A CASE STUDY OF PUBLIC INTEREST GROUPS IN THE NEWFOUNDLAND EDUCATIONAL REFORM POLICY-MAKING PROCESS

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by

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Abstract

The purpose of this study was to investigate the role interest groups played in the Newfoundland education reforms of the 1995-1997-time period. The demise of the church-based school system in Newfoundland during the 1990s has many wondering what happened to cause such a dramatic turn of events.

This paper argues that investigating the interest groups during that tumultuous period may best be viewed within the naturalistic paradigm rather than the positivistic paradigm. Thus, the qualitative methodology underlies this case study. The theoretical framework is based upon the pluralist/policy community theories and, in particular, the work of A. Paul Pross.

Key to this study of the influence interest groups had on the educational reform was the determination of their potential capacity to influence government. As Pross puts it, were the groups fully "institutionalized"? The determining variables as to whether a specific group was institutionalized are based upon Pross's "Continuum Framework," which is explained within the thesis.

This thesis concludes that while Pross's work was helpful, his theory has to be extended to include the role that individual key players have on the process of public policy. This research suggests that while for decades interest groups sought to move the Newfoundland Government away from a denominational-based school system, no changes were forthcoming until a political leader arrived with the "courage" to bring the matter onto the public agenda. Once on the public agenda, school reform began to take a life of its own – politicians were often unable to control the process.

Acknowledgements

I wish to acknowledge the guidance and advice of Dr. Peter Boswell and Dr. Steve Wolinetz. Dr. Boswell has worked with me over the last eight or nine years, since I first entered into the M.A. Program at MUN. I'm sure there were times he wondered whether this thing would get off the ground. It has been a long road, as I have tried to juggle family, work, and school at the same time. My wife, LaVonna, needs special mention, as she has prodded me along to get the thesis completed. There were times when I felt it would be better to just let it go by the wayside; however she was there in those moments of mental fatigue to say, "You have come this far – don't let it drop now!" I have appreciated very much the structured interviews of this case study. Interviewees include: Pastor Earle Batstone, George Morgan, Wayne Noseworthy, Janet Henley-Andrews, Chris Decker, Dr. Bon Fagan, Gerry Fallon, Dr. Len Williams, Phil Warren, Ivan Morgan, Ed Roberts, and Dr. Steve Wolinetz. They gave of their time and shared their experience without hesitation. The passion with which each spoke was noted in the interviews. The events of 1989-1998 in the Newfoundland education system will continue to be of interest to students for years to come.

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CHAPTER 1

INTRODUCTION

1.1 Research Context: Education Reform In Newfoundland and the Issues At Hand

This study examines the 1990s transformation in Newfoundland of a multi-church public school system to a single secular public school system. Churches that once held the ear of the Provincial Government in matters of education are today watching from the sidelines. It begs the question, "Why did this happen?"

Over four years have passed since the September 2, 1997 referendum, wherein 73 percent of those who voted, voted in favor of removing the churches from running the schools. The events that led up to that watershed are a remarkable story of different interest groups plotting and strategizing, and in some cases colliding with each other to gain a position of influence on the Newfoundland Government's education policy. The study includes an assessment of the political context of the education reform, an analysis of the different groups in the policy community, and in the policy process itself. The study involved interviews with actors in the community, and analysis of public comments and briefs to the different government commissions and legislative committees.

This study is limited to the events between 1989-1998. During that time frame, the educational system mutated from one with quasi-church control and influence to a purely secular system. The very public debate and maneuvering of government and the interested parties centred around the rights of churches as framed in Term 17 of the confederation agreement between Newfoundland and Canada in 1949. Three churches,

in particular, sought to maintain those rights in the face of a growing number of interested parties opposing them. The body politic became engrossed with this single issue for several years, with no probable end in sight until the referenda of 1995 and 1997. This thesis reviews the winners and losers in the process and comes to the conclusion that without the strong personalities leading government, the change would not have occurred as quickly as it did.

Chapter 1 outlines the conflict between, on the one hand, the government and the education professional organizations, which preferred a single secular school system for the province, and, on the other hand, churches, such as the Roman Catholic, Pentecostal, and Seventh-day Adventist Churches that sought to preserve their established rights of control and influence in their separate school systems. The chapter introduces the research goals and objectives and the research design. The scholarly and practical significance of the research to the field of public policy follows.

W.I. Jenkins defines public policy as "a set of interrelated decisions" taken by political actors within their power to act "concerning the selection of goals and the means of achieving them within a specified situation."[1] These political decisions are often very difficult to make since they involve a multitude of interests that must somehow become synthesized. Within the political mixing bowl are conflicting values, rights and obligations of the different parties seeking an input on the decision making process. It is as Gilles Paquet described it, "a complex, messy and ill-understood process that evolves through time as participants, perspectives, situations, and base values change."[2]

The values of a community are reflected in the policy-making process. Individuals or groups of individuals carry their values with them. In any community, different values will conflict. The more diverse the community, the more values conflict as the people representing the different values compete for influence. Churches holding the educational rights dominated education policy in Newfoundland's past. However, during the 1990s, different groups with different values sought to influence public policy on the issue. The conflict of values became front and centre of the struggle.

With education being such a pivotal instrument of inculcating a community's values, it is not surprising that it attracted so much attention from "public interest groups". As will be discussed later this thesis defines "public interest groups" as groupings of people who use their resources, whether reputation, money, etc., to influence government on public policy.[3] On the one side, churches with enshrined constitutional rights to a publicly funded educational system wanted to keep the status quo. These churches included, the Roman Catholic, Pentecostal, Seventh-day Adventist, Anglican, United, Salvation Army and Presbyterian churches. On the other side, was a government backed by a number of different public interest groups intent on getting rid of the multiple systems of education favoring a single publicly funded system without any church involvement. These groups included, the Newfoundland & Labrador Teachers Association, Federation de parent francophone de Terre-Neuve et du Labrador, Yes Means Yes Committee, Newfoundland and Labrador Home and School Federation, Newfoundland and Labrador Human Rights Association, and St. John's Board of Trade.

By the 1960s, Newfoundland's education system came under close scrutiny by human rights advocates. Teachers were resentful of having their positions put in jeopardy simply because of lifestyle decisions such as marrying someone outside of their religious tradition. Parents complained that their children had to go to a school farther away from home because they were not of the same religious persuasion as the local school. By the late 1980s, such arguments were becoming more vocal as opinion polls continued to show the public being more receptive of changing the system. With the election of Clyde Wells as Premier in 1989 on a platform to review the education system, the groundwork was set for a conflict in public policy not seen since the 1948 debates on confederation with Canada.

In 1990, the Wells government appointed a Royal Commission to study the educational system. The terms of reference for the Commission included the subject of denominational control over education. For the churches still running their own school systems, the Commission was a rude awakening. Their worst fears were being realized. The Newfoundland & Labrador Teachers Association and the Newfoundland & Labrador Human Rights Association, who had both been advocating change for years, sensed that finally change and ultimate victory was in the offing. But even they did not think it would go so far, so quickly.

This study examines the pro and anti forces and their activities to influence Newfoundland's education policy. Since the issue of who controlled the schools was the epicenter of the debate, it is the one common theme that runs throughout the research. The study assesses the political environment and the relative influence of the different

groups in the policy community through the means of gauging the actions of the actors to events as they unfolded during the debate.

While the pro and con forces fought a heated battle, the final outcome came down to public opinion. The public demanded change. The interest groups on both sides sought change that reflected their own interests and biases. The interest groups worked within the policy-making community, making presentations to government committees, educating the public, and meeting with the individual government leaders. However, as this study points out, the odds were against the churches and their supporters for a number of reasons. Newfoundland demographics had changed; the policy community had become more cohesive and decidedly against the church run system; there was a lack of long-term and persistent advocacy; there was the inability to mobilize a complacent constituency; and there was a failure to recognize the determination of Premier Clyde Wells.

1.2 Research Goals and Objectives

The primary goal of this study is to contribute to an understanding of the public interest groups in the education policy community and their role in the policy-making process. Given that there is not a lot of academic literature about Newfoundland's education policy-making, this study hopes to compliment the study of Mark Graesser, a political science professor at Memorial University of Newfoundland. Graesser has been taking public opinion surveys on education reform in Newfoundland for over twenty years. He recently has written at least two very helpful articles on the subject.[4] This

thesis builds on Graesser's studies and moves the discussion forward, getting behind the scene of what happened. Not only will it serve an academic purpose but also inform participants in the education policy community how public policy is made in the Province.

The central research question and subsidiary research questions are designed to determine the primary influencers on the government regarding educational policy. The questions are directed at examining the strengths and weaknesses of the various interest groups and assessing their relative success in influencing policy. The answers to these questions should lead us to a description of how the education policy process unfolded. The attempt to answer the central question of "What interest groups had the primary influence on the Newfoundland government's move to reform the educational system?" is intended to find out what went on during the 1989-1998 education policy crisis. To do this, the study took a broad approach and investigated the questions outlined below.[5] From these questions, the policy making process became clear and so did the various groups' influence or lack thereof. The questions were:

- What were the stages of the policy process for the educational system?
- Who were the principal actors in the education community?
- Where did those actors fit within the education community?
- What were the institutional characteristics that indicated a group's potential for influencing the policy process?
- How did the actors attempt to influence the policy process?
- How did the actors relate to one another in the policy community?
- How did the actors perceive themselves?
- What role did the actors' play in the education policy-making process?
- What was the outcome of the policy making effort in relation to the different actors goals?
- How successful did the actors appear to be in influencing the educational process?

1.3 Research Design

To answer these questions, a naturalistic study[6] was designed, using qualitative methods for data gathering and analysis. The researcher approached this in two phases. First, information from the popular press: newspaper accounts, radio reports, and television was gathered. Also gathered was information from the testimony given to legislative committees and debates within the Newfoundland House of Assembly and the two Houses in the Canadian Parliament.

Secondly, members of the government, interest groups and churches were interviewed. These interviews were open-ended yet geared to answering the research questions. The interviewees were encouraged to discuss what concerned them about the events of education reform. This allowed for any unanticipated data – of which there were some.

1.4 Academic and Practical Significance

Thomas Green notes that a policy question "...is a request for a fairly stable, but modifiable, line of action aimed at securing an optimal adjustment of the conflict between different goods, all of which must be pursued, but which, taken together, cannot all be maximized."[7] In the area of education public policy, the competition between the different interested parties is fierce. One cannot be surprised by the heightened emotion in this area of public policy, given the very nature of education in society. It is the

education system that is given the task of perpetuating society's values and hopes for the future generations. As Leonard Williams stated in his report,

> Perhaps more than any other institution the education system is tied to the society and the world which shapes it and which it, in turn, comes to define. Education does not and cannot exist in a vacuum – or an ivory tower – oblivious to change, because it *is* such a fundamental cornerstone of our society and therefore of the legacy we leave to coming generations. The education system here, or anywhere that adequately prepares youth for the future, cannot be compromised by an insular view of the world.[8]

Policy questions are "always practical questions, never theoretical."[9] They provide a framework for action. Often, the interested parties arrive at agreement on what to do without having agreed on the reasons for doing it. A number of distinctively different parties came together to reform the education system in Newfoundland. There developed a consensus by late 1997 that churches had to be removed altogether. The policy question became "How should we eliminate the churches from education?" not "Should we eliminate the churches from education?"

For interest groups with concerns in education policy, the experience of Newfoundland provides a practical example of education policy-making by a provincial government. Such knowledge of the policy community and its process will give interest groups a heads up in their attempts to influence education policy.

For the academic, this study allows for further analysis of public interest group theory of A. Paul Pross. While this study shows that Pross's contention that a group's level of institutionalization affects their influence on public policy, it also suggests that Pross's theory is not the last word and needs to be expanded. Other factors besides

institutionalization come into play – such as the groups' alignment with the views of determined political actors to obtain what they subjectively view as what is best for the body politic; and whether a group's views are in line with the public sentiment.

References

[1] W.I. Jenkins. *Policy Analysis: A Political and Organisational Perspective.* (New York: St. Martin's Press, 1978), p. 15.

[2] Gilles Paquet, "Policy As Process: Tackling Wicked Problems," in *Essays On Canadian Public Policy*, edited by T. Courchene and A. Stewart, (Kingston, Ontario: School of Policy Studies, Queen's University, 1991), p. 173.

[3] See section 3.8 for a detailed discussion on "public interest groups."

[4] Mark W. Graesser, "Education Reform In Newfoundland, 1990-1995: The Impact of Constitutional Constraints and Referendum Politics," Prepared for the Annual Meeting of The Canadian Political Science Association, Memorial University of Newfoundland, June 10, 1997. and Mark W. Graesser, "Church, State, And Public Policy In Newfoundland: The Question Of Denominational Education," Prepared for the Annual Meeting of The Canadian Political Science Association, University of Victoria, May 27-29, 1990.

[5] I should point out that these questions are basically the same format as those used in other similar case studies. In helping me to frame my own thinking and approach to this study the work of Cheryl Cowan Buchwald, "Canada's Coalition For Public Information: A Case Study Of A Public Interest Group In The Information Highway Policy-Making Process," (University of Toronto, 1999) was most helpful. The questions and questionnaires in her study were adapted for my study. Those seeking to use the case study approach as I did here will find Buchwald's work very helpful.

[6] This is discussed further in the next chapter.

[7] Thomas F. Green, "Policy Questions: A Conceptual Study," *Education Policy Analysis Archives*, April 15, 1994, Vol. 2, No. 7 (a peer-reviewed scholarly electronic journal: http://olam.ed.asu.deu/epaa/v2n7).

[8] Leonard Williams, *Our Children Our Future: The Royal Commission of Inquiry into the Delivery of Programs and Services in Primary, Elementary, Secondary Education*, (St. John's: Government of Newfoundland & Labrador, 1992), p. xviii.

[9] Thomas F. Green, "Policy Questions: A Conceptual Study," http://olam.ed.asu.deu/epaa/v2n7.

CHAPTER 2

METHODOLOGY

2.1 Introduction

This chapter deals with the methodology used for the study of public interest group influence on Newfoundland's education policy during 1989-1998. An argument is made for the acceptance of the naturalistic paradigm and an analysis of the different qualitative methodologies. Finally, this chapter will present the research design and the method of data collection used in the study

2.2 Conceptual Framework

Reviewing the appropriate means to attempt this study, the researcher chose to tackle the research question within the naturalistic paradigm, using the qualitative methodologies of case study, participant observation, grounded theory and extended case method.

2.2.1 The Naturalistic Paradigm

While positivism seeks to predict and control, naturalism attempts to understand, describe, respond to problems and determine status.[1] The naturalist approach studies the whole context (or natural setting) in which the event occurs, and how people being studied act. This is done not through a scientific instrument but rather through the investigator who is the primary research instrument, and is charged with deciphering human behavior within the given context of study. By questioning the human players,

the investigator is capable of appreciating the multiple realities and forming insights from experience that a nonhuman instrument would not.[2]

Paul Atkinson and Martyn Hammersley argue that the concern of natural sciences lies in the discovery of universal laws, whereas the concern of human sciences lies in understanding particular phenomena in their socio-historical contexts.[3] In this study of public policy, we will consider the broader context – the interplay between the various actors, keeping in mind their biases. Many of their biases resulted from the peculiar historical development of the Newfoundland education system. Newfoundland's history created its own stereotypes and myths that influenced government policy right up to the 1989-1998 time period. It is the researcher's contention that such stereotypes and myths would in all likelihood fail to be detected from a positivist approach. Egon Guba and Yvonna Lincoln maintain that human behavior is unlike physical objects since it "cannot be understood without reference to the meanings and purposes attached by human actors to their activities. Qualitative data, it is asserted, can provide rich insight into human behavior."[4] Perhaps the best example found in this study was Premier Clyde Wells's extreme caution in his approach to limit church involvement in the school system. His fear was based on his belief that the churches could politically mobilize the public against the government. His fear proved to be unfounded – as was discovered by Premier Brian Tobin.

One must be cognizant of the criticisms of the naturalistic paradigm used in this study. For instance, Earl Babbie is of the view that "conclusions drawn from qualitative field research are often regarded as suggestive rather than definitive."[5] Since a single

investigator interprets the events being studied, comparative evaluations and not just descriptive evaluations should be employed to measure the reliability of the findings. Given that it is the single investigator, the interpretations are less reproducible and, therefore, less generalizing can be gleaned from the study. No two situations are exactly the same.

Though these criticisms are valid, the naturalistic approach provides us an acceptable tool to understanding the phenomena of public policy in studying such events as the Newfoundland education crisis. Within this conceptual arrangement, we can begin to piece together the story of why things changed so rapidly in the Newfoundland education system. It is the preferred approach to getting behind the story to discover why the changes occurred when they did – what moved the Government of Newfoundland to act.

2.2.2 Qualitative Methodology

The naturalistic study requires tools to accomplish its task. Those tools can be found in the qualitative method. This method provides us "a means for describing and attempting to understand the observed regularities in what people do, say and report as their experience."[6] With the focus of attention on the perceptions and experiences of the participants, we are concerned about what individuals say they believe, the feelings they express, and the explanations they give of what happened. As Lawrence Locke notes,

> The working assumption is that people make sense out of their experiences and in doing so create their own reality. In qualitative research, understanding both the

content and construction of such multiple and contingent realities are regarded as central to answering the question, "What's going on here?"[7]

The data to be used in this research included interview transcripts, newspaper accounts, and Hansard transcripts. Since this study was not starting out with a hypothesis but rather seeking to make sense of what happened, the researcher collected as much information as possible from the various players and then analyzed, or interpreted, what happened. The gathering of information included case study, grounded theory, and extended case method.

2.2.3 The Case Study

While a case study reports a phenomenon within the naturalistic inquiry, it must be seen as a part of the overall puzzle, attempting to generalize what occurred. It seeks to have the reader vicariously experience the event being studied so that they can in turn draw their own conclusions.[8] The case study narrows the information gathering to one event, or subject. In this study of the Newfoundland education policy our time was limited to the 1989-98 era. The researcher sought to find out about a number of different participants and their role in the drama. In effect, there were several "mini-case studies".

2.2.4 The Grounded Theory

The concept of "grounded theory" comes from the work of Barney Glaser and Anselm Strauss.[9] Perhaps the best way to describe this concept is to contrast it to the goal of quantitative methodology that seeks to prove pre-existing theories from the collected data of a study. Whereas grounded theory allows theories to emerge from the

data – there are no preconceived theories of how the relationships ought to transpire. Strauss states that grounded theory is:

> one that is inductively derived from the study of the phenomenon it represents. That is, it is discovered, developed, and provisionally verified through systematic data collection and analysis of data pertaining to that phenomenon. Therefore, data collection, analysis, and theory stand in reciprocal relationship with each other. One does not begin with a theory, then prove it. Rather, one begins with an area of study and what is relevant to that area is allowed to emerge.[10]

While the grounded theory approach has some merit, the researcher is of the view that one must not be exclusive. There is a lot that can be gleaned from taking into account the existing literature in public policy. For this reason, the extended case method is seen as the appropriate approach to studying the primary influence on the Newfoundland government to reform the education system.

