-37; NBNASEP, Fifteenth Report, 1838, p. 11; Gunn, *Political History*, p. 56.

property.⁸¹ Other merchants in both Newfoundland and Britain made similar demands.⁸² Following a hotly-contested and rowdy bye-election in 1840, and a heated leading article in *The Times* in January of the following year which, significantly, compared Newfoundland to Ireland, prophesying that the “murdering and burning” of Catholic mobs in the former was but a foretaste of the fate of Protestants in the latter⁸³ – the British government acted. The presentation of a petition from St. John’s Chamber of Commerce in the House of Lords by Lord Aberdeen – which again called for radical changes in the constitution which would give security of rights and protection of life – preceded a successful motion in the Commons for a Select Committee of Inquiry into the State of Affairs in Newfoundland.⁸⁴ The selection of witnesses was somewhat partisan, the Committee’s report was never published, and the evidence suggested that principal merchants favoured the abolition of representative government.⁸⁵

In September 1841 a new Governor, Sir John Harvey, was appointed, who favoured an Amalgamated Assembly.⁸⁶ In August 1842 the Newfoundland Act was passed, which raised qualifications for the franchise, abolished the Legislative Council and Representative Assembly and instituted an Amalgamated Legislature of ten nominated and fifteen elected members.⁸⁷ In this Assembly, Catholic and Liberal politicians were in a minority.⁸⁸

* * *

The way was now clear for changes in the educational system. Governor Harvey made an eloquent plea for an education act (without mentioning

⁸¹ PRO, CO 194/101, Prescott to Glenelg, 24 December 1838, enclosing the Address of the Chamber of Commerce to the Queen (December 1838).

⁸² PRO, CO 194/102, Address of Merchants, Traders and Shipowners of Conception Bay, 20 February 1839; Addresses from Merchants in English Ports, 28 February, 7, 8 and 12 March 1839.

⁸³ *The Times*, 11 January 1841.

⁸⁴ Gunn, *Political History*, pp. 77-78.

⁸⁵ Select Committee Appointed to Inquire into the State of the Colony of Newfoundland (1841). See Gunn, *Political History*, p. 78ff.

⁸⁶ Gunn, *Political History*, pp. 82-85.

⁸⁷ V and VI Vic., cap. 120, An Act for Amending the Constitution of the Government of Newfoundland.

⁸⁸ Gunn, *Political History*, Appendix B, Table IV.

denominationalism) in his address to the Assembly in January 1843.⁸⁹ The invitation was accepted by Richard Barnes, the member for Trinity, from the Board of which, as we have seen, had come the successful breach of non-denominational schooling four years previously. Usually described as a Wesleyan, Barnes was, in fact, a deacon of the Congregational Church⁹⁰ (to which Henry Winton, editor of the *Public Ledger*, also belonged). Barnes was also the treasurer of the Natives' Society, which stood for "the maintenance of constituted authority and order."⁹¹ His anti-Catholic credentials may be gauged from his conviction that "the strangers who come amongst us [i.e., the Irish Catholics] and who are turning the country upside down with their accursed incantations, are more like fiends than men."⁹² He enjoyed the support of the new Governor, Sir John Harvey, who admired him as a patriotic and respectable self-made man, "by no means unfavourable to the Church of England."⁹³

Barnes' speech on the second reading of the bill was long, cogently argued and well-researched. He claimed objectivity, but presented arguments and examples that reflected the standard Protestant line of the previous seven years, though no outsider would have guessed from his lengthy exposition that the situation he described had come about because of Protestant intransigence. He began by declaring that the lack of success of the system was due to no other cause than the fact that the people had no confidence in it; if the denominations met on common ground it would mean either the abandonment of religious principles or doing violence to religious feeling. Barnes' case for the division of the grant – which he presented as unavoidable – was based almost entirely on the presentation of Protestant and Evangelical materials, from the arguments of the Conception Bay Protestants in 1836 to a Methodist petition of 1843. Casting around for examples of denominational separation in education he could find only New York and Prussia, though he argued that the principle would soon be admitted everywhere. He concluded with an ardent plea for an education which would lead to the creation of sober, upright, thrifty, industrious and submissive working men.⁹⁴

⁸⁹ Journal of the General Assembly 1843, 17 January 1843, Address to the Assembly.

⁹⁰ *Morning Courier*, 5 September 1846.

⁹¹ *Patriot*, 11 July 1840.

⁹² *Ledger*, 22 March 1836. Barnes made this statement at a St. Patrick's Day dinner organised by the Protestant-Tory elite in opposition to the Liberal-Catholic function. Boulton and some dissident Catholics were also present.

⁹³ PRO, CO 194/117, Harvey to Stanley, 30 November 1843.

⁹⁴ *Patriot*, 15 March 1843; *Times*, 22 March 1843.

Barnes' eloquence, his display of a wide range of examples and statistics, dazzled his audience and ensured a fairly easy passage for the bill. The Liberal Catholic members did not speak out against the bill in committee and only one member – C.F. Bennett, a Protestant (and ironically a supporter of division when Premier in the 1870s) – opposed the bill in principle.⁹⁵ Barnes' speech was well received by both the Protestant-Tory and Liberal-Catholic press.⁹⁶ The latter circumstance may seem surprising, but Barnes' erudition, in an Assembly long accustomed to hearing pomposity and special pleading, had its effect. The Catholics and Liberals perforce had to accept the vote in favour of Barnes' bill with good grace; J.V. Nugent, one of the most radical Catholics in the Assembly, declared he would offer no "factious opposition" to a measure of such importance, as separate education was better than no education at all.⁹⁷ Catholic members later declared that the Act had been forced upon them, never having requested a division of the grant, a position confirmed by H.A. Emerson, a Protestant, in 1852.⁹⁸ Though in a sense the Catholic church benefited from the Act, in that it obtained its own government-financed system of schools, Catholics as a body had certainly not asked for it. Both Bishop Fleming and his predecessor Bishop Scallan were in favour of a non-denominational system,⁹⁹ partly from a sense of realpolitik, partly for the same reason as were the majority of Irish bishops – to provide literacy for the Catholic poor without compromising the faith.