2.2.5 The Extended Case Method

The "extended case method" allows the investigator to enter the field with a background knowledge of the literature and, thus, with some expectations of what will be found. At the same time the investigator will look for the unexpected. Like grounded theory, the extended case method uses comparative analysis, but unlike grounded theory it goes further by allowing the investigator to incorporate his expectations and existing theory into his data analysis. It is a more balanced approach in studying phenomena than simply sticking with the grounded theory approach.

Strauss and Corbin explain "the interplay of reading the literature and doing an analysis of it, then moving out into the field to verify it against reality can yield an

integrated picture and enhance the conceptual richness of the theory."[11] They further state that:

> if one is interested in extending an already existing theory, then one might begin with the existing theory and attempt to uncover how it applies to new and varied situations, as differentiated from those situations to which it was originally applied.[12]

When inconsistencies arise between the guiding theory and the case under study, it allows for a possible reconstruction or extension of the theory at issue. Of course, this could only be if the inconsistency turned out to be more than just an anomaly and suggested a growing pattern when compared with similar studies.

2.3 Research Design

As noted above, the research into the Newfoundland government's reform of the education system best fits into the naturalistic paradigm. This study is one of public-policy making and group characteristics that sought to influence the public agenda. The qualitative methodology and techniques, therefore, make it an ideal fit. Techniques such as interviews, grounded theory, and extended case method helped anchor and guide the study along. Thus as the data from the interviews, and other research was compared with relevant theory, it allowed for an extension of the theory – within the framework of the research questions.

2.3.1 Research Questions

A broad approach was taken to answer the central question of "What interest groups had the primary influence on the Newfoundland government's move to reform the

educational system?" Keeping in mind that the intent was to determine what motivated the Newfoundland government to act on education reform when it did the following questions were asked:

- What were the stages of the policy process for the educational system?
- Who were the principal actors in the education community?
- Where did those actors fit within the education community?
- What were the institutional characteristics that indicated a group's potential for influencing the policy process?
- How did the actors' attempt to influence the policy process?
- How did the actors relate to one another in the policy community?
- How did the actors perceive themselves?
- What role did the actors play in the education policy-making process?
- What was the outcome of the policy making effort in relation to the different actors goals?
- How successful did the actors appear to be in influencing the educational process?

2.3.2 Researcher Expectations

It must be recognized that every researcher brings "baggage" with him into a research project such as this one. The "baggage" is often the result of personal experience and a prima facie knowledge of the literature. The "baggage" thereby creates certain expectations of what the study will reveal.

The researcher was of the view that government considered issues in response to the pressure that well organized and financed groups brought to bear on government. That government would then articulate the concerns of the interest group and seek to gauge the public opinion on the matter. If government were convinced that such concerns were also on the minds of the public, as evidenced through means of opinion polls, then it would act accordingly. Thus one could hypothesize that the Newfoundland government

acted to reform the education system when it did as a result of political pressure from the interested parties, such as the Newfoundland & Labrador Teachers Association and school boards.

It should be noted that, during the time under study, the researcher served as legal counsel for the Seventh-day Adventist Church, one of the three churches (Roman Catholic and Pentecostal being the other two) that sought to maintain their separate publicly-funded school systems. As a result, he was sympathetic to the positions of the three churches in their attempts to influence government policy on the matter. Having said that, the researcher seriously pursued objectivity throughout this study, with a genuine interest in discovering what motivated the government of Newfoundland to act when it did to change the system.

Also guiding the study was the policy community theory as expounded by A. Paul Pross. Pross argued that interest groups ability to influence public policy became more probable in accordance with their development of institutional characteristics.

2.3.3 Data Collection

This research project involved data collection over a period of 8 years. During the years 1989-1998, articles from the local Newfoundland newspapers were collected; interviews on radio and television were recorded; sittings of the different constitutional committees of the House of Commons and Senate were attended; and finally telephone interviews of a number of participants of the process were conducted. These interviews were conducted during the winter and spring of 2001.

2.3.3.1 Participant Observation

By participating in the process the researcher was privy to matters not normally available to an outside observer. The interaction of the players is seen first hand in the natural setting. On several occasions, the researcher represented the Seventh-day Adventist Church in meetings with the heads of the churches who had educational rights under Term 17, and participated in meetings with the Premier and members of the Priorities and Planning Committee when they met with the heads of churches prior to the 1995 referendum. He also represented the Seventh-day Adventist Church at the hearing of the Senate Committee in July 1996, held in St. John's, and again before the Special Joint Committee of the House of Commons and the Senate in its Ottawa hearings in November 1997.

The researcher attended only a few of these meetings. He did not have an "open door" to attend the different strategy meetings that were held between the various players. His attendance was primarily in a professional capacity – i.e. as legal counsel. Thus, any conclusions of these meetings may not be representative of the majority of the meetings held between the players. However, it nevertheless helped to orient him to the important questions to ask during the interviews for the study.

2.3.3.2 Interviews

The interviews in this study attempted to allow the individual actors in the process to convey their own perceptions of their experience in education reform. While the

interviews were structured in the sense the author had a set pattern of questions to ask, they, nevertheless, had flexibility to allow the respondents to share items that one may not have considered. As the interviews progressed, each interview tended to build on the one previous. Lines of questioning opened new avenues and viewpoints that were not originally thought of when the research began. Of course, the discovery of new information is what makes naturalistic inquiry so rewarding.

Interviews are not without their problems. For instance, the interviewer may be biased toward a particular viewpoint being considered. Questions may be asked inappropriately resulting in answers that that are not helpful to the study. The respondents may not cooperate or not tell the whole story – not telling the truth – or giving answers that they feel the interviewer wants to hear.

For this study, the following individuals were interviewed, using the questionnaire attached as an appendix to this thesis:

Pastor Earle Batstone, of the Pentecostal Assemblies of Newfoundland, interviewed on March 23, 2001.

George Morgan, represented the Seventh-day Adventist Church, interviewed on March 26, 2001.

Wayne Noseworthy, of the Newfoundland & Labrador Teachers Association, interviewed on March 29, 2001.

Janet Henley-Andrews, of the Alliance For Choice In Education, interviewed on March 29, 2001.

Chris Decker, former Minister of Education, interviewed on April 1, 2001.

Bon Fagan, of the former Roman Catholic Education Council, interviewed on April 17, 2001.

Gerry Fallon, of the former Roman Catholic Education Council, interviewed on April 19, 2001.

Len Williams, Chair of the Williams Commission, and Deputy Minister of Education, interviewed on April 19, 2001.

Phil Warren, former Minister of Education and Chair of the Warren Commission, interviewed on April 23, 2001.

Ivan Morgan, of the Newfoundland & Labrador Human Rights Association, interviewed on April 26, 2001.

Ed Roberts, former Minister of Justice, interviewed on April 30, 2001.

Steve Wolinetz, professor at Memorial University, active with Yes Means Yes Committee and Education First, interviewed on July 23, 2001.

One of the limitations of the study was the failure to interview a number of key individuals, including; Clyde Wells, Brian Tobin, Roger Grimes, and representatives from the Home and School Federation, and from the Presbyterian, United, Salvation Army and Anglican Churches.

Several attempts to arrange such interviews were made. The researcher regretted very much not being able to interview Clyde Wells, who more than any other person, who more than any other person received the scorn and the praise from the respondents, depending, of course, on which side they took. The respondents agreed to the interviews being taped. This allowed greater accuracy in analyzing the data.

References

[1] Egon Guba, and Yvonna Lincoln, "Competing paradigms in qualitative research," in *Handbook of qualitative research*, edited by N. Denzin and Y. Lincoln. (Thousand Oaks, Ca: Sage, 1994), p. 26.
[2] Guba and Lincoln, p. 39.
[3] Paul Atkinson, and Martyn Hammersley, "Ethnography and participant observations," in *Handbook of qualitative research*, edited by N. Denzin and Y. Lincoln. (Thousand Oaks, Ca: Sage, 1994), p. 250.
[4] Guba and Lincoln, p. 106.
[5] Earl Babbie, *The practice of social research*. 6th ed.. (Belmont, Ca: Wadsworth, 1992), p. 306.
[6] Lawrence F. Locke, Waneen Wyrick Spirduso, Stephen J. Silverman. *Proposals that work: a guide for planning dissertations and grant proposals*. 3rd ed.. (Newbury Park, Ca: Sage, 1993), p. 99.
[7] Locke, p. 99.
[8] Robert Stake, "Case Studies," in *Handbook of qualitative research*, edited by N. Denzin and Y. Lincoln. (Thousand Oaks, Ca: Sage, 1994), p. 243.
[9] Barney Glaser. *Theoretical Sensitivity*, (Mill Valley, Ca.: The Sociology Press, 1978). Barney Glaser and Anselm Strauss. *The Discovery Of Grounded Theory: Strategies For Qualitative Research* , (Hawthorne, NY: Aldine Publishing, 1967). Anselm Strauss and Juliet Corbin. *Basics of Qualitative Research: Grounded Theory Procedures and Techniques* (Newbury Park, Ca.: Sage, 1990).
[10] Anselm Strauss and Juliet Corbin. *Basics of Qualitative Research: Grounded Theory Procedures and Techniques* (Newbury Park, Ca.: Sage, 1990), p. 23.
[11] Anselm Strauss and Juliet Corbin, p. 55.
[12] Anselm Strauss and Juliet Corbin, p. 51.

CHAPTER 3

THEORETICAL FRAMEWORK

3.1 Introduction

Chapter three provides the theoretical framework that guided this study. With such a huge undertaking, it was at times difficult to narrow the study. However, the work of Pross provided the means to guide the study. Public policy is an ever growing and demanding field that has both academic and practical implications. For the study at hand, it was important to view the literature and make an appropriate decision on the framework to follow.

3.2 Public Policy

While there is much academic discussion about what constitutes "public policy," Thomas Green presents a helpful definition. Green states,

> A policy question is a request for a fairly stable, but modifiable, line of action aimed at securing an optimal adjustment of the conflict between different goods, all of which must be pursued, but which, taken together, cannot all be maximized. We do not have a well-formed policy question or a fully formulated statement of a policy problem until we can state the set of values or goods from which the question arises, and do so, moreover, so as to reveal their mutual inconsistency. [1]

William Jenkins defines public policy as,

> A set of interrelated decisions taken by a political actor or group of actors concerning the selections of goals and the means of achieving them within a specified situation where these decisions should, in principle, be within the power of these actors to achieve.[2]

G. Bruce Doern points out that the public policy system is an amalgam and interplay of *ideas; structures* headed by elected and appointed individuals who are involved in "ranking, balancing and allocating scarce resources of money, personnel, political energy and time; and *processes.*"[3] Within the discipline of political science, the arguments over public policy, as Robert Jackson and Doreen Jackson present, involve the *intentions* of politicians, the *actions* and *inactions* of government and the *impact* of government.[4]

Certainly, "anyone contemplating the study of public policy for the first time has a right to feel somewhat bewildered."[5] Perhaps the confusion comes from the inter-disciplinary nature of public policy. No single academic discipline can claim dominance. By its very nature, public policy questions affect different subject areas at the same time. On the practical level, more often than not, a public policy issue faced by government involves several areas of responsibility. As with our current study of education, the Department of Education in Newfoundland was not the only department affected – so was the Department of Finance, the Department of Justice, and so on. The crossovers in the practical considerations also have academic crossovers.

Thus, students of public policy are faced with academic discussions that involve "a minefield of both intra-and interdisciplinary quarrels and controversies, some important and substantive, but others trivial and frustrating for both the novice and the seasoned reader alike."[6]

For the purposes of this thesis, the Jackson and Jackson definition was most helpful: "public policy is the broad framework within which decisions are taken and

action (or inaction) is pursued by governments in relation to some issue or problem."[7] In studying public policy, the student is looking for answers to either one or more of the following: *how, why,* and to *what effect,* different governments pursue particular courses of action or inaction.[8]

In studying the education reform of 1989-1998, the researcher was interested in *why* the Newfoundland government acted. Was it the result of pressure from the interested parties in the education system; was it the result of a particular leader's view of what was in the public interest; or was it the result of a public groundswell of demands for reform?

Students of public policy have used a number of broad approaches in their attempt to simplify reality or make sense of the subject at hand. Micro-level approaches to public policy analysis are intended to explain individual decisions within the broad spectrum of public policy. Micro-level approaches include: The Rational Model and The Incremental Model.

Macro-level approaches to public policy analysis focus on the wider relationship between state and society. Not so much interest in *how* individual decisions are made within government but on the wider relationship of the state and society. These include: The Public Choice Model, and The Class Analysis Model.

3.3 The Rational Model

The rational approach views the public policy process as a series of reasoned decisions. There are two streams of thought in this model. The first is that the decision

maker faced with a problem will decide what is the most effective and efficient means of achieving the end.[9] It is a utilitarian point of view of maximizing the resources where the biggest bang for the buck can be garnered. The decision makers are seen to make decisions in the following predictable manner:

- identifying the problem or objective;
- examining the alternative means, costs and benefits involved in solving he problem;
- selecting and choosing the best way;
- implementing the decision; and
- evaluating the degree of success and then changing one's behaviour to correct errors.[10]

The second stream of thought in this model is the scientific method. It attempts to establish a causality, to establish "the facts," and to distinguish facts from values.

The rational model is criticized today as not properly explaining the reality of public policy process – the behaviour of the actors involved. Critics argue that it makes unreasonable demands on the decision-makers. How is it possible, they say, for a cost-benefit analysis of every issue, of every alternative course of action? It is simply impractical. Another criticism is that the approach is not a description of the process but a *prescription* of how people should think and how decisions *ought* to be made.[11]

3.4 The Incremental Model

This model, developed by Dahl and Lindblom, arose in response to the rational model.[12] They suggest the decision-making process does not involve some ideal goal to be attained in the most efficient manner, but rather public policy decisions are made in

reference to what is already in place. Such decisions implement policies and programs in stages, or incrementally over time. Emphasis is placed on agreement and consensus – a good policy must not only give good results but those involved must come to a consensus on the matter. As people are often resistant to change, any program or policy to be successful must be incremental. Thus, incrementalism claims to have solved the problem of inadequate information and uncertainty of the rational model as existing policies and programs can be easily reversed or altered rather than the wholesale changes as suggested by the rational model.

Of course, the incremental model is not without its critics. Many argue that while there is evidence to suggest that the incremental model may explain what happens in a number of situations, it is not the way decisions should be made. This is problematic, some argue, since it is too conservative – it maintains the status quo.[13]

3.5 The Public Choice Model

This model is one of the macro-level approaches to public policy analysis. It sees public policy from a self-interested economic point of view. Decision makers are not so concerned with the pursuit of public interest as they are at seeking the maximum benefit from their own narrow self-interest.[14] This approach has its origin in the classical liberal thinkers such as Adam Smith. There is almost a food chain analogy to the public policy process. Voters are at the bottom – they only have a limited say from time to time when

the political actors allow them to become involved. The central actors are special interest groups, bureaucrats, and politicians.

While the model focuses on the individual, individuals often group together to better their interests. "They do so," say Jackson and Jackson, "only when collective action promises greater rewards than acting alone and when the benefits of collective action outweigh the costs of group participation."[15] The groups that develop from time to time are not necessarily equal. Some groups will have more resources than others depending upon the make up of their membership. Finally, this model does not see government as a neutral arbiter between the groups. Rather government, i.e. politicians and bureaucrats, will assist those groups who have the ability to give the maximum benefit. Politicians will support policies of the marginal voters in order to increase the likelihood of re-election. Meanwhile, bureaucrats use their information and position in any way they can to increase their budgets and expand their departments.

3.6 The Class Analysis Model

This model is also known as the neo-Marxist Model. It has its origins in the writings of Karl Marx concerning the relationships among the economic, social and political institutions of society. Marx postulated that all stages of historical development, social and political, are determined by the class structure. The antagonism between the capitalist class, or bourgeoisie, that owns and controls the means of production and the working class, or proletariat, that sells its labour to the capitalists. Capitalists, according

to Marx, exploit the labour of the working class to create more capital for further investment and greater accumulation of wealth.

In capitalist societies, according to this view, it is the role of government to protect the capitalist class by creating a favourable environment for the accumulation of wealth. To prevent a revolution of the proletariat, the capitalist governments have to maintain conditions of social harmony with policies that legitimize the system in the eyes of the working class. Thus, public policy decisions are performing one of two functions – *accumulation* function or *legitimization* function. Leo Panitch adds a third function – *coercion* – to otherwise maintain or impose social order.[16] Accumulation functions would include tax breaks for businesses and protection of private property. Social policies such as welfare, universal healthcare would be legitimating functions. The military, police and such would be examples of the third group – the coercion function.

In reviewing the public policy decisions of the liberal democratic governments, this model views them as maintaining the status quo – ensuring that the working class is kept in its place. This has led to some of the criticisms of this model. It could be argued that even in socialist states the socialist owners of capital can view the public policy decisions as accumulative, legitimizing, or coercive.[17]

3.7 The Pluralist Model

The pluralist model emphasizes political actors and organized interests in the public policy process. Unlike the class analysis approach, pluralists do not see society divided into classes jockeying for position but rather see society divided into multiple groups

seeking to gain influence on the public policy. For pluralists, politics is the means through which individuals and groups organize into different groups according to their interests, ethnicity, language, religion, gender and region, mobilizing and building coalitions to exert pressure upon government to ensure that policy decisions are made in their favour. Government in their view is a neutral arbiter that seeks to referee the various demands and make decisions on public policy that is in the best interests of the public at large. Since coalitions and alliances vary from issue to issue, there are no permanent winners and losers in the group struggle.[18]

The critics of this model argue that it fails to address the incidents where some groups "never get a fair hearing for their interests because obstacles prevent them from placing certain issues on the agenda."[19] For example, it is harder for the poor and working class to become organized than the business class because of limited resources. "The flaw in the pluralist heaven is that the heavenly chorus sings with a strong upper-class accent. Probably about 90 percent of the people cannot get into the pressure (group) system."[20] Heavily influenced by the pluralist thought is the policy community theory of A. Paul Pross.

3.8 The Policy Community Model of A. Paul Pross

Guiding this study and giving it focus is A. Paul Pross's policy community model that emphasizes the role of interest groups in the policy process. Jackson and Jackson are of the view that Pross has given "the most satisfactory categorization of Canadian interest

groups to date."[21] While Pross's model is based upon the Canadian federal government, that the model can and should be used in the examination of provincial public policy, as is the subject of this study.

Pross defines "pressure groups" as "organizations whose members act together, attempting to influence public policy in order to promote their common interest."[22] These are distinct from "interest groups" who are more involved in activities of a non-political nature with politics being only peripheral to what they are about. While Pross has gone to some length to make the distinction, other literature appears to use the terms interchangeably. For the purpose of this thesis, the term "pressure group" and "interest group" are one and the same – groupings of people who use their resources, whether reputation, money, etc., to influence government on public policy.

As noted above, Pross has developed his view within the pluralist and policy community theory of public policy making.[23] The pluralists treat economic factors, cultural and ideological differences, as sources of political conflict. Jackson and Jackson tell us that the pluralist sees:

> Politics [as] the process whereby individuals and groups seek to promote their interests through organization, political mobilization and alliance-building in order to influence the policy outputs of government. Political parties are seen as broad coalitions of interests, seeking legislative majorities in the electoral arena. Government is viewed as a neutral arbiter that referees the group struggle, adjudicates among competing group demands and implements and enforces public policies in the national interest or, at least, according to the wishes of the majority on each issue.[24]

According to Pross, though the policy process is hard to define, we can nevertheless make some general observations. First, the entire political community is "almost never

involved in a specific policy discussion."[25] Cabinet and the other decision-making bodies are not accessible to everyone. This results in a specialization throughout the policy system where groups have to target and strategize as to where they will spend their energies to seek influence. They specialize in their areas of expertise.

Second, out of the specialization come "policy communities" – groupings of government agencies, pressure groups, media people, and individuals, including academics, who have an interest in a particular field and attempt to influence it. These policy communities have two segments, according to Pross: the sub-government and the attentive public. The sub-government is the policy-making body made up of government agencies and institutionalized interest groups "whose power guarantees them the right to be consulted on virtually a daily basis."[26]

The attentive public, composed of those groups not in the inner circle, lacks the power of the sub-government, but are still vital to the policy development. Within this outer circle would be academics, journalists working for specialized publications and other organizations "whose interest is keen but not acute enough to warrant breaking into the inner circle."[27] Their importance comes from the opportunities they create through conferences and study sessions that allow for the cross fertilization of ideas between the officials and the grass roots constituencies. Though they are quick to put their views forward, they are often treated patronizingly and with skepticism yet their agitation often leads to a gradual change of policies and programs that meet the needs of the community. "The main function of the attentive public, then, is to maintain a perpetual policy review process."[28]

Figure 3-1 illustrates Pross's concept of the policy community in the Canadian federal system. At the heart of the community are the key federal bodies: the agency primarily responsible for formulating policy and carrying out programs; cabinet with its coordinating committees and their support structures – the Privy Council Office, the Treasury Board, the ministries of state, etc. None of these occupy the centre since none is consistently dominant, though the lead agency dealing with routine policy-making tends to be most influential. Clustered around this inner circle are the pressure groups and provincial government agencies, keeping their eyes on "the feds". Also involved are other federal agencies that review the lead agency policy and often alter it.

On the edge of the sub-government is Parliament – "perennially interested, intermittently involved, sometimes influential" - and the provincial government agencies.[29] They may seek to be part of the sub government but lack the resources to maintain a presence; others are just not interested and are content to watch from the sidelines until they feel an issue is of importance for them to act. The pressure groups are shown as overlapping – as they often share the same membership and combine efforts to present a common stand to government.

On the outer edge are the foreign governments: Canadian politicians travel and are influenced by international trends and conditions bringing home new ideas and approaches that are then attempted locally.

Pressure groups, and individual members, says Pross, are the most mobile in the policy community. Their annual meetings, newsletters, regional organizations and their informal networks, allow them to cross organizational lines that are denied more formal

actors like government departments. They act as "go-betweens, provide opportunities for quiet meetings between warring agencies, and keep the policy process in motion." These services, combined with the ability to evaluate policy, and develop policy make pressure groups an integral part of the policy community.[30]

Finally, it is important to note that the major players in the policy community are not primarily interested in making or reformulating policy. They see the community as a protective mechanism, limiting the opportunities for the public to achieve drastic changes. The subgovernment's goal is keep policy-making at the routine or technical level. This is challenged each time circumstances, beyond their control, generate more conflict then they can handle. In such situations, more interests seek input and as conflicts rise the central issues are eventually taken out of the subgovernment and policy community – being resolved at the highest political levels – i.e. cabinet and first ministers' conferences.

3.9 The Institutionalization Continuum

To be effective in influencing government policy, the group must be "institutionalized". The less a group is institutionalized the less its influence on policy – and vice versa. It is so important says Pross, "because the environment is bureaucratic, pressure groups have had to become increasingly institutionalized to work effectively in it."[31] Fully institutionalized groups are those:

> Groups that possess organizational continuity and cohesion, commensurate human and financial resources, extensive knowledge of those sectors of government that affect them and their clients, a stable membership, concrete and immediate

> operational objectives associated with philosophies that are broad enough to permit [them] to bargain with government over the application of specific legislation or the achievement of particular concessions, and a willingness to put organizational imperative ahead of any particular policy concern.[32]

The institutionalized group will know the government agency it seeks to influence, how much power it has, how it works, who its rivals are, and so on. Thus, it can deliver to its constituency the policies that are so important to it on a more consistent basis than a group that is not institutionalized.

Pross postulates a continuum or a progression of institutionalization as expressed in the figure below. This continuum will assist this study in providing a benchmark for us to compare the various interest groups that sought influence on the Newfoundland educational reform. As noted in the Figure 3-2, the concept of institutionalization is a process, a progression from a group that is "issue-oriented" or nascent to one that is fully institutionalized.

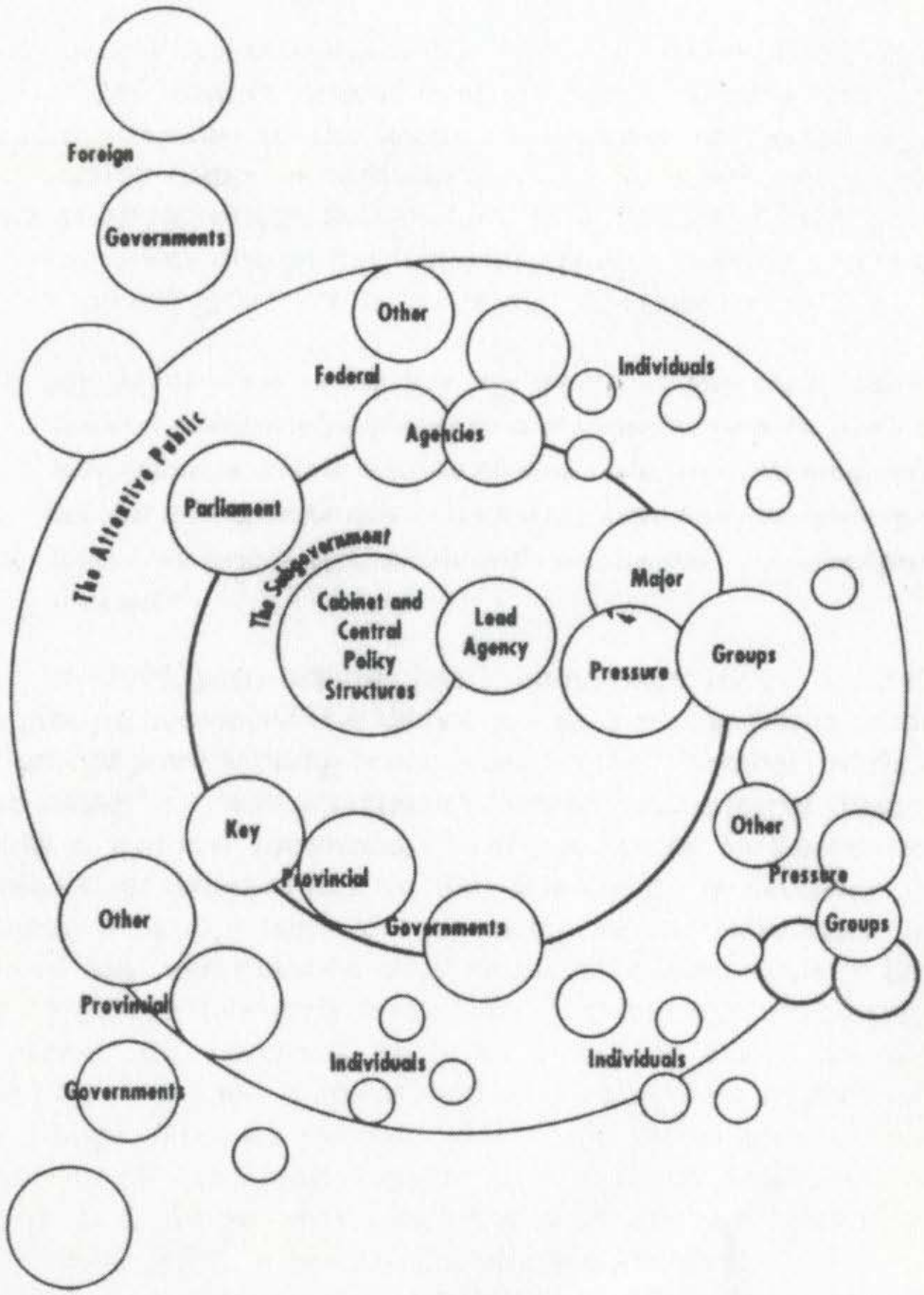
Nascent groups spring up at a moment's notice reacting to a "government action or a private-sector activity that only government can change."[33] Usually, when their goals are met, they disband. They have single, narrowly defined objectives and have no paid staff. In our study, groups such as the "Yes Means Yes Committee" and "Education First" are examples of nascent groups.

Fledgling groups are those that have multiple but closely related objectives and are capable of supporting a small staff. The Home and School Federation would be an example of a fledgling group.

Mature groups have multiple, broadly defined and collective objectives, often with alliances with other groups with professionals on staff. The Newfoundland and Labrador Human Rights Association would be an example here.

Institutionalized groups not only have multiple, broadly defined collective and selective objectives, but they have extensive human and financial resources. The various churches and the Newfoundland and Labrador Teachers Association are examples in our study.

Figure 3-1 The Policy Community



Source: A. Paul Pross, "Pressure Groups: Talking Chameleons," from Michael S. Whittington and Glen Williams Editors, *Canadian politics in the 1990s,* Scarborough, ON: Nelson, 1995, p. 267.

Figure 3-2 The Institutionalization Continuum Framework[34]

Categories	Group Characteristics							
	Objectives				Organizational Features			
	Single,narrowly defined	Multiple but closely related	Multiple, broadly defined & collective	Multiple,broadly defined collective & selective	Small membership no paid staff	Membership can support small staff	Alliances with other groups/staff includes professionals	Extensive human and financial resources
Institutionalized				■				■
Mature			■				■	
Fledgling		■				■		
Nascent	■				■			

The policy community model is most appropriate to creating a framework for the investigation of the phenomenon of the Newfoundland education reform. It assisted in identifying and analyzing relational variables by its description of the policy community being split between the sub-government of decision makers and the attentive public. The concept of institutional characteristics gives a benchmark to follow in the analysis of determining which group had the potential to influence the Newfoundland government and also to help in the determination whether that potential was in fact realized.

3.10 Conclusion

The policy community model of Pross, while drawing upon the principles of the pluralist and the incrementalist models, provide this study an acceptable framework for the investigation of the phenomenon of the Newfoundland education reform. It allowed the means for identification and analysis of relational variables. It described the policy community as being split between the sub-government of decision makers and the attentive public. The concept of institutional characteristics gave a benchmark to follow in the analysis of determining which group had the potential to influence the Newfoundland government and also to help in the determination whether that potential was in fact realized. By using this model the researcher has been able to formulate a plausible answer as to *why* the Newfoundland government acted when it did to reform the education system.

References

[1] Thomas F. Green, "Policy Questions: A Conceptual Study," http://olam.ed.asu.deu/epaa/v2n7.
[2] W.I. Jenkins, *Policy Analysis* (London: Martin Robertson, 1978), p. 15.
[3] G. Bruce Doern, *Canadian Public Policy: Ideas, Structure, Process* (Toronto: Methuen Publications, 1983), p. 34. Doern continues:

> The essential need to view policy as an interplay between ideas, structures and processes flows logically and practically from the main features of public policy and of the policy system. Public policy involves:
>
> - expressions of normative intent and therefore of ideas, values and purposes;
> - the exercise and structuring of power, influence and legitimate coercion;
> - process, including not only the need to deal with uncertainty buy also with equally normative judgements about the legitimacy and fairness of the dynamic processes used to develop policy;
> - changing or sustaining human behaviour in desired ways, in short, with implementing desired behaviour; and
> - a series of decisions and nondecisions.

[4] Robert J. Jackson and Doreen Jackson, *Politics In Canada: Culture, Institutions, Behaviour and Public Policy*, 3rd Edition (Scarborough: Prentice Hall Canada Inc., 1994), pp. 552-553.
[5] G. Bruce Doern, *Canadian Public Policy: Ideas, Structure, Process* , p. 38.
[6] G. Bruce Doern, *Canadian Public Policy: Ideas, Structure, Process* , p. 40.
[7] Jackson & Jackson, p. 553.
[8] Thomas R. Dye, *Understanding Public Policy*, 3rd ed. (Englewood Cliffs, N.J.: Prentice-Hall, 1978), p. 3.
[9] Jackson and Jackson, p. 558.
[10] Doern, p. 139.
[11] Jackson and Jackson, p. 558.
[12] Doern, p. 142.
[13] Jackson and Jackson, p. 559.
[14] Doern, p. 143.
[15] Jackson and Jackson, p. 565.
[16] Leo V. Panitch, "Elites, Classes and Power in Canada" in Michael S. Whittington and Glen Williams, eds., *Canadian Politics in the 1980's* (Toronto: Methuen, 1981), see Chapter 1.
[17] Doern, p. 148.
[18] Jackson and Jackson, p. 563.
[19] Jackson and Jackson, p. 563.
[20] E.E. Schattshneider, *The Semisovereign People: A Realist's View of Democracy in America* (Hinsdale: Dryden Press, 1975), pp. 34-35.
[21] Jackson and Jackson, p. 520.
[22] Pross, (1995), p. 257.
[23] Perhaps the first to enunciate the pluralist approach was Robert A. Dahl, *Who Governs? Democracy and Power in an American City*. New Haven: Yale University Press, 1961.
[24] Jackson and Jackson, p. 562.
[25] A. Paul Pross, "Pressure Groups: Talking Chameleons," in Michael S Whittington and Glen Williams editors, *Canadian Politics in the 1990s*. Scarborough, Ontario: Nelson, 1995, p. 264.
[26] Pross, (1995), p. 265.
[27] Pross, (1995), p. 265.

[28] Pross, (1995), p. 266.
[29] Pross, (1995), p. 266.
[30] Pross, (1995), p. 268.
[31] A. Paul Pross, *Group Politics and Public Policy, second edition.* Toronto: Oxford, 1992. P. 116.
[32] A. Paul Pross, "Canadian Pressure Groups in the 1970s: Their Role and Their Relations with the Public Service," *Canadian Public Administration* 18, no. 1 (1970): 124.
[33] Pross (1995), p. 261.
[34] Pross (1995), p. 262.

CHAPTER 4

THE POLITICAL CONTEXT OF EDUCATIONAL REFORM IN NEWFOUNDLAND

4.1 Introduction

This chapter outlines the historical, political and religious milieu that formed the background for the education debates in Newfoundland. It is my opinion that the actions or inactions of the Newfoundland government during the 1989-1998 period can be best understood with this historical background. While education reform has seen "a vast quantity of ink ... wasted on this vexed question" since the early nineteenth century, there are a number of common themes that run throughout the debates.[1] History shows an education system that was heavily influenced by church control, a political system that sought compromise rather than raise the ire of denominational leaders and the possibility of political violence over religiously contentious issues. It puts into perspective the hesitancy of some politicians, even as late as 1989-1998, to move ahead with education reform. Perception of church power caused politicians including Clyde Wells to approach education reform somewhat timidly. Without this historical sketch, it is difficult to understand those hesitancies.

4.2 Origin and Development of Church Schools

Early settlers in Newfoundland formed religiously cohesive communities. Because the British policy discouraged island settlement, there was no attempt to establish a formal education process. Christian missionaries stepped in to fill the role as teachers.

An Anglican minister, Rev. Henry Jones in Bonavista during 1722 or 1723, started the first known school.[2] The early church-run schools were haphazard in the sense they were only as good as those who taught and were open only as long as the teacher would continue living in the area.

As the population of the colony grew, so too did the demand for self-government. Finally, in 1832, an elected legislature was permitted. The Education Act of 1836 provided limited funding to the schools that were already in existence and established "common" schools in the outports under appointed school boards. Although the government recognized some responsibility in providing education, it still left the buildings and upkeep to local communities.[3] The overall design of the new government was a common school that catered to a divided Catholic and Protestant population, leaving religious instruction out of the curriculum.[4]

For a time, the schools run by benevolent societies were non-denominational in focus. Clergy were encouraged to keep out of school affairs. Even Bishop Flemming of the Roman Catholic Church in St. John's was not permitted to give religion classes.[5] It does not mean that the ministers did not try, as is evident by the amendment to the Education Act in 1838 stating:

> All ministers of Religion shall have power to visit the schools under the control of the Boards of Education. Provided, nevertheless, that no minister shall be permitted to impart any religious instruction in the school or in any way to interfere in the proceedings or management thereof.[6]

The Newfoundland School Society (NSS) approached the thorny issue of religious education by presenting "...moral religious duties without reference to particular doctrines."[7]

However, the non-denominational character changed as the British Governors and Protestant elite attempted to ensure that "No Popery" took over the schools through Catholic members on the school boards. The anti-Catholic sentiment led to demands from the Anglicans that the education grants be divided amongst the denominations. They were "prepared to wreck the system rather than see the children of Catholic parents sitting side by side with their own."[8] Lines began to be drawn. Thus, the Anglican Church began demanding control over the governmental educational grants.

In 1843, as the anti-Catholic bias continued, the government divided its educational grants, based on population, between the Protestants and the Roman Catholic Church. All the schools built under the previous Acts now came under the management of the board belonging to the major denomination in the area. The government tried to establish two denominational colleges in St. John's but it was unacceptable to the Roman Catholic Church which felt that it would not have sufficient control.

In 1844, the government attempted to establish a non-denominational school, but this met with opposition from the hierarchies of both the Catholics and Anglicans.[9] One of the problems was the battle over the reading of the Bible in the schools. The Roman Catholics were not in favour of Bible readings – if such readings were permitted it was only to be from the Roman Catholic Douay translation of the Bible. The Protestants, on the other hand, insisted that the King James translation of the Bible be read. The

government responded by amending the Education Act banning reading from any Bible - which only led to further debate. The bickering led to calls for funding of separate schools.