The 1843 Education Act established separate Protestant and Catholic Boards of Education in each district and divided the education grant proportionately to the numbers in each denomination, with the Protestant Boards appropriating monies for Methodist and Newfoundland School Society schools.¹⁰⁰ Governor Harvey justified it to the Colonial Office on the grounds that though "class legislation" of this kind normally perpetuated distinctions among colonial subjects, the "peculiar state of society" in

⁹⁵ *Public Ledger*, 23 March 1843.

⁹⁶ See the *Patriot*, 15 March 1843; *Newfoundlander*, 16 March 1843; *Times*, 22 and 29 March 1843.

⁹⁷ *Public Ledger*, 28 March 1843, in committee on the Bill.

⁹⁸ *Times*, 22 February 1851, J.V. Nugent to Editor; J.L. Prendergast, in debate on the Education Bill, *Express* (Extra), 27 February 1852; G.H. Emerson, in debate on the Education Bill, *Express*, 24 March 1852; C. Benning, in debate on the Education Bill, *Express*, 7 May 1853.

⁹⁹ Fleming's support of non-denominational education was evident from his membership of the liberal St. John's School Board. For Scallan's support, see "Thomas Scallan," *Dictionary of Canadian Biography*, vol. 6, p. 692.

¹⁰⁰ VI Vic., Cap 6, An Act for the Encouragement of Education in this Colony, 22 May 1843.

Newfoundland justified such a “deviation.”¹⁰¹ Lord Stanley, then Colonial Secretary, and architect of the non-denominational Irish System, was not satisfied, and suspended the Act pending further reports from Harvey.¹⁰²

The effect of the Act, eventually allowed, was essentially divisive. By segregating into different schools Protestant and Catholic children, each would be taught that members of the opposing denomination were in error. Although children would not understand the theological position, the social lesson would be obvious. The new system thus helped to undermine the social and political solidarity of the fishery workforce which had been the basis of Liberal policies in the Assembly of 1837-1841.¹⁰³ A process of dividing society according to religion was initiated which culminated in the “sharing of the spoils” in the 1860s, by which appointments and emoluments were made on a denominational basis rather than on merit.¹⁰⁴ Educationally the act paved the way, in 1874, for the further division of the grant – between Church of England, Methodist and Catholic congregations – with each allowed to pursue its own educational destiny, which led to duplication of schools and neglect of small communities.¹⁰⁵

Though the Bible was the focus of contention, larger issues were also at stake. When the *Patriot* bluntly declared that “Bible-mania is one of those clap-traps got up to stultify the efforts of the Legislature to ameliorate the state of the country,”¹⁰⁶ it pointed towards the political dimensions of the controversy over the schools, even though it simplified both the issues and the motives of the protagonists. The denominational issue touched on wider questions: for whose benefit were the schools to be organised, and in what kind of state? Merchants were certain that the polity should safeguard their commercial interests, and this meshed with the Protestant desire for ideological and political supremacy. Securing Protestants control of their own schools – even at the cost of allowing Catholics the same privilege – seemed the logical outcome.

Neither in the sub-division of the education grant in 1874, nor in the turbulent events preceding the 1843 Act can any extensive evidence of popular preference for segregated schooling be discerned, as was later

¹⁰¹ PRO, CO 194/117, Harvey to Stanley, 26 May 1843.

¹⁰² PRO, CO 195/20, Stanley to Harvey, 21 October 1843.

¹⁰³ An estimated 77% of the electors in Conception Bay in 1836 voted Liberal, though only 43% were Catholic (calculated from statistics in the *Patriot*, 15 October 1836).

¹⁰⁴ See S.J.R. Noel, *Politics in Newfoundland* (Toronto: 1971), pp. 23-25.

¹⁰⁵ See P. McCann, “The Politics of Denominational Education in the Nineteenth Century in Newfoundland,” in McKim, *The Vexed Question*, pp. 48-58.

¹⁰⁶ *Patriot*, 8 December 1838.

alleged.¹⁰⁷ Undoubtedly large numbers of parents of both denominations often kept children away from school in the seven years preceding 1843; in two places, according to the Newfoundland School Society, this was a popular demand.¹⁰⁸ Although the inspiration for acts of civil disobedience undoubtedly emanated from the religious and secular elite, nevertheless the “No Popery” crusade did strike a chord among many Protestant parents in so far as they were willing to obey the initiatives of their pastors and keep their children from attending school. But this was hardly the same as a spontaneous grass-roots uprising against the system of 1836.¹⁰⁹ The contention of Richard Barnes, that a system of nondenominational education was not a viable proposition for Newfoundland, failed to take into account that the system had never really had a chance to work before the Protestant elite’s employment of anti-Catholic propaganda, the promotion of civil disobedience and the solicitation of intervention from the state in both Newfoundland and Britain, worked towards its destruction.

¹⁰⁷ See McCann, “The Politics of Denominational Education,” pp. 30-31.

¹⁰⁸ Proceedings of the NBNASEP, 1837-1838, p. 10.

¹⁰⁹ There were, for instance, no petitions for division other than those from ministers of religion.