Leading the charge for the Anglicans was Bishop Edward Feild. He was, "a Tractarian of unbending principles." He viewed the Anglican Church as divinely appointed to lead mankind to salvation through the sacraments of baptism and eucharist. As a former school inspector for the Anglican National Society in England, he believed the Anglican Church should have a separate grant of public money for its own schools.[10]

Roman Catholic Bishop Mullock stated that support for denominational schools was "to give justice to all" and was the only way to "prevent bickering." He went on to state:

> In all countries of mixed populations where the experiment had been tried of either forcing on the minority the religious education of the majority, or of excluding any definite religious teaching, and endeavouring to substitute for it a system of ethics, under the name of `Common Christianity,' it has resulted in absolute failure. Religious dissensions, instead of being eliminated, have become chronic...and infidelity and indifferentism...have not only undermined all governments, monarchical or democratic, but have corrupted and endangered the fundamental principles of society itself by nullifying parental authority, the indissolubility of marriage, the rights of property, the dignity of man, and the honour of woman, - frightful evils....[11]

The Anglican Church demands for a further division of the Protestant grant on a pro rata basis between it and other Protestant groups, particularly the Methodist Church, caused a lot of friction.[12] Many were worried that to further subdivide the money would result in less pay for the teachers. What experienced teacher would work for less? In

1852, the legislature allowed the Protestant portion to be divided on sectarian lines. But this did not satisfy anyone.

Religious strife reached a climax in 1861 when Governor Bannerman, feeling insulted by Catholic Prime Minister John Kent of the Liberal Party, dismissed the government and new elections were called.[13] The Protestant Conservative leader Hugh Hoyles won the election and was asked to form the new administration. Encouraged by the bigotry between the Bishops of the Anglican and Catholic Churches, mob violence erupted as the Kent supporters' attacked the Colonial Building. Troops were called out and the resulting gunfire left three dead with twenty wounded. Amidst the melee Bishop Mullock had the bells in the Cathedral ring calling the faithful. The mob went from the streets to the Cathedral. During the service Mullock exacted a promise of good behaviour and exposed for veneration the Blessed Sacrament.[14] The crowd soon settled down.

Recognizing the futility of ruling through the military, and the indisputable fact of the churchs' ability to raise havoc when it saw fit, the Conservatives in 1865 offered seats in the government to two of the most influential Roman Catholic politicians.[15] This led to a tradition of "sharing the spoils" amongst the Protestant and Catholics after each election.[16] It became a settled rule in the formation of government that all religious parties be fairly represented both in the administration and distribution of offices.

The political turmoil of the 1860s, together with fatigue over the education issue, had its effect. In 1874, the government finally gave in to a denominational school system that was concocted amongst the religious elites before it came to government. The

Anglicans and Methodists, after arguing for years over the division of the Protestant grant, came to an agreement outside of the legislative assembly to further divide the grant amongst the different sects. While the majority of the legislators spoke out against the proposal, they all voted for it, giving deference to the church leaders. It was passed, as McCann notes for "politico-religious rather than educational objectives."[17] Protestants and Catholics were treated alike.[18]

Just as the denominational education system was deepening its roots in Newfoundland society, other countries at the beginning of the "Christian Century" were removing the governing role of churches in education. The English Education Acts of 1870 and 1902 gave tacit recognition of the role of churches in religious education, but they were assigned an inferior position vis-a-vis the state in controlling schools.[19] In 1900, the British Board of Education conducted a review of Newfoundland education and found the system wanting.[20]

In 1903, a new Education Act was passed which allowed non-denominational schools in outports where the population was too small for one denomination to open up a school. Surprisingly, the measure passed with no opposition. The churches did not see this as a threat as they felt it an aberration and that once the populations of the outports increased it would return to the denominational pattern.[21] This precedent would be useful for the future establishment of schools in resource company towns where these amalgamated schools were the norm.

The resource companies were not as concerned with denominational representation as they were with cost-effectiveness of running a viable school. By 1920, nine such

schools were established around the colony in such places as Grand Falls, Bell Island, Buchans, Deer Lake, Corner Brook, Millertown and Badger. While they were meant to be non-sectarian, they tended to be Protestant. Overall, they were generally larger, better equipped, and with more highly educated teachers than the best denominational schools.[22]

The Education Act of 1927 gave the churches control of education in four areas: (1) the right to denominationally-based school boards which could own and operate schools; (2) the right of these schools to appoint and dismiss teachers; (3) the right of these schools to receive public funds on a non-discriminatory basis; and (4) the right to establish denominational colleges.[23]

On February 16, 1934, Prime Minister Frederick C. Alderdice signed a document, which surrendered dominion status of the bankrupt colony and once again Newfoundland was ruled directly from London through what was called "Government By Commission".[24] In 1935, the Commission decided that the reorganization of the educational system was on the top of the agenda. The Commission felt it was time that Newfoundland catch up to the modern times and accept the concept of "state education."[25] The denominational system was said to be "wrong in theory."

Proposals for legislative change included: a new curriculum; abolition of local Boards of Education; and state schools in St. John's for children unable to attend because of lack of facilities. These proposals gave government greater control of the educational system. The United Church accepted these proposals but the Roman Catholic and Anglican Churches were adamantly opposed. They condemned the Commission for what

they saw as its lack of consultation and openness. Both Churches warned of widespread hostility if the proposed legislation was passed. As a result of the religious animosity that the proposed legislation created, the Commission gave in. This did not sit well with the Dominion Office which declared that "...the denominational system is now more firmly established than ever."[26] Finally, the Dominion Office decided that in light of the attitude of the Churches there was no alternative but to re-introduce the control of denominational officers in the education system.[27]

During the 1948 Referenda, religious bigotry raised its ugly head again as the Roman Catholic Church sided with the anti-confederates while the Protestants sided with Smallwood's confederates. There were two referendums necessary in 1948. The first gave Newfoundlanders a choice between Responsible Government, Confederation with Canada, and remaining under the British Commission of Government. The first result brought no clear winner. A second referendum was necessary to decide between Responsible Government and Confederation with Canada. During the second campaign, the religion card was played, which led to victory for Confederation. Given that there were more Protestants than Roman Catholics, such a result is not surprising.

The Roman Catholic Archbishop Edward Patrick Roche called upon his faithful to support Responsible Government. Perhaps he was fearful of losing status since as part of Canada, he would be responsible to two cardinals rather than directly to Rome. There could also have been some Celtic pride being displayed. Roche was raised in Dublin. There can be little doubt that his Irish background gave him an aversion to Newfoundland solidifying British ties by joining Canada. Canada's ways were so coarse and secular that

they could only lead to a decline in church influence. Many of his supporters argue it was simply his pastoral concern for his congregants – i.e. he did not want them to suffer the ills of Canadian secular society. "Kept isolated, the faith of Newfoundlanders was secure."[28] For whatever reason, his outspoken support for Responsible Government led to Newfoundland's worst sectarian politics of the 20th Century. For the first time since the tumultuous events of 1861, Catholics and Protestants were delineated politically.

During the second campaign, the *Sunday Herald* (an anti-confederate paper) published a story describing the nuns leaving their convents for the referendum to cast their first ever vote against confederation. Smallwood and associates sent a copy of the paper, circling the article in blue, to every Orange Lodge officer in Newfoundland without comment. They "were off to the races".[29] The Confederates wrapped themselves in the Union Jack, proclaiming a vote for Canada was a vote for Britain and against "the Roman plot."

Protestant church doors were painted with "Confederation means British Union with French Canada". The fact that no Catholic Church doors were painted meant only one thing – Catholics had painted it on the Protestant church doors, reason enough for Protestants to favour Confederation. Religious strife was rampant. Even Governor MacDonald, a Methodist, called upon the Protestants to pull "together in defence of their interest."[30] Smallwood was beaten and almost lynched during the campaign, causing him to carry a .22 calibre revolver though it was not loaded.

Family member fought family member, neighbour turned against neighbour. Protestants against Catholics. The final result gave the Confederates the victory by a

mere 7000 votes, or 52 percent of the total. Though the antagonism soon died away after the campaign, the Catholic hierarchy was slower to forgive. Archbishop Roche refused to meet with Prime Minister St. Laurent and Health Minister Paul Martin (both Roman Catholics) later in the year.[31]

In part to appease the Roman Catholics, Smallwood ensured that the educational system would be protected in Confederation with Canada. Term 17 of the Terms of Union of Newfoundland With Canada outlined the protection. The section ensured that "...the [Newfoundland] Legislature will not have authority to make laws prejudicially affecting any right or privilege with respect to denominational schools...that any class or classes of persons have by law in Newfoundland at the date of Union...."[32] The section also stipulated that all public funding to education had to be given out on a non-discriminatory basis. It has been suggested that the non-discriminatory provision was added because of the decision of the Judicial Committee of the Privy Council in *Tiny Separate School Trustees v. The King*[33] which allowed Ontario to reduce the Roman Catholic separate school share of appropriations for education. This was notwithstanding section 93 of The Constitution Act, 1867.[34] The protected rights may summarized as follows:

- a right to denominationally-based school boards which could own and operate schools;
- the right of these boards to appoint and dismiss teachers;[35]
- the right of these schools to receive public funds on a non-discriminatory basis; and
- the right to establish denominational colleges.

Thus, the rights gained in 1874 and reiterated in the Education Act of 1927 were entrenched in the new arrangement with Canada.

By 1964, a rapidly growing student population brought Newfoundland face to face with serious deficiencies in the education system. Students were scoring lower on standard examinations than their Canadian counterparts; few students were attending university; there existed overlapping administrative costs; and there were a multitude of isolated one and two-room schools.[36] As a result, the Newfoundland Government commissioned Dr. Phil Warren to study the problem. The Commission's major recommendation was "...that the Department of Education be reorganized on a functional rather than a denominational basis."[37]

In 1950, the *Department of Education Act* created the Council of Education to be an advisory committee: however, it turned out to be more of an administrative body. The denominational members of the Council's first loyalties were to the concerns of their respective church. Each possessed a veto power on educational policy. Thus, any suggestions that were perceived as being against the principle of denominational education were not put on the public agenda. The Warren Commission's report led to a dismantling of this Council. Most Protestant churches were in favour of this idea but both the Roman Catholic and Pentecostal churches opposed it vehemently.[38] The three Roman Catholic members on the Commission wrote a minority report and opposed the general recommendation of abolishing the Council of Education on the basis that it was outside the terms of reference of the Commission and that it violated Section 17 of the Terms of Union.[39]

In a brief to the Premier, the Pentecostal Church stated that the current system was the "...ideal educational system for a Christian democracy such as Newfoundland."[40] The submission went on to explain that the Commission's use of the word "functional" was to infer that the current system was not functional. Instead, the Commission should be concerned with "structure" and keep the denominational aspect alive. The Pentecostals were opposed to removing the church-state relationship within the Department. However, despite the objections of the Roman Catholics and the Pentecostals, the Council of Education was abolished by the 1968-69 legislation (The Education Act and The Schools Act).

Eventually, a compromise was reached so that the Roman Catholic and Pentecostal churches withdrew their complaints. Reflecting the compromise, the legislation established three separate Denominational Education Committees outside the Department to provide an advisory function. Each Committee was responsible for the religious education programs and the distribution of any denominational grants to the school boards within its jurisdiction.[41]

In the 1960s, four Protestant denominations[42] joined their systems into one. This became known as the "Integrated" schools. Roman Catholic, Pentecostal and Seventh-day Adventist continued to operate their own independent systems.

It is important to note that the Pentecostal Assemblies of Newfoundland (referred to as "the Pentecostal Church") did not have formal constitutional rights in 1949 but in 1987 that changed. Premier Brian Peckford's government in 1987 sponsored a constitutional amendment of Term 17 to specifically grant constitutional protection to the Pentecostal

denominational schools.[43] The 1987 amendment was passed virtually unnoticed by the public at large. The denominational school issue was simply not on the political radar screen.

The resulting structure had a non-denominational Department of Education at the top with a middle structure known as the Denominational Educational Councils (DECs). The DECs maintained a high level of involvement in governmental policy with significant powers to oversee that government was following the Term 17 rights of the churches. Below the DECs were local school boards. By 1990, there were 26 school boards, overseen by three Denominational Educational Councils. The prominent role of the DECs in education policy was, as discussed next, another indicator of the church role as a "gatekeeper".

4.3 The Churches And The Public Agenda

It was obvious to many Newfoundland politicians, with an adroit understanding of their history and a keen eye for their careers, that they were not to cross wills with the churches on the issue of education. There was an accepted political adage that churches were quite capable of mobilizing their members to support denominational education.

Any attempt to reform the school system was quickly stopped. To some observers, the churches had "ears" on government deliberations, whether it was in the bureaucracy that developed in the twentieth century in the form of Denominational Education Councils (DECs) or amongst the internal workings of the government, well positioned to affect the public agenda. Mark Graesser saw the churches as gatekeepers, using their

power to mobilize their bias to maintain the status quo.[44] The DECs were empowered to sit with the Minister of Education and two senior civil servants on the Denominational Policy Commission (DPC) to advise Cabinet on education policy affecting the privileges of the churches. Thus, the gatekeeper role.

One of the examples that Graesser gave as evidence of the churches' gatekeeper role was that of an incident involving Lynn Verge, the Minister of Education from 1979-1985. When meetings occurred with the churches, said Verge, it was always to discuss "their agenda." To cross the churches was not to be taken lightly. At one point she had unconsciously neglected to balance an advisory committee to the Department of Education with Roman Catholic members. The Church published a challenging article in its newspaper, *The Monitor*, describing Verge as a "bigot and enforcer." The St. John's *Daily News* picked up the story and echoed the sentiments of *The Monitor*. Verge got no support. She felt it was "a warning not to try anything serious."[45]

Even as public support shifted against maintaining the denominational school system, as explored below, the Newfoundland Government did not bring reform to the forefront. Brian Peckford, Premier from 1979-1989, while cognizant of public support for changes to the denominational school system, did not engage in an aggressive reform program because "historical and cultural realities" could not be disregarded.[46]

Not only Government perceived church influence over the people, but so did the labour unions. In September 1986, the provincial employees went out on an illegal strike. Tensions were high and the heads of four churches intervened with a plan to end the strike. Government accepted it and so did the Newfoundland Association of Public

Employees (NAPE). Fraser March, then president of NAPE, said the union had "no choice" but to comply with the churches request saying, "The heads of the four churches are extremely powerful in this province and neither the Government nor the union could turn their backs on the churches.... If we turned them down we would be destroyed in this province."[47]

Chris Decker, Minister of Education under Clyde Wells, had this to say,

> The Deputy Minister in the Department of Education that was clearly looked upon one time as being one term being (sic) a Catholic appointee. His religion was always taken into consideration – Protestant once then a Catholic – they definitely played a role and up until the Warren Commission they were right in the Department of Education – the Superintendents for Goodness sakes. I mean they were the gatekeepers 100%. The funding was given to them. Even when I was minister first to build schools we gave each church an allocation. They decided where to build the schools, they decided what schools to open what schools to close, they decided who would teach. You couldn't get a teacher's license unless it was signed by one of the denominations so they were gatekeepers 100 percent.[48]

When asked whether they acted as gate-keepers while he was Minister of Education he replied,

> Oh absolutely. They were, I didn't make them gatekeepers. I tried my best to change it and we did eventually but we didn't put the final nail on the coffin until Tobin came on the scene. That is another story.

Though the churches appeared to use their positioning within the education system to maintain the status quo, there was an increasing chorus of people demanding reform. It was a challenge that the Newfoundland Government was soon to address. What follows is a brief synopsis of the general arguments that were used to seek reform.

4.4 Demands For Reform

By the mid 1980s, a number of opinion leaders and educational professionals began to foment for education reform. Among the criticisms were: the education system was inefficient; it violated human rights; the students were at a disadvantage.

The Newfoundland & Labrador Teachers' Association (NLTA) played a significant role in organizing the cry for reform. In May 1986, the NLTA called upon the government of Premier Brian Peckford to establish a Royal Commission to examine the denominational system, citing a serious flaw in the system of "isolation by denomination." The NLTA was willing to allow a "church-influenced education" but demanded that reform of the system for "the best possible education" was necessary. The government assured the NLTA that such a study would be carried out but government soon changed hands and the NLTA had to get the ear of Premier Clyde Wells.[49]

William A. McKim, a psychology professor at Memorial University, became an outspoken critic of the system as a result of a personal experience. He and his wife decided that it would be easier for his family if their children attended school near where they worked rather than where they lived. They approached the school in St. John's about transferring their child there. McKim's spouse was told she ought "to stay home with the kids."[50] The McKims' reaction was "what right does he have to force his view on us". Totally convinced that the system was "evil", McKim began writing commentaries for CBC radio on the subject. Subsequently, he was approached to write a book on the subject. He declined, as it was not a field of any great personal interest. He had had a personal run in with the system, but the issue was not of any academic interest

to him. Finally, he agreed to edit the volume *The Vexed Question* that was published in 1988.[51]

That book brought together the essence of the debate, in an articulate and comprehensive manner, for the general public. It also became somewhat of a manifesto for the cause. The Preface claims to be neither "pro- nor anti-denominational education". However, it is evident that most contributors opposed the denominational system. McKim argued, "Education is too important to be left to educators. Ultimately, it will be the public that will influence the course of education and it is that public that we intend to be the audience for this book."[52]

For the CBC Radio program "Commentary", heard across the country one day following the September 1995 Referendum, William McKim proclaimed that in order for churches to run the public schools society must accept religious discrimination and loss of accountability which are "not a suitable price to pay for religious ambience and moral leadership." "It seems an ultimate irony that in order to set a moral example to children, schools need to be excused from the constraint of basic human rights." Churches running schools will choose their own dignity rather than the well being of children, McKim suggested, as evidenced by the Roman Catholic Church's cover up of boys abused at the Mount Cashel Orphanage.[53] This stinging commentary summed up for many the popular view of the denominational school system.

The public musings about the school system by these opinion leaders appeared to reflect the growing public sentiment. The next section presents the results of the public opinion surveys that were conducted during the late 1970s through to the 1990s.

4.5 Public Opinion

For over twenty years, political scientist Mark Graessar tracked public opinion on the denominational school system. From his early surveys in the 1970s to the 1990s in the midst of the reform debate, the results were consistently showed that public opinion was ahead of the political leaders in desiring change to the system.

Graessar discovered that among the changes the public wanted included: a single school bus system in each area, single joint school boards in each area, children to attend the same schools – they disagreed with the idea that children should attend separate schools by religion, religion taught by teachers of other denominations, no denominational restrictions on hiring teachers, and allowing board members of non-recognized denominations to serve.[54]

There were a number of items that the public wanted to keep in the schools, such as the teaching of religion, the preservation of church rights, church involvement in school boards and teachers who exemplified "religious values and standards."[55]

It was Graesser's conclusion that "a large majority of the Newfoundland public favours a unified non-sectarian system, but not one that is wholly secular."[56] Thus, "much of the expressed support for the "denominational system" as a whole is "in name only," a generalized, perhaps sentimental attachment to the distinctive Newfoundland education system with which most people grew up."[57]

It is interesting to note that over time the public became even more desirous of a single non-denominational system. In 1979, 48 percent of those surveyed wanted a

single public school system: it increased to 51 percent in 1986,[58] and by 1991, some 67 percent of those surveyed wanted a single non-denominational school system.[59]

It would appear that those who favoured reform of the school system were those who did not attend church regularly and tended to be among the higher educated as the following tables show.

Table 4-1

SYSTEM PREFERRED BY CHURCH ATTENDANCE[60]

Church Attendance	Support Denominational School	Support Non-Denominational School
Attended Last Week	49 percent	51 percent
Weekly	53	47
Monthly	43	57
Less Often	28	72

Table 4-2

SYSTEM PREFERRED BY EDUCATION[61]

Education Level	Support Denominational School	Support Non- Denominational School
To Grade 8	47 percent	53 percent
Some High School	50	50
High School Grad	43	57
Vocational/Tech.	29	71
Some University	24	76

As Newfoundlanders became more educated and practiced less religion, the denominational school system was incongruent with their lifestyle. It may have been fine for a previous era, but not for the late nineteenth Century. It is striking, therefore, that the

issue was not dealt with sooner. It begs the question why? If the populace was becoming more educated, attending church less, and wanting change to the schools, why did not the political leadership take hold of this public desire and be an instrument for change sooner? Instead adopting policies in accordance with public opinion, the provincial government expanded Term 17 rights. In 1987 the Pentecostal Church's right to educational funding was entrenched in a constitutional amendment. This was done without any public discussion or opposition. The issue of denominational education was not on the public agenda. Many observers were convinced that once the issue did arrive on the public agenda, the Newfoundland people would seek change.

4.6 Conclusion

In this chapter, an attempt was made to show that Newfoundland society depended upon the Christian churches to develop an education system. The system became parochial at public expense. Over the last century and a half, each time the government attempted to take control from the churches, the churches successfully resisted the overtures. The governments were powerless in the face of church opposition. This resulted in accepted opinion that the churches were not to be challenged in the area of education. The "cultural realities" did not permit government to wrestle control from the churches. The churches acted as gatekeepers. They were able to prevent the education issue from getting on the public agenda.

During the 1970s to the 1990s, Newfoundland society became more secular in outlook. Church attendance declined, people became more educated, resulting in greater

preferences for change in the education system. The denominational character of the school system was becoming incongruent with the lifestyles of most citizens. While there was a certain amount of nostalgia for schools teaching religion, there was limited support for separating students based on religion.

By the late 1980s, the stage was set for some leader to put together a cogent strategy and argument for reform – that leader turned out to be Clyde Wells.

References

[1] Phillip McCann, "The Politics of Denominational Education in the Nineteenth Century in Newfoundland," in William A. McKim, *The Vexed Question: Denominational Education in a Secular Age*, (Breakwater, St. John's, 1988), page 46.
[2] Frederick W. Rowe, *Education and Culture in Newfoundland*, (Toronto: McGraw-Hill Ryerson, 1976), p. 16. There is a discrepancy between the date given here by Rowe and the one given by Phillip Toque in *Newfoundland* (p. 369) who suggests that Jones established the school in Bonavista in 1726.
[3] Rowe, *Development* p. 63.
[4] Phillip McCann, "The Politics of Denominational Education in the Nineteenth Century in Newfoundland, p. 32.
[5] Rowe, *Development* p. 37-38. Bishop Flemming was turned away by the school officials.
[6] Rowe, *Development* p. 80.
[7] Rowe, *Development* p. 43.
[8] McCann, page 35.
[9] Rowe, *Development* p. 82.
[10] McCann, p. 40.
[11] Howley, *Ecclesiastical* p. 233-234.
[12] Rowe, *Development* p. 84.
[13] Kent openly accused Bannerman of conspiracy with the judges, the lawyers, and the minority in the House of Assembly, to defeat the Government Bill fixing the value to be given to sterling money in the payment of official salaries. When Bannerman asked for an explanation Kent told Bannerman, that as a member of the House of Assembly he "did not consider himself called upon to give an account of his utterances." See D.W. Prowse, Q.C., *A History Of Newfoundland*, (MacMillan and Co., London, 1895) page 488.
[14]Frederick Jones, "Bishops in Politics: Roman Catholic v. Protestant in Newfoundland 1860-2," *The Canadian Historical Review*, Volume LV, No. 4, (December 1974), page 408, at page 418.
[15]E.C. Moulton, "Constitutional Crisis and Civil Strife in Newfoundland, February to November 1861," *The Canadian Historical Review*, Volume XLVIII, No. 3, (September 1967), page 251 at page 272.
[16]Prowse, page 491.
[17] McCann, page 57.
[18] Rowe, *Development* p. 91.
[19]E. Brian Titley, *Church, State, and the Control of Schooling in Ireland 1900-1944*, (McGill-Queen's University Press, Kingston, 1983), pages ix-x.
[20]Phillip McCann, "Denominational Education in the Twentieth Century in Newfoundland," in William A. McKim, *The Vexed Question* (Breakwater: St. John's, 1988), page 60.
21McCann, page 63.
[22] C. Robbins, "The Amalgamated Schools of Newfoundland," *Newfoundland Quarterly*, Vol. LXX, No. 1 (June 1973).
[23]*Our Children, Our Future*, p. 53.
[24].S.J.R. Noel, *Politics in Newfoundland* (Toronto: University of Toronto Press, 1971) p. 214.
[25]Phillip McCann, "The Educational Policy of the Commission of Government," (Fall 1987) *Newfoundland Studies* Vol. 3, No. 2, p. 202.
[26].As quoted by McCann on p. 205-206.
[27] McCann, p. 207.
[28].Richard Gwyn, *Smallwood: the unlikely revolutionary*, (McClelland and Stewart Limited: Toronto, 1968), page 108.
[29].Harold Horwood, "I'd Do it All Again," in James R. Thoms, Ed., *Call Me Joey*, (Harry Cuff Publications Ltd., St. John's, 1990), page 57 at page 62.
[30].Michael Harris. *Rare Ambition: The Crosbies of Newfoundland.* (Penguin Books: Toronto, 1992), page 194.

[31] Richard Gwyn. *Smallwood: the unlikely revolutionary*, (McClelland and Steward Limited, 1968), page 110.
[32] Terms of Union of Newfoundland With Canada in S.J.R. Noel, *Politics In Newfoundland* (Toronto: University of Toronto Press, 1971) p. 296.
[33] .*Tiny Separate School Trustees v. The King*, [1928] 3 D.L.R. 753.
[34] Ronald G. Penny, "The Constitutional Status of Denominational Education in Newfoundland," in William A. McKim, *The Vexed Question: Denominational Education in a Secular Age* (St. John's: Breakwater, 1988) p. 86.
[35] *Re Newfoundland Teachers' Association et al. and The Queen in right of Newfoundland et al.* 53 D.L.R. (4th) 161.
[36] Rowe, *Education* p. 144.
[37] .Rowe, *Education* p. 148.
[38] Rowe, *Education* p. 161-162.
[39] .Rowe, *Education* p. 161.
[40] "Submissions From Pentecostal Assemblies of Newfoundland and Labrador To The Honourable Dr. J.R. Smallwood, Premier of Newfoundland and Labrador...." 1967, p. 5. (A copy of this submission was obtained from the Centre For Newfoundland Studies at Memorial University of Newfoundland.) The submission also stated, "...if the established cornerstone of education in Newfoundland is ever rejected, if the historic church-state partnership in the department is ever ended, from that moment the fate of the Christian church schools is sealed." (P. 6)
[41] "Brief to the Special Joint Committee on the Constitution of Canada from The Joint Executive of The Denominational Education Committee of Newfoundland," Centre For Newfoundland Studies: JL 203 Z9 E45 C.1, p. 2.
[42] .Anglican, United Church, Salvation Army and Presbyterian.
[43] The amendment was proclaimed December 22, 1987, cited as the *Constitution Amendment, 1987*.
[44] .Graesser, pages 24-27.
[45] Graessar, page 26.
[46] Graesser, page 27.
[47] .Barbara Yaffe, "Plan Offered by Clerics Accepted by Both Sides in Newfoundland Strike," *The Globe and Mail*, September 25, 1986, page 2.
[48] Personal interview with Chris Decker, April 1, 2001.
[49] ."Briefing Notes For a Meeting Between The Senate Standing Committee on Legal and Constitutional Affairs and The Newfoundland and Labrador Teachers' Association," July 10, 1996, page 5.
[50] .Personal interview with William A. McKim, September 8, 1995.
[51] .William A. McKim, Ed., *The Vexed Question*, (Breakwater: St. John's, 1988).
[52] .William A. McKim, *The Vexed Question*, p. 9.
[53] .William A. McKim, "Churches in Schools," C.B.C. Radio "Commentary", September 6, 1995, pages 1-2.
[54] .Mark W. Graesser, "Attitudes toward Denominational Education in Newfoundland," A Research Study Prepared for the Royal Commission of Inquiry into the Delivery of Programs and Services in Primary, Elementary, and Secondary Education, May 1992, page 5.
[55] .Mark W. Graesser, "Attitudes toward Denominational Education in Newfoundland," p. 5.
[56] .Graesser, "Attitudes toward Denominational Education in Newfoundland," page 5.
[57] Graesser, "Attitudes toward Denominational Education in Newfoundland," page 5.
[58] .Mark W. Graesser, "Church, State, And Public Policy In Newfoundland: The Question Of Denominational Education," Memorial University of Newfoundland: St. John's, 1990, page 20.
[59] *Our Children, Our Future*, p. 73-74.
[60] *Our Children, Our Future*, p. 82.
[61] *Our Children, Our Future*, p. 84.

Chapter 5

EDUCATIONAL REFORM 1989-1998

5.1 Introduction

This chapter outlines the major events of the reform process during the 1989-1998 time period.

5.2 The Election of Clyde Wells and the Williams Commission

During the 1989 election, a number of prominent educators ran as candidates with the Liberal Party under the leadership of Clyde Wells for the explicit purpose of reforming the education system.[1] "It was one of the main reasons I went in – to do something about denominational education," says Chris Decker, who would become a Minister of Education. Later, he reiterated "I wanted the churches out, period."[2] Those involved in the machinery of denominational education were uneasy from the very start of the Wells administration in government. As early as June 1969, while a member of the Smallwood government, Wells let his views be known on the denominational system.[3] He had voted against the Smallwood Government's Education Act, saying that the province could not afford the denominational system. The church leaders saw the election of Clyde Wells as premier in 1989 as the "catalyst", the beginning of the end. "He was the person who I think," says Gerry Fallon, "had decided that if he ever had the chance that he would do something about the denominational system in the province."[4]

Dr. Phil Warren, the former chair of the 1960s Warren Commission on the education system, was among the successful Liberal candidates. Soon after the election,

Warren was appointed Minister of Education and while in that role he promoted discussion in the cabinet of what could be done to reform the system. "After considering the options," says Warren, "including unilateral action and making some changes, when it came to the denominational issue we felt that a public review was the best way to examine all of the issues, including the denomination issue."[5]

In 1990, Dr. Leonard Williams, a former President of the NLTA, professor of education at Memorial University, and teacher, was appointed to chair a commission to review the educational system of the province. The other commissioners included; Trudy Pound-Curtis, Comptroller of Memorial University, and Regina Warren, Assistant Superintendent of the Roman Catholic School Board for Humber-St. Barbe.

Included in the broad terms of reference was the mandate to "Examine the extent of duplication resulting from the denominational system and the costs associated with such duplication." This was the first time that the denominational issue was ever included in the terms of reference of any commission or taskforce dealing with education and, as it turned out, it was the most controversial. The terms of reference for the Warren Commission in the 1960s specifically "discouraged any examination of the denominational system."[6] However, in this case, it was specifically included Phil Warren explained why:

> You had a whole selection of factors such as, the needs of education, the attitudes of the people, and the lack of credibility of the churches, made possible I think a new look, a more open discussion of the denominational system. I mean the system hadn't changed since the 1870s through to the 1990s. So I felt that the time had come in the early 1990s because of some of the demographic, and philosophical, and the educational reasons that the time had come to take a fresh look at the system. The commission was a mechanism for letting the public to have a say on it

> and politicians have a desire to get elected you know, and you do not want to do something that is stupid but still you want to lead. So we felt that one of the ways to lead was to open up this debate and see what the public would say and see what the commission would recommend.[7]

The churches were opposed to letting the denominational system get on the public agenda. They were willing to discuss reform only to the extent of making the system more efficient, but not a debate on the enshrined rights of Term 17. Representations were made to government by the churches to have the denominational issue removed from the terms of reference - they were rebuffed.[8] "Even the calling of the Royal Commission, to me," said Pastor Earl Batstone of the Pentecostal Church, "was to confirm government's agenda rather than to discover what the agenda was."[9]

While those with an interest in maintaining the status quo questioned the government agenda in appointing a Royal Commission, the Commission's Chair saw the agenda driven, "largely because of very profound economic, social, political changes that were taking place."[10] For Williams, there were three reasons to have such a study. First, the greatest impetus for reform came from the demographic shift in Newfoundland's student population. Going from a student population of 168,000 in the 1960s to 90,000 in the 1990s was "a precipitous fall," as Dr. Williams explained. Something had to be done to address the problem of declining enrolment.

Second, were the demands to modernize the system of education. Higher standards were required for students who by and large sought post-secondary education. There was a demand for more technology in the classroom and quality access. This created a demand for more resources.

Third, says Williams, was the fiscal reality. "In a province like Newfoundland funds are scarce.... We had to do things a lot more economically and with a lot more efficiency and with a lot more cooperation."

The Commission held 36 public hearings within a year. It received 1,041 written and oral submissions, and 128 petitions containing thousands of additional names. Some eighty-six percent of the submissions dealt with the denominational school system – the majority of those supported retention of the denominational schools. The Commission sought a broad input, and where it felt it necessary hired experts to present a report. In the fall of 1991, it ordered a survey to determine public support for the denominational system.[11] That poll found that some 60 percent of all respondents were in favour of switching to a "non-denominational system".[12] The Commission concluded that a single school system would save the government $21.4 million.

"Now in our thinking," said Williams,

> "when we looked at what was happening, a logical step to that in view of what I had just said about demographics and educational needs and scarce resources, the next logical step would have been for all of the churches to come together under a, I don't like to use the word "integrated" umbrella, but in a cooperative, collaborative way, without changing anything and retain then within the kind of values and religious education opportunities they wanted to retain."

A single non-denominational school system "based on Judeo-Christian principles" formed the basis of the proposed model presented by the Williams Commission in its report *Our Children, Our Future*, released on March 31, 1992. The model incorporated the following key characteristics:

- Children would attend the nearest school. Where numbers warranted children would be given the opportunity for religious activities and instruction in their own faith. The system would be sensitive to the concerns of children of all religious groups.
- The 27 denominationally based boards would be replaced with 9 non-denominational elected school boards funded on the basis of need.
- The churches' role would no longer include the administration of schools; rather, their primary role would be the provision of religious education programs and pastoral care to students. The Denominational Education Councils would be disbanded. No longer would churches have a say as to the distribution of school funding or the hiring and firing of teachers.

Recognizing that its recommendations contravened the Term 17 rights of the churches, the Commission said, "it cannot accept that the wording or spirit of these rights and privileges established decades ago were intended to paralyse the system in perpetuity, and stifle the ability of the system to respond effectively to change."[13]

Out of the Commission's 211 recommendations, only about 12 dealt with areas affecting denominational rights. The churches would later argue that they supported reform – some 95 percent of recommendations, but they could not accept the dismantling of the denominational system as protected under Term 17. The churches' view is best summed up by Gerry Fallon, who at the time was the Executive Director of the Catholic Educational Council, "The Royal Commission report in 1992 gave legitimacy to what Clyde Wells wanted to do."[14]

"I do not think there was any plot to get rid of the system," Phil Warren continues,

> I think there... was a view that the system was one of the major problems associated with providing a quality education and it needed to be reformed... the Commission was totally free... once the terms of reference were drafted and the members were appointed the government gave the Commission full freedom and they did their job. They came out with their recommendations which perhaps went beyond what some members of the government felt that they would. They were probably more profound recommendations than a number of us thought would

emerge. But we, a lot of us, did hope that there would be some recommendations dealing with this issue.[15]

5.3 Negotiations Between Churches and Government

Government recognized that it could not unilaterally impose the recommendations of the Williams Commission without constitutional amendment. Talks between the government and the churches were undertaken to see whether goodwill existed on both sides to reach a voluntary agreement of implementing the recommendations.

In July 1992, Chris Decker replaced Phil Warren as Minister of Education. As a former United Church Minister, Decker had experience serving as chair of church school boards. He was convinced that churches had no place in running a school. He considered himself a radical in the Well's Government. While most of the cabinet were advocating compromise, he favoured a total severing of church involvement in the school system.[16] In November 1992, Decker announced the government's intention to carry out all of the recommendations of the Williams Commission report.

On March 12, 1993, Premier Wells announced to the House of Assembly that he would work with the churches toward a consensus on education reform. In order to reach consensus, two committees were established. First, the "Committee on Principles" made up of the heads of churches and the members of the Planning and Priorities Committee of Cabinet. The second, known as the "Committee of Officials," was composed of "officials representing the church interest in education, and officials on the government side of education."[17] The second committee consisted of the executive directors of the Denominational Education Councils, (Gerry Fallon, Earl Batstone, Dr. Tom Pope, and

Hubert Norman), a Seventh-day Adventist representative (George Morgan), and the Deputy and Assistant Deputy Ministers of Education – Dr. Leonard Williams, and Dr. Robert Crocker. This second committee was to do the primary and detailed work in a plan to arrive at a consensus.

After the announcement by the Premier, an election was called and the Wells government was re-elected. During the election campaign, education reform was not a major issue; perhaps it was muted by the fact that the church leaders and government had arrived at an agreement to seek a consensus. After the election, in the spring of 1993 to mid-July 1993, the Committee of Officials met on a monthly basis – however, it appeared to some church officials that the government was "treading water." There was not much happening.

In late June 1993, the Deputy Minister and Assistant Deputy Minister, both Roman Catholics and apparent sympathizers with the denominational system, left the Department of Education. In their place came Len Williams (Chair of the Williams Commission) as the new Deputy Minister, and Bob Crocker, as the Assistant Deputy Minister assigned the portfolio of implementing the recommendations of the Williams Commission. Both were strong advocates of reform. Very little has been said about that decision; however, there can be no doubt that government ensured that the bureaucracy in the Department of Education was composed of individuals who would enthusiastically carry out the desires of their political task masters. "Let's just say this," said Chris Decker, "early in my mandate we changed the Deputy and some assistant deputies. I don't know if it is

coincidence but it seems like things happened faster – maybe I was getting more used to the Department or whatever, you know."

George Morgan, the Seventh-day Adventist representative, noted, "...there was no question that from the day Bob Crocker began to meet with us, the Department of Education was different than when he took office. There were a couple of assistants that he started to work on the minutiae of working the system. There was no question as to what was going to go ahead. We could make all the suggestions we like but he would always say, "That will be taken into consideration," but you can promise to consider anything for somebody's execution in the morning."[18]

During the months leading up to the November 22, 1993 Committee of Principles meeting, the Committee of Officials met regularly. Rather than working on a joint proposal, the churches worked on one framework, while the Department of Education, led by Dr. Crocker, worked on another. On November 22, 1993, the churches presented Premier Wells with the "Coterminous model" – which called for a reduction in school boards (District Boards) from 27 to 10 for the province, working in tandem with parallel bodies known as the Education Authorities (religious authorities). A Superintendent would head each District Board and a Director would head each parallel Education Authority representing the religious class (or churches) holding the constitutional rights. Geography, and the number of religious adherents, would determine the number of Education Authorities with each board The Education Authority would have jurisdiction over the constitutional rights; thus funding teacher hiring and firing, school buildings, and school organization would fall under their control. Under this model, the school board

would be elected totally along denominational lines. The churches designed the model to preserve their constitutional rights while improving school efficiency and effectiveness.

Three days later, on November 25, 1993, the government responded to the church proposal with a document entitled: *Adjusting the Course.*[19] This proposal was modelled on the recommendations of the Williams Commission. It called for ten inter-denominational boards with ten elected members at large and only one representative from each denomination (where numbers warranted). It eliminated the Denominational Education Councils and formed Denominational Committees that had jurisdiction over only religious education and pastoral care.

Government also proposed changes to the School Construction Board which would have seven members, three from churches and three from government, with an agreed-upon chair. The Board would establish province-wide priorities for school construction, repair, etc. without regard to denominational affiliation. All new schools built would be inter-denominational. Where uni-denominational schools existed, the government would be the sole determiner of viability guidelines.

The Government position was clear – things had to change. The privileges that the churches had enjoyed in the past would be curtailed. Churches would be left with the basic role in religious instruction and an advisory role in provincial curriculum policy – no longer were they to be involved in the administration of the schools.

Government's willingness to compromise was seen in the allowance for uni-denominational schools when the stringent criteria were met. In such instances, the school would control religious education, pastoral care, and school philosophy and

ambiance. However, where there were inter-denominational schools, such matters would be the domain of the school board, with an advisory committee with denominational representation to advise the board accordingly.

5.4 Referendum of 1995

Over two years of negotiations with church leaders convinced government that an agreement was not imminent. Wells decided that he would introduce legislation to make the necessary changes to create a unified school system with churches only having the right to provide religious instruction. In response to his announcement, he received a Notice of Intent from the Roman Catholic and Pentecostal Churches to litigate. Recognizing that the government would lose a legal challenge, Wells felt he had no choice but seek a constitutional amendment of Term 17, and to do that, he wanted public support. On June 23, 1995, a referendum was called for September 5, 1995.[20]

It certainly was not lost on anyone that the announcement came on the last day of school for the year, "which of course makes it extremely difficult," said Janet Henley-Andrews, "to organize on a school basis because your school buildings aren't open, your parents have disbursed for the summer – all of that kind of thing."[21] Wells took the approach that the government should not campaign for the Yes side but rather settled with providing general information on the constitutional amendment that government was proposing.

Both the question and the proposed amendment were opaque. Wells and Ed Roberts, along with two or three other lawyers, had drafted a new Term 17 that attempted

to walk both sides of the street. It provided for a general school system that would be "inter-denominational," but allowed for "uni-denominational" schools "subject to provincial legislation". "Clyde and myself," says Ed Roberts, "went as far as we thought we could, not as far as we wanted to go. If I had my way, I won't speak for anyone else, if I had my way we would have put to the people in the '95 referendum the question that was put in the '97 referendum. We didn't, we never considered doing so because we didn't think we could get that far. It was a fair choice."[22]

The referendum debate was filled with talk on the government saving millions of dollars from the elimination of duplication such as school busing; others were afraid of losing the religious ambience; and still others complained that the proposal did not go far enough.

The question asked stated:

> Do you support revising Term 17 in the manner proposed by the government, to enable reform of the denominational education system? Yes No

The question was criticized for inferring that reform could not happen, but for the amendment of Term 17. Since only a handful of the 211 recommendations of the Williams Commission dealt with the denominational system, the churches maintained that the majority of them dealing with efficiency and effectiveness could be accomplished without an amendment.

The general public had to be excused for finding the whole matter confusing. There were many voices with different meanings of the word "reform". "We can say," said the Editors of *The Express,* "we are in favor of educational reform. Of course, that's not

really saying anything. Everyone claims to be in favor of reform. The real question is how do you go about it."[23] Churches and their supporters saw government's use of the word "reform" as a removal of the Term 17 rights – they campaigned against the proposal. "If government wants to move in the direction of a public sector education system," said Hubert Norman of the Integrated Education Council, "then that question should be clearly put to the people."[24]

Others against the proposal were those who felt the proposed Term 17 gave the churches too much of a role in education. "And this absolute lack of clarity made me uneasy," wrote Marjorie Doyle. "If so many people had trouble grappling with this business, how clear was the question? The issue? The consequences?"[25] Both Lynn Verge, Leader of the Opposition, and Jack Harris, the leader of the New Democratic Party, argued that the proposal did not go far enough and announced they would vote "No."

Still others advocated a vote in favor of the proposal because it at least moved in a favourable direction. Peter Fenwick called upon someone to, "... teach Verge and Harris the old adage that half a loaf is better than no loaf at all."[26] To vote "No" would "...mean that the government would lose almost all its bargaining power to bring about change in the education system. The churches could thumb their noses at the government. Any future change would be almost completely at the churches' discretion."[27]

Not only were the citizens mesmerized by the confusion during the campaign and the wording of the government proposal, so was the Minister of Education! Chris Decker stated,

> The first referendum was not clear, I mean the wording in it was extremely difficult to understand to the point that I remember saying once "I wouldn't know how to vote myself – I am assuming I'd a vote yes." The wording was not clear.[28]

The Pentecostal and Roman Catholic Churches hired Leo Power and nine others to organize a political campaign for the "No" side.[29] Power was no stranger to political campaigning – having worked as John Crosbie's executive assistant in Ottawa besides other provincial campaigns. Their strategy was to keep track of the supporters, and concentrate effort in areas where the "No" side was weak. There was an organized media blitz that included newspaper, radio, and television ads. Combined with this effort was a letter sent by the church leaders to their congregants seeking their support against the government's proposal. "As far as we were concerned, we ran a good campaign. We got our vote out, we ran a very strong, a very organized campaign," says Janet Henley-Andrews.

The "No" side argued that the government's proposal would remove religious exercises from the classroom – including those associated with Christmas and Easter. Government denied that such would be the case as all schools would be labeled "denominational" under the new Term 17. Such announcements by the government did little to allay the fears of the "No" side. The "No" side also argued that the new Term 17 was being forced on the minority denominations against their will. It was a removal of minority rights from the constitution – a first in the history of Canada.

For the "Yes" side, there was no organized campaign. Wells took the position that, in the spirit of fairness, the government should not advocate one side over the other. He was of the view that "if public funds was to be spent conducting a fair plebiscite to

ascertain the wishes of the public, it "would have been a subversion of the referendum process" to spend additional funds trying to influence the choice."[30] This resulted in the "Yes" campaign consisting of an independent effort of newspaper columnists, letters to the editor, and calls to the open line shows. The government's removal from the referendum debate meant that there was no central organizing force for the "Yes" side – no central strategic approach to the campaign. The government sent a pamphlet to every household with the old and new versions of Term 17 and explanatory notes. It also advertised in the newspapers to correct "factual errors" of the "No" side as the campaign progressed. This lack of organization of the "Yes" side almost cost the government the referendum.

The "Yes" side focused on two specific areas: the saving of $20-30 million eliminating duplication; and that the poor results by Newfoundland students on Canadian standard tests could only be addressed with a more efficient system.[31] It is significant to note, as Graesser points out, the "Yes" side did not use arguments centering on values of non-discrimination, equality and pluralism. There was, for example, little emphasis on the idea that it was wrong to segregate children from their friends on religious grounds or to dismiss teachers on the basis of religion or personal lifestyle issues. [32]

On September 5, 1995, despite the organized effort of the "No" side, 55 percent of those who voted went with the government. "We were delighted with the result," Henley-Andrews maintains - "We would have loved to have won it but when you looked at our percentage of the population in relation to the percentage of the combination of the Integrated faiths the achievement of the 45 percent "No" vote was quite something to be

honest – that's certainly how many of us viewed it." The modest majority for the government was significant when you consider that polling for both the "No" side and government revealed that government had the support of some 70 percent at the beginning of the campaign.[33] Part of the "No" side success may be attributed to the low turnout of the eligible vote – 52 percent.

To some political pundits, the close vote meant that Wells would have a difficult time convincing Ottawa to agree to a constitutional amendment. "Neither side came out a winner," said Steve Neary; "If I was Mr. Wells what I would do is hold this over the heads of the churches and get back to the bargaining table because I don't think that (Prime Minister Jean) Chretien would be very receptive to amending the constitution affecting minority groups that would have repercussions throughout all of Canada."[34] Others saw it quite differently. Peter Boswell, of Memorial University, noted that the "No" side ran an organized campaign getting the vote out and that the, "low turnout would in fact make the government's case stronger. This means of the other 48 per cent of people who didn't vote, we can assume they were either the silent 'yes we want change' or did not feel strongly enough against it to vote."[35]

5.5 Post-Referendum Developments

5.5.1 Term 17 Stalled and Wells Resigns

The Newfoundland House of Assembly passed a resolution on October 31, 1995, calling on Ottawa to pass the new Term. The resolution met with challenges both within and outside government caucus. In the end, it passed 31-20.

The amendment was soon to be stalled in Ottawa – due in part to the intensive lobbying campaign by the Roman Catholic and Pentecostal churches with the politicians in Ottawa. "We did a lot of lobbying of federal politicians," says Henley-Andrews, "and there was a significant block of Liberal MPs, and particularly backbenchers primarily from Ontario, who were totally opposed to the constitutional change and they were making it very difficult within the Liberal caucus. They felt it had repercussions in Ontario, which also had constitutionally protected Roman Catholic schools, and that it would be a dangerous precedent."

Although Wells had obtained personal assurance from Prime Minister Chretien of the passage of the Term 17 amendment in the House of Commons, the federal government stalled as it considered the arguments of the Bloc Quebecois. The Bloc Quebecois, the Official Opposition, saw the acceptance of a constitutional amendment with 55 percent of a referendum as a precedent for a future referendum in Quebec.

Just around Christmas 1995, Clyde Wells announced his retirement from politics and within several weeks Brian Tobin was acclaimed as the new Premier.

Many of the "No" side thought that Brian Tobin, a Roman Catholic, would sympathize with their side and not force a constitutional amendment. Some Catholic leaders claimed they had agreed with Tobin not to make education an issue during the upcoming election in exchange for the promise of "an opportunity to sit down and discuss the whole issue in an effort to reach an agreement."[36] As leader of the Liberal Party, Tobin dissolved the House and a new election was called in February 1996. In his election platform, Tobin's campaign stated:

> Last year, a referendum was held on the important question of denominational schools. **The people have spoken. Education reform will proceed.** What we now face is the complex task to implement reform in a manner which is effective and fair. It is more important that we do things the right way than that we do them in a quick way.[37]

The platform went on to say that the draft legislation was only one possible model for reform and that there would be further consultation. Tobin was elected in a landslide and shortly thereafter the churches and the government entered into another round of negotiations to settle the differences. Government was frustrated with the lack of movement in Ottawa to pass the constitutional amendment and sought to meet with the churches to hammer out an acceptable arrangement.[38] For the Roman Catholic and Pentecostal leaders the meetings were seen as an attempt to obtain an agreement without a constitutional amendment.[39]

5.5.2 The Framework Agreement

In April 1996, it appeared that both sides finally came to a solution. The church leaders and the government came up with an agreement – referred to as the "Framework Agreement." Government and churches agreed to keep the schools uni-denominational until they were changed over time to inter-denominational schools by the new school boards. It was unclear as to how and when such changes would occur, due to issues of appointment and/or election of new school board members. One thing was clear: the denominations would be able to appoint 70 percent of the members in the 10 new boards throughout the province. The school boards would have denominational committees with the authority to hire and fire teachers in uni-denominational schools. The Agreement was

meant as an interim or a transitional measure toward implementation of a general inter-denominational system where uni-denominational schools were the exception. However, that is not how it was perceived.

When the Framework Agreement became known, there was an outcry. The editorial in *The Evening Telegram* stated, "No matter how Education Minister Roger Grimes tries to sell his behind the scenes deal, the provincial government caved in where it counts on education reform. And the result is likely to mean delays in meaningful reform of the education system for years to come."[40]

The Integrated school boards were dead set against the agreement and organized a meeting with all of the Integrated church leaders to express their disapproval of the Framework Agreement. Only the Anglicans showed up. Steve Andrews, chairman of the Avalon Consolidated School Board, stated that the problem was that "We're starting off as uni-denominational and there's no commitment to go beyond that," but "If the power of the denominational committees could be toned down or backed off, we might have some basis for agreement," with the provincial government.[41]

At the general meeting of the Newfoundland and Labrador Home and School Federation meeting on April 27, 1996, Roger Grimes was called upon to answer spirited questions from parents on the Agreement. It appeared that a number of parents were surprised to see that the education reform did not remove the churches from the school system. "If there's a problem," said Grimes, "maybe it's that people didn't know what the government was offering before."[42] That was indeed the problem, according to Kathy LeGrow of the Home and School Federation, "From the school board's point of view,

people didn't understand what this was about because it was discussed in an environment of distrust and secrecy."[43]

The Framework Agreement closely mirrored the *Adjusting the Course* model proposed by the Wells' administration but it was obvious that many members of the public had not realized to what extent the new Term 17 sought to maintain denominational rights in education, especially in uni-denominational schools. The reality had begun to sink in that churches would have a say in education. Lorne Wheeler, a former deputy education minister under the Progressive Conservative administration of Brian Peckford, put it this way, "The perception has been that revision of Term 17 of the Newfoundland Act will somehow end church control or significantly limit church control of the education system in Newfoundland. That's wrong."[44]

Government was faced with a growing anger in the public. The "Yes Means Yes" Committee was organized by a number of parents and education professionals to lobby the government to reject the Framework Agreement and "get on" with reform. This group organized a petition campaign throughout the St. John's area against the agreement.

For many, Tobin's government was waffling and had to move forward, "Let's not pussyfoot around," Bill Lee of the Avalon Consolidated School Board demanded of Roger Grimes, the then Minister of Education; "Put in place what the people of this province voted for in September and that was an inter-denominational system."[45] "If government concludes this is the best deal," said Lee, "we as a board cannot condone it and would prefer to revert to the previous system." Lee was of the view that if approved

the Framework Agreement would have taken Newfoundland back to 1968 before integration first occurred in the province's school system. [46] Lee organized a number of well-attended meetings in school gyms at Bishops College, Prince of Wales Collegiate, and explained to his audiences why the Framework Agreement was inadequate. "This had an important galvanizing effect," says Steve Wolinetz, "which explains the later climate of public opinion."[47]

Though the government had formally requested Ottawa for a constitutional amendment, the church leaders had hoped that the Framework Agreement would eliminate such an amendment. Thus, there would be reform without a constitutional amendment.[48] From hindsight, such a view may have been somewhat naïve. The public outcry against the Framework Agreement caused government to back away from further deal making with the churches and a further push on Ottawa was made for the amendment. Tobin began to refer to the Framework Agreement as "a framework for discussion," rather than a formal agreement.[49] Gerry Fallon notes with some regret, "The Integrated denominations and the Anglican Church in particular did not support the Framework Agreement. If they had supported the Framework Agreement, then we would never have had a constitutional amendment."[50] The Integrated church leaders did not want to be in a position where they renounced their education rights but Roman Catholics and Pentecostals did not.[51]

To press the matter with Ottawa, Brian Tobin orchestrated a unanimous resolution from the House of Assembly for the amendment to be passed. On June 3, 1996, the House of Commons voted in favour of the Newfoundland request for the constitutional

amendment. However, for the next six months the Senate, exercising its prerogative, sent the matter to its Standing Committee on Constitutional Affairs and hearings were held in Ottawa and in St. John's. The same arguments made during the events leading up to the 1995 Referendum and Williams Commission were now being repeated before the Senate committee. The amendment was stalled for six months in the Senate, where the "No" side made significant headway with the Senators, convincing them to amend the constitutional proposal. The Senate's objections were overcome by a second House of Commons vote on December 5, 1996.

Meanwhile, the school boards were in the process of merging – schools were being rationalized and government was cutting back teaching positions over the protest of parents who threatened to keep their children out of school over the loss of teaching positions.[52] The acrid atmosphere among the different school board trustees that were now sitting together on new boards made for a very untenable situation. The battles were also to flare up over the school designation process, that led to another referendum.

5.6 Referendum of 1997

Though the new Term 17 transferred more authority over schools from the churches to the government, it continued to allow uni-denominational schools at public expense. However the new *Act* created a "negative optioning" plan whereby all schools were deemed to be interdenominational schools unless the school board was satisfied that there was sufficient demand and viability for a uni-denominational school.

In February 1997, school boards conducted a registration process to establish the demand by parents for interdenominational or uni-denominational schools. Those parents who desired to have uni-denominational schools were required to send in a ballot to the school boards with their vote of whether they wanted to send their children to either an interdenominational school or a uni-denominational school. The ballot allowed for the choice of "interdenominational" or "other," but did not list any denominational schools. A parent who did not send in their ballot was deemed by the government to have voted interdenominational. "Clearly the objective was to make it as difficult as possible," says Henley-Andrews.

Henley-Andrews described the effort that now ensued as the "No" side campaigned again to ensure that all of the parents of the Roman Catholic children sent in their ballots indicating their desire for Roman Catholic schools. "We had phone teams in most of the schools within the St. John's Roman Catholic School Board at the time," she said, "and phoned every single parent you know, "Have you received your form in the mail? Have you sent it in?" To make sure there were as few default votes as possible."

Their campaign worked. Over 80 percent of the parents with children in the St. Pius X school voted for a Roman Catholic school; in the Mary Queen of the Peace school roughly 85 percent of the parents chose a Roman Catholic school; and 80-85 percent of the children's parents of the Gonzaga school chose a Roman Catholic school.[53] Henley-Andrews notes that the new transition school boards faced a problem that they had not anticipated – there was going to be a large number of Roman Catholic schools remaining

in the district in order to accommodate all of the children whose parents had chosen Roman Catholic schools.

The Department of Education advised the school boards on March 10, 1997 of the teacher allocation for the 1997-98 school year. The school boards designated schools and assigned teachers between March and June. The results of the "ballots", under the legislation, were not binding on the school boards – they were advisory, to be included with an analysis of "viability" criteria, in deciding which schools to close or remain open. The boards were faced with the unenviable position of trying to explain to enraged parents why they ignored local majorities in making their decisions.

During this time period, there was considerable heat resulting from the merged school boards of the former Integrated and Roman Catholic School systems. Mixed in the brew were the bumping rules in the NLTA collective agreement. Everything appeared to shift from day to day. Animosity between the "Yes" and "No" sides was rampant. No place was sacred – even attendance at a funeral could not subdue the passions when the two sides came together each accusing the other for the state of the confusion.[54]

5.6.1 Court Injunction

On May 15, 1997, members and representatives of the Roman Catholic and Pentecostal Churches applied to the Supreme Court of Newfoundland for an injunction against the school boards because the boards were not properly constituted; and the boards were under a duty to provide a uni-denominational school for all who demanded

such. They also challenged the validity of the "negative option" registration process where the boards recorded the instance of no registration being returned by a parent as that parent preferring an interdenominational school.

In deciding whether to grant an interim injunction, the court must follow three important steps: first, it must decide that there is a serious issue to be tried; second, it must decide whether the applicant would suffer irreparable harm if the application were refused; and finally, it must assess which of the parties would suffer greater harm from the granting or refusing of the injunction until the court makes its final decision after trial.

On July 8, 1997, Justice Leo Barry gave his 60-page decision.[55] Both parties accepted that there was a serious issue to be tried. As to the irreparable harm, Justice Barry stated:

> [40].... I agree with the Applicants that loss of a year's education in a uni-denominational school is something which meets the test of "harm which can neither be quantified in monetary terms or which cannot be cured [by damages]" set out in **RJR – MacDonald**, a p. 32. Since the right to education in a uni-denominational school, at least when certain procedures are followed, has been enshrined in the Constitution of Canada, this Court must conclude Parliament and the Legislature regarded it as having some inherent value whose loss would be irreparable in the above terms.

The third part of the analysis required the court to determine which of the parties would suffer the greatest harm from the granting or refusal of the injunction. In a constitutional case such as this, the court had to look beyond the respective parties to the general public. Both parties satisfied the court that they represented interested members of the public. Each presented "doomsday scenarios":

> [48].... The Respondents and Intervenor claim the school system will be in chaos, if they are forced to change plans now finalized for September 1997, because those plans are based upon decisions concerning the closure of certain schools, the assignment of teachers, the transfer of students and the content of courses. Changes concerning any one school will cause a chain-reaction throughout the school district, affecting other schools. The designation of schools as uni-denominational or interdenominational played a significant role in determining where teachers would be assigned and which students would be in which schools. The substantial decline in student population and the reduction in the number of teachers, which is to occur for reasons unrelated to the school designation issue, also influenced school board plans.
>
> [49] The Applicants claim that, if the matter must await trial, in addition to the loss of one year's education in a uni-denominational school for some students, it will not be practically possible to restore a truly denominational system of education if it is dismantled as of September 1, 1997. Restoration would require reinstallation of equipment, reassignment of teachers, re-transfers of students and reopening of closed school buildings.

Justice Barry then proceeded to consider which side was more likely to succeed at trial. An analysis of the *Schools Act* was made to determine whether it was "ultra vires" that is, whether it was outside the jurisdiction of the legislature. Section 82 of *Schools Act* stated that, "a school shall be an interdenominational school unless the requirements set out in the regulations for designation as a uni-denominational school are satisfied." Justice Barry concluded that such wording was contrary to Terms 17(b)(i), 17(c), 17(d), and 17(e), which recognized a right in classes of person to have uni-denominational schools publicly funded on a non-discriminatory basis. "Being "uniformly applicable" to all schools is not sufficient," Justice Barry said. "A legislative provision would be ultra vires the legislature if it imposed a total ban upon uni-denominational schools or what would amount, in effect, to a total ban."[56]

Justice Barry ruled that once the Legislature has accepted the cost of running a denominational school system, "...by enshrining the right to a uni-denominational school in the Constitution, government cannot then turn around and effectively take away this right by subordinating it completely to considerations of cost and efficiency."[57] Barry was of the view that a judge in trial would probably rule in favor of the churches finding that the legislation was in effect taking away or reducing the rights given by Term 17.

Barry ruled that the school designation process be suspended until government held school board elections and organized a new designation process. The new process would ignore the ballots not returned instead of counting them as votes for interdenominational schools.[58] The practical implication of Barry's decision was enormous. Suddenly, the school system was put into chaos – parents were uncertain where their children would attend, teachers were no longer sure in which school they would teach, and government was again having to consult with church personnel on school matters. The public's view was becoming galvanized – the time had come, in the minds of many, to settle the matter once and for all.

"The irony of all of this," says Ed Roberts,

> is that the Wells' Term 17 preserved a denominational system to some extent – very substantial rights for the churches. In fact so much so that many of us were worried that we hadn't really accomplished very much. The churches challenged the legislation that came after that on the ground that it was unconstitutional. It went further than the Term 17 went and they were right. Judge Leo Barry found them right and there was no appeal. The response then was to change the constitution again. So the irony of it, in my view, was that the Roman Catholic and Pentecostal Assemblies killed the denominational education in Newfoundland. Now, as public policy I welcome that.[59]

Another bit of irony is that Roger Grimes actually predicted over a year earlier in his comments to the Senate Constitutional Committee what would happen if the government tried to frustrate the churches attempt to exercise their rights under the new Term 17. "If we try to bring in a piece of legislation that is overly prescriptive, overly restrictive and actually frustrates the different denominations in trying to exercise their rights," Grimes said, "then we will be challenged in the courts and we will be defeated."[60] That is what happened.

5.6.2 Reaction To Court Decision

Reaction to Justice Barry's decision was swift.[61] The government announced an appeal (though it was never carried out) stating that the decision was wrong in "several aspects." "The decision of Mr. Justice Barry has effectively placed the whole of the school system in the hands of the two denominational representatives, Dr. Melvin Regular for the Pentecostal Education Committee, and Dr. Bonaventure Fagan for the Catholic Education Committee," the government's press release stated. Roger Grimes said, "we need to get schools open for September and it is very frustrating to watch the days tick by and still no notice to school boards as to what the intentions of these two gentlemen may be. It is astonishing to see so much power vested in the hands of two individuals. They are holding up the whole system."[62]

Commentators and editorial writers clamored for another referendum to clean up the "mess". *The Evening Telegram* said, "Call another referendum and ask the people of the province a simple straightforward question...."[63] "My first reaction to Justice Leo

Barry's decision..."wrote Peter Boswell, "was that here indeed is clear evidence of the old expression that 'the law is an ass.' However after some reflection... it was the political process which was an ass, not the law." Later in his article Boswell stated government had been given another chance, "It's not too late for another referendum, this time with a simple question whose passage would lead to a constitutional amendment to eliminate Term 17 entirely."[64] Others were not so sure referendum was the way to go as it "would take years."[65]

Tobin, with an ever keen ear to the political wind, started publicly musing, "perhaps it's time to go back and do it right this time."[66] In the meantime, government started polling the population for support of another referendum bid – it was obvious that another go round would be a decisive win for the government and churches would be eliminated altogether from the administration of schools. Before making the announcement, both Roger Grimes and Brian Tobin began meeting with a number of individuals from the "Yes" side of the last referendum campaign to help organize "a grassroots" effort to convince the province of the need to rid the system of the churches.

In one such meeting before the second referendum announcement, Tobin and Grimes met with Jerry Vink of the Human Rights Association. They shared with Vink the news that a referendum call would be forthcoming and they wanted assurance from his organization that they would not raise the issue of minority rights. Vink assured them that he would do his best. An executive meeting was hastily called at which the Human Rights Association decided that it would not raise any issues concerning minority rights. Ivan Morgan of the Human Rights Association explains,

> ...we told the Premier that on the duration of the debate that we would remain silent on minority education rights. Which is an issue under the Charter of Rights and Freedoms. So we just didn't return their calls. I don't know how an academic or somebody with the time and leisure and the money could get around and figure it all out would view that. But that's true. That happened. I mean, I'm comfortable with it- maybe we did a wrong thing. I don't know. But that's the level that the agenda was being molded, massaged, spun by Mr. Tobin. He was very much in control. How much in control? He'd be on the T.V. saying Education First- as the grass roots population came up out of nowhere, it's just a bunch of concerns, criticism. But he'd be phoning in the evenings to see how things were going- most evenings.[67]

Some members of the Human Rights Association board were not at ease with the compromise but they came up with what Morgan called an "ethical spin". "The ethical spin," he said,

> was that we have spoken at length on education minority issues- we have nothing more to say. And so we didn't feel compelled to begin again. The documents exist- read them. We weren't going to get on camera any time during the campaign and say, "well, they might have a point". Mr. Tobin and Mr. Grimes, you have to understand, don't give a shit about poli sci issues. These guys just want to win."[68]

5.6.3 Referendum 1997 Campaign

On July 31, 1997, confident of a significant victory, with polls showing support and a "grassroots effort organized," Premier Brian Tobin made a televised address announcing the government's worst kept secret – there was going to be a referendum. It would take place on September 2, 1997, just before school opened. The referendum question was:

> Do you support a single school system where all children, regardless of their religious affiliation, attend the same schools where opportunities for religious education and observances are provided?[69]

Tobin's speech was noteworthy because it gave a clear indication that this time round government would advocate its position to Newfoundland public. This was a shift in policy from Premier Wells who stepped back from the public debate. Tobin also appealed to the emotional issues of human rights and pluralism – issues that were not discussed to the same degree in the 1995 referendum. Gone was reference to the savings and efficiency arguments. "I believe it's time to allow all of our children, Tobin stated,

> of every denomination, to sit in the same classroom, in the same schools, to ride the same bus, to play on the same sports teams, to live and to learn, together in the same community.
>
> I believe it's time to hire our teachers because they're competent, caring and committed to our children…not because of their religion
>
> I believe it's time to elect our school board members because they will exercise their best judgement on behalf of all of us, not just on behalf of some of us.[70]

The "No" side recognizing that government was supporting the "Yes" campaign and in particular the Education First group sought government funding. This was to be rebuffed. "We knew," said Henley-Andrews,

> that government executive assistants were actually helping in the Yes Means Yes headquarters because we actually complained about it on a couple of occasions and we had people go in and they would see them there, right? We were looking for funding on a fairness basis and they were saying well they weren't providing funding to either the Yes side or the "No" side but they were the Yes side. And government employees and political employees were actually in there working in the Yes Means Yes campaign.[71]

Tobin responded with a press release saying,

> Government has received formal and informal requests for funding. It would be unfair to respond to selected requests and fiscally irresponsible to respond to all of

> the many and varied types of requests. I believe that it is incumbent upon government to inform all Newfoundlanders and Labradorians of the fundamental new direction being proposed for education. Therefore, government will promote its position because it has a responsibility to do so.[72]

"So," says Henley-Andrews, "it wasn't exactly a fair vote and a lot of people were totally demoralized on the "No" side by this time and had basically given up and of course the result spoke for that."[73]

The "Yes" side was organized under the umbrella of Education First. Education First was a coalition of many diverse groups that got together for the purpose of organizing the Yes side. The saying is that politics makes for strange bedfellows – in this case Education First brought together old political foes from the New Democratic Party, the Progressive-Conservative Party, and the Liberal Party. It also included such groups as the Avalon Consolidated School Board, and The Home and School Federation.

Education First was the result of the work of Keith Coombs, a St. John's City Councilor. He was known as, "The skipper, as we called him," said Ivan Morgan, "...he was the one who made the big decisions and he made the big decisions in concert with Mr. Grimes and Mr. Tobin. But we had input. There was certainly feedback. It wasn't dictatorial- they didn't come down with tablets. They listened to us and we listened to them."[74]

Not only did Education First have the support of government, but it became the focal point for everyone sympathetic to the "Yes" side. Teachers, parents and others "just came off the street" to help wherever they could. Oonagh O'Dea, president of Education First noted, "We come from all denominations, faiths and persuasions

including Catholics, Integrated faiths and non-adherents."[75] Each night Keith Coombs would gather the group in a back room of their headquarters to debrief on the daily events and plan strategy for the following day. This gave continuity and focus.

Morgan entertainingly states what the atmosphere working with Education First was like:

> This is just a bunch of political sluts who saw a chance for a really good romp and went for it. This was the greatest political experience in my life. We had a ball. Whenever in my life am I going to hear someone "Ivan, Fred Rowe on line one for you!" Or to watch Ross Reid's mother, Margo, and Bonnie Hickey's brother, Joe, sit down and divide St. John's East up at a table together. I mean we are talking the most mortal political enemies. For 3 or 4 short weeks everybody got along like a house afire. We had a great time. Then we all went back fighting each other again.[76]

Education First was focused on the St. John's area. It simply did not have the means to go much beyond the metro area. However, within three weeks it had leafleted some 70,000 homes and enlisted several hundred volunteers.[77] It conducted a general public poll in the Avalon East area and for referendum day it organized rides to the polls – though many of those who were scheduled to drive were idle for most of the day. The group also sent letters to each of the MHAs asking that they publicly state which way they would vote in the September 2 referendum.

Taking the example of Premier Tobin's "I Believe Speech" on July 31 to the public, Education First argued more than inefficiencies of a parallel system but included human rights issues.

In their advertisements they stated:

What We Believe

- School should be about learning and bright, productive futures for children;
- Schools should be neighbourhood schools;
- Religious observances should be permitted, and religious education should be available;
- Hiring of all teachers should be based on qualifications and experience alone;
- All our schools must be able to strive for excellence;
- Our tax dollars are best spent by investing in one good school system.[78]

These arguments obviously resonated with the public.

"I have to say I was disturbed by stories of teachers who are being advised that their services were no longer required merely because they were the wrong religion," Liberal backbencher Gerald Smith said. He voted No in 1995 but voted Yes in 1997.[79] He may have been referring to the situation at the Deer Lake Pentecostal School. In the spring and early summer of 1997, a number of teachers who lost their positions as a result of the consolidation of schools under the reform process were denied positions in the Deer Lake Pentecostal School because they were not members of the Pentecostal Church. To the public, this became anathema. The public was becoming less tolerant of arguments why the exclusive nature of a denominational school was necessary. The Integrated churches asked the Pentecostal denominational committee to forgo their legal right to refuse teachers on the basis of religion – but there was no response.[80]

As time got closer to the September vote, the "Yes" side had more public supporters, including the mainline churches. Anglican Bishop Donald Harvey publicly stated he would be voting yes and was pleased that the government had called another

referendum, stating that a single school system would "be an extension of what we have accomplished since 1969 in the Integrated church school system to include all churches presently involved in education."[81] Lt.-Col. Shirley Rowsell, of the Salvation Army supported the government's approach because "...it would be an extension of what the Integrated churches have been doing over the years."[82] Many different groups, such as the NLTA, school councils, Home and School Federation and prominent citizens began popping up making pronouncements of support of the "Yes" side.[83] "What a contrast....," said an editorial between the 1995 and the 1997 referendums, "More and more, people who have a public presence in the province are nailing their colors to the mast of a common, although Christian, education system."[84]

On August 25, Tobin announced the new Term 17. It was straightforward. The legislature of Newfoundland would "have exclusive authority to make laws in relation to education, but shall provide for courses in religion that are not specific to a religious denomination." Religious observances would also be permitted in a school, "where requested by parents."[85] Once announced, all of the Integrated churches voiced support of the new Term 17.[86]

5.6.4 The no "No" Campaign

One of the strange twists of fate during the 1997 referendum was the absence of an organized "No" campaign. During the 1995 referendum, the Roman Catholic and Pentecostal Churches organized a campaigned patterned after an election effort – and as noted above hired such experienced election organizers as Leo Power. What happened in

1997? Henley-Andrews says, "...the churches had spent a considerable amount of money fighting the first referenda never anticipating they would have to fight a second one particularly within a year and the resources just wasn't there the second time round. I mean the money just wasn't there."[87] The question remains "Why wasn't the money there?" Did the churches no longer have the money or was it simply a matter of throwing in the proverbial towel? No one really knows – it remains one of the mysteries.

A number of people working on the "Yes" side with Education First did not know what to think of the lack of organization on the "No" side. "The (Avalon East) School Board people working with "Yes Means Yes" ... couldn't believe there wasn't a massive conspiracy against us," said Steve Wolinetz. "We had no opposition. I could see that, Keith Coombs could see it, others could. You know three weeks into the so-called "campaign", which didn't have a great deal of reach. We could barely reach out of St. John's and around a bit into Conception Bay South. It seemed quite apparent to us that there was no opposition but they had been so used to dealing with these people on the board... the Avalon East Board has always been a snake pit... The reality was that they (the pro-denominational education members on the board) didn't represent many people but they represented more than they ended up with...."[88]

5.6.5 Referendum Day

On September 2, 1997, 72.7 percent of the Newfoundlanders voting answered the call by giving government a clear mandate to reform the system.[89] In his address to the province, Tobin stated that, "...there will be no unidenominational schools, no

interdenominational schools, no Integrated schools... no Catholic, no Pentecostal schools ...just one single school system for all of our children." No longer any confusion about what the referendum meant – the churches this time were out "period."

From hindsight Phil Warren suggests,

> Perhaps it might be said [the churches] blew it. If two or three of the denominations that ultimately went to court and fought the reforms – if they had agreed to some kind of compromise at that point in time there may not have been a second referendum and the second clear question which called for a non-denominational system or an inter-denominational system may not have been put. But I think they persisted and perhaps they overestimated their power with the public and with the government.[90]

Of course, the "No" side would disagree. What they say is that the Wells' Government gave them limited rights to denominational schools but when they sought to exercise those rights they were faced with another referendum and a no win situation.

5.7 Conclusion

It took seven years for the governments of Clyde Wells and Brian Tobin to remove churches from the education system. It was a tortuous affair that ended in a dramatic fashion. Confusion was acute. The churches struggled to maintain their rights – and it appeared that the more they struggled the more they lost. Public opinion had clearly favoured a single school system. While the government of Clyde Wells cautiously approached reform fearing the repercussions of taking on the churches head on, the government of Brian Tobin was able to aggressively move ahead with eliminating the churches altogether.

For Ed Roberts, Tobin got as far as he did because of the Wells administration. "I think if the Wells' Administration could have gone that far we would have," said Roberts. "We didn't think public opinion would support it and that is really what it is all about.... Would we have been able to get support for that? I don't think so, I don't think so, but I think Brian was able to get it after what had happened to the compromised one."[91] We now move our study toward the analysis of the policy community.

References

[1] Personal interview with Dr. Phil Warren, April 23, 2001. Other educators who ran included Herb Kitchen; Dr. Rex Gibbons, Pat Cowan, and Roger Grimes.
[2] Chris Decker, April 1, 2001.
[3] Personal interview with Gerry Fallon, April 19, 2001.
[4] Gerry Fallon, April 19, 2001.
[5] Phil Warren, April 23, 2001.
[6] Phil Warren, April 23, 2001.
[7] Phil Warren, April 23, 2001.
[8] Personal interview with Gerry Fallon, April 19, 2001.
[9] Personal interview with Pastor Earl Batstone, March 23, 2001.
[10] Personal interview with Leonard Williams, April 19, 2001.
[11] See Mark Graesser, "Attitudes Toward Denominational Education in Newfoundland," Chapter 5, in *Our Children Our Future.*
[12] Mark W. Graesser, "Educational Reform In Newfoundland, 1990-1995: The Impact of Constitutional Constraints and Referendum Politics," a paper prepared for the Annual Meeting of The Canadian Political Science Association meeting at Memorial University of Newfoundland, St. John's, June 10, 1997.
[13] *Our Children, Our Future,* p. xvi.
[14] Gerry Fallon, April 19, 2001.
[15] Phil Warren, April 23, 2001.
[16] Chris Decker, April 15, 2001.
[17] Province of Newfoundland, Forty-First General Assembly of Newfoundland, Preliminary Report (Hansard), Vol. XLI, Fifth Session, No. 6
[18] Personal interview with George Morgan, March 26, 2001.
[19] Government of Newfoundland and Labrador. *Adjusting the Course: Restructuring the School System for Educational Excellence.* November 25, 1993. A second volume was issued in February 1994, for brevity I have combined both to present the Government's position. Government of Newfoundland and Labrador, *Adjusting the Course Part II: Improving the Conditions for Learning*, February 24, 1994.
[20] Jennifer Smith, "Educational Plebiscite Is A Go," *The Evening Telegram*, June 24, 1996, p. 11.
[21] Personal interview with Janet Henley-Andrews, March 29, 2001.
[22] Personal interview with Ed Roberts, April 30, 2001.
[23] Editorial, "Yes, reluctantly," *The Express*, August 30, 1995, p. 8.
[24] David Sorensen, "Keepers of the faith," *The Express*, August 23, 1995, p. 5.
[25] Marjorie M. Doyle, "How I arrived at a 'no' vote," *The Evening Telegram*, September 6, 1995, p. 4.
[26] Peter Fenwick, "The last referendum column," *The Evening Telegram*, September 3, 1995, p. 10.
[27] Editorial, "Yes, reluctantly," *The Express*, August 30, 1995, p. 8.
[28] Chris Decker, April 1, 2001.
[29] David Sorensen, "Leo Power – a man with a mission," *The Express*, August 23, 1995, page 5.
[30] Graesser, "Education Reform in Newfoundland," p. 22.
[31] Graesser, "Education Reform in Newfoundland," p. 23.
[32] Graesser, "Education Reform in Newfoundland," p. 24.
[33] Graesser, "Education Reform in Newfoundland," p. 25
[34] Tracy Barron, "Vote a small victory for Wells, says pundit," *The Evening Telegram*, September 6, 1995, p. 1.
[35] Tracy Barron, "Vote a small victory for Wells, says pundit," *The Evening Telegram*, September 6, 1995, p. 1.
[36] Craig Jackson, "Tobin denies deal made," *The Evening Telegram*, July 10, 1996, p. 1.
[37] *Ready for a Better Tomorrow: Platform of the Liberal Party of Newfoundland and Labrador* (February, 1996), p. 67, as quoted by Graesser, "Education Reform in Newfoundland," p. 30.
[38] Deana Stokes Sullivan, "Churches gave in to get reform rolling," *The Evening Telegram*, May 7, 1996, p.3.

[39] Fallon, April 19, 2001.
[40] Editorial, "Education's set-back," *The Evening Telegram*, April 27, 1996, p. 4.
[41] Deana Stokes Sullivan, "Churches gave in to get reform rolling," *The Evening Telegram*, May 7, 1996, p.3.
[42] Chris Flanagan, "Agreement matches goals says Grimes," *The Evening Telegram*, April 28, 1996, p.2.
[43] Chris Flanagan, "Agreement matches goals says Grimes," *The Evening Telegram*, April 28, 1996, p.2.
[44] Virginia Galt, "School 'reforms' more of the same," *The Globe and Mail*, June 1, 1996, p. A1.
[45] John Murphy, "Parents get final say," *The Evening Telegram*, May 8, 1996, p. 1.
[46] Deana Stokes Sullivan, "Reform losing ground," *The Evening Telegram*, April 23, 1996, p.1.
[47] Steve Wolinetz, notes of September 10, 2001.
[48] Gerry Fallon, April 19, 2001.
[49] Deana Stokes Sullivan, "Slow pace irks Tobin," *The Evening Telegram*, May 8, 1996, p.1.
[50] Gerry Fallon, April 19, 2001.
[51] Gerry Fallon, April 19, 2001.
[52] Deana Stokes Sullivan, "School boards told to cut teaching jobs," April 6, 1996, p. 1.
[53] Janet Henley-Andrews, March 29, 2001.
[54] Ivan Morgan, April 29, 2001.
[55] *Hogan v. Newfoundland School Board*, Newfoundland Supreme Court – Trial Division, 1997 No. St. J. 1433.
[56] *Hogan v. Newfoundland School Board*, paragraph 53.
[57] *Hogan v. Newfoundland School Board*, paragraph 66.
[58] *Hogan v. Newfoundland School Board*, paragraph 84.
[59] Ed Roberts, April 30, 2001.
[60] Craig Jackson, "'Leap of faith' troubles senator," *The Evening Telegram*, July 12, 1996, p. 2.
[61] Deana Stokes Sullivan, "Judge halts school reform," July 9, 1997, p. 1.
[62] Department of Education, Government of Newfoundland & Labrador, Press Release, July 23, 1997.
[63] Editorial, "What next for education reform?" *The Evening Telegram*, July 19, 1997.
[64] Peter Boswell, "Time for another education referendum," *The Evening Telegram*, July 12, 1997, p. 11.
[65] Steve Wolinetz, "Schools mess: Getting there and getting out," *The Evening Telegram*, July 12, 1997, p. 11.
[66] Frank Carroll, "May be time to 'get it right,' says Tobin, *The Evening Telegram*, July 24, 1997, p. 1.
[67] Personal interview with Ivan Morgan, April 29, 2001.
[68] Ivan Morgan, April 29, 2001.
[69] Premier Brian Tobin, "Notes from a province-wide address," July 31, 1997.
[70] Premier Brian Tobin, "Notes from a province-wide address," July 31, 1997.
[71] Janet Henley-Andrews, March 29, 2001.
[72] Executive Council Press Release, Government of Newfoundland & Labrador, August 13, 1997.
[73] Janet Henley-Andrews, March 29, 2001.
[74] Ivan Morgan, April 29, 2001.
[75] Deana Stokes Sullivan, "Group puts Education First," *The Evening Telegram*, August 9, 1997, p. 1.
[76] Ivan Morgan, April 29, 2001.
[77] Deana Stokes Sullivan, "Most MHAs intend to vote Yes," *The Evening Telegram*, August 27, 1997, p. 4.
[78] "Education First The Future is now!" *The Evening Telegram*, August 30, 1997, p. 5.
[79] Craig Jackson, "Grit MHA flips on education reform stand," *The Evening Telegram*, August 2, 1997, p. 3.
[80] Deana Stokes Sullivan, "Pentecostal stand prolongs teacher shuffle," *The Evening Telegram*, July 4, 1997, p. 3.
[81] Deana Stokes Sullivan, "Harvey takes Yes side," *The Evening Telegram*, August 6, 1997, p. 4.
[82] Deana Stokes Sullivan, "Two more churches in favor of single school system," *The Evening Telegram*, August 7, 1997, p. 3.

[83] Bernie Bennett, "Union urges teachers to vote Yes," *The Evening Telegram,* August 26, 1997, p. 4; "School council takes Yes position," *The Evening Telegram,* August 22, 1997, p. 4; Cathy Leblanc, "Single school system best for all," *The Evening Telegram,* August 27, 1997, p. 7.
[84] Editorial, "Education reform endorsements," *The Evening Telegram*, August 9, 1997, p. 10.
[85] Deana Stokes Sullivan, "Tobin comes to terms with wording," *The Evening Telegram*, August 26, 1997, p. 1.
[86] Craig Jackson, "Majority of church leaders support new Term," *The Evening Telegram*, August 26, 1997, p. 1.
[87] Janet Henley-Andrews, March 29, 2001.
[88] Personal interview with Steve Wolintez, July 23, 2001.
[89] Office of the Chief Electoral Officer, "September 2, 1997 Plebiscite Official Results," September 9, 1997.
[90] Phil Warren, April 23, 2001.
[91] Ed Roberts, April 30, 2001.

Chapter 6

THE EDUCATIONAL REFORM POLICY COMMUNITY

6.1 Introduction

This chapter outlines the educational reform policy community in Newfoundland during the 1989-1998 time period. It identifies the members of the community, the relationships between the different actors, and the institutional characteristics of the groups seeking to influence policy. All of this is considered keeping in mind the model of Pross as outlined in Chapter 3.

6.2 Policy Community Characteristics

Stephen Wilks and Maurice Wright define a policy community as "a group of actors or potential actors... whose community membership is defined by a common *policy focus.*"[1] As noted earlier, Pross has characterized these actors into two segments: one, the subgovernment, which is the policy-making body in the field; and two, the attentive public, being those groups who are not in the inner circle: while interested in the policy issue, they are not participating on a regular basis.

6.2.1 Members of the Policy Community

The rivers of interest that converged around the system of education in Newfoundland during the time frame of this study. The policy community consisted of three distinct groups: the provincial government, the churches, and public interest groups

based mainly in the province. There were a number of national groups that sought to influence the provincial government on education, but they did not play a major role other than use what influence they had to exert pressure on the federal government not to acquiesce to the Newfoundland government's request for constitutional change. Within the provincial government, the Premier, the Education Minister, the Department of Education, and Cabinet were the ultimate decision makers, but other departments had a role in the process at different times. For instance, the Department of Justice was very actively involved in seeking legal opinions and assisting in strategizing on the constitutional issues involving the education reform debate.

While it was under the premiership of Brian Tobin that the churches lost all of their constitutional rights in education, the respondents identified Premier Clyde Wells as the most significant actor in education reform. Other prominent actors in the Department of Education that were prominent in the debate identified by the respondents of this study included: Dr. Philip Warren, who not only taught at Memorial University and was the chair of the Warren Commission in the 1960s, but was the Minister of Education; Warren's successors, Chris Decker, a former United Church minister turned businessman, and Roger Grimes, a former President of the Newfoundland & Labrador Teachers Association, had a major impact on education reform. Others of note include: Dr. Leonard Williams, the chairperson of the Williams Commission, who served for a time as the Deputy Minister of the Department; and Dr. Robert Crocker, who resigned as Dean of Education and left his Memorial University professorship to be the Assistant Deputy Minister.

Outside of government there were two groups of actors that sought to influence the government: those that wanted to reform education within the denominational education system and those who wanted to get rid of the denominational system in the process of reforming education. The Roman Catholic Church, the Pentecostal Church, and the Seventh-day Adventist Church all were willing to seek education reform, but only to the extent that the reform would allow the churches to maintain their constitutional rights in education. These churches played a prominent role in mobilizing their constituents to support denominational education. They were assisted by the three Denominational Education Councils (Roman Catholic DEC, Pentecostal DEC, and Integrated DEC). The churches making up the Integrated DEC (Anglican Church, Presbyterian Church, Salvation Army, and United Church) were at first ambiguous as to their desire to retain their constitutional rights; eventually most supported the Government's initiatives to end denominational education.

The Newfoundland & Labrador Teachers' Association (NLTA) had long supported ridding education of church control and influence. The NLTA sponsored public forums to debate the issue. As we will see below, the NLTA was also the training ground for many of the bureaucrats in the Department of Education who were involved in developing policy and strategy.

Other public interest groups included such organizations as the Yes Means Yes Committee/Education First, Newfoundland and Labrador Home and School Federation, Newfoundland and Labrador Human Rights Association, St. John's Board of Trade, and Alliance for Choice in Education. These groups were concerned with human rights,

economic, social, cultural, and educational issues that were not being addressed in the reform process to their satisfaction.

6.2.2 The Pluralist/Policy Community Model

The policy community that emerged around the issue of education reform included a number of provincial government departments, the education community, non-government organizations, public interest groups, national organizations and other individuals with an interest in the system such as parents, teachers and students.

As we have seen, Pross argues that a policy community consists of two compartments: the sub-government and the attentive public. The sub-government contains the actors involved in policy-making. It consists of the government agency most directly involved in setting policy and representatives of a few institutionalized interest groups. The attentive public is composed of government agencies, public interest groups, and individuals such as academics who seek to influence policy but are unable to break into the inner circle.

The most visible actors in the sub-government included: the Ministers of Education, the Williams Commission, the Department of Justice, the church leaders, the Planning and Priorities Committee of Cabinet, the Cabinet, and the NLTA. The NLTA and the church leaders by way of the DECs are perfect examples of what Pross calls institutionalized private sector groups. By virtue of their power and influence they have a seat fairly close to the decision makers.

Pross has observed that the Cabinet, at least at the federal level, is the final decision maker. In this study, there appears to have been a concentration of power with the Premier and the Priorities and Planning Committee ("P&P Committee") of Cabinet that appears to be somewhat at odds with Pross's view. The author has discovered that the Premier worked very closely with the P&P Committee in negotiations with the churches and in deciding what course of action government would follow. "With Clyde Wells," says Decker, "the Planning and Priorities became more of an executive. The role of the P&P Committee under Clyde was much stronger than under Tobin.... It was that committee that was doing the day to day negotiations...."[2] Ultimately, however, Cabinet made the final decision. Thus, while the researcher has put the Cabinet at the centre of the policy community in Figure 6-1, it must be remembered that the P & P Committee played a very prominent role.

As the education reform process gathered momentum, more provincial departments became involved. The Department of Justice became very involved in the meetings with the P&P Committee and the church leaders to deal with constitutional issues on the rights of education. The Department of Finance was called upon to provide accounting estimates of the savings that would be expected from different reforms to the system. The Williams Commission attracted a large number of the attentive public to speak on the issue. As the debate raged and different political moves were made, a number of individuals in the attentive public began to organize. Parents and teachers supporting the Roman Catholic schools organized into Alliance For Choice In Education, while parents

and teachers opposed to denominational rights organized the Yes Means Yes Committee after the first referendum of 1995.

It soon became obvious that some sectors had more influence on the policy than others. It is fair to say that prior to the first referendum of 1995, the Churches were influential in that the Wells' government was cautious in its attempt at reform and provided a means for the churches to maintain, to a limited degree, the right to have unidenominational schools.

At the same time, the NLTA also had the ear of the government through the bureaucracy within the Department of Education and was playing a major role in pushing government policy. Len Williams noted that the NLTA, "...brought forth the weaknesses of the denominational system.[3]

6.2.3 The Role of Government in the Policy Community

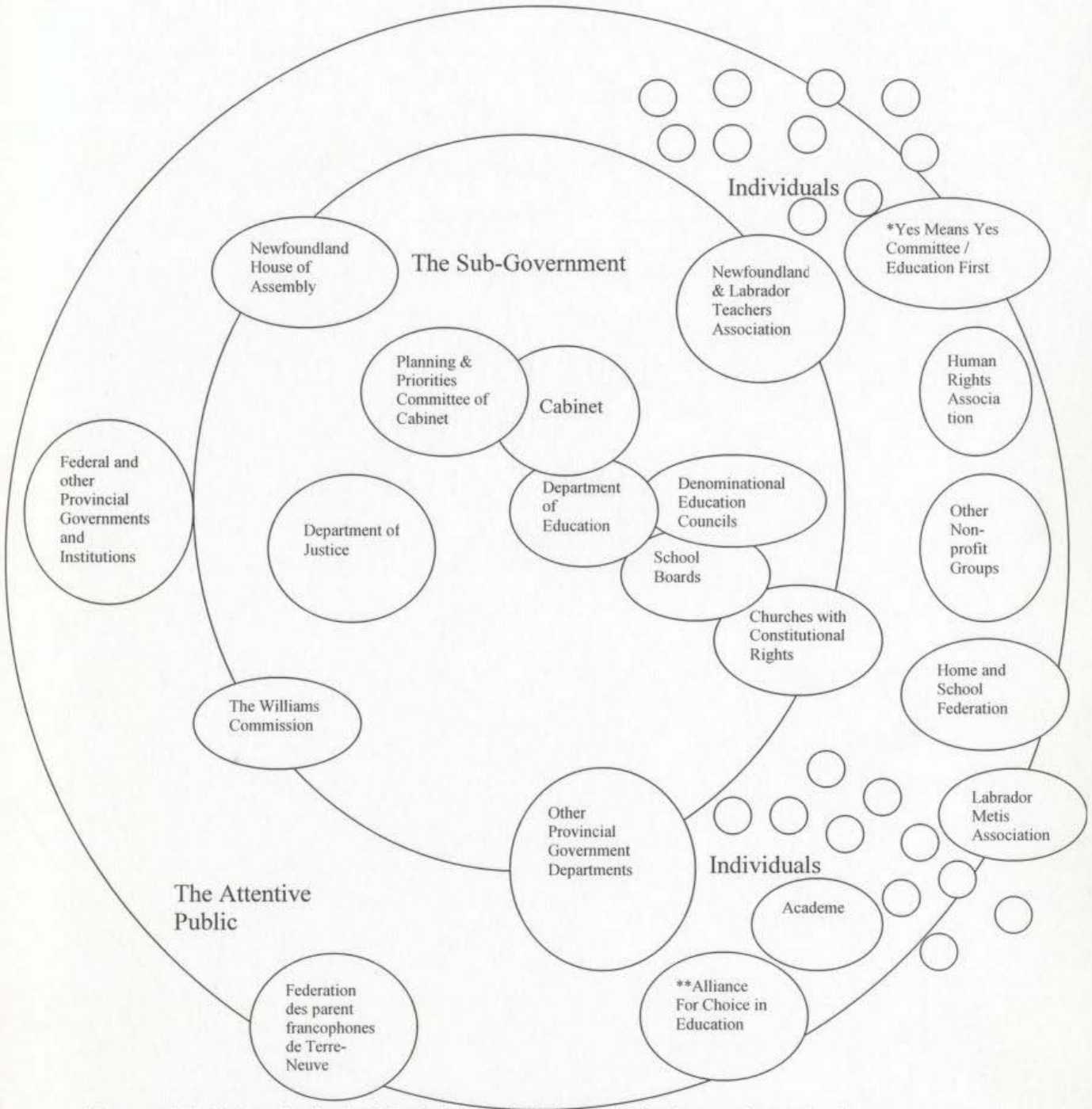
The provincial government by virtue of Section 93 (including Term 17 of the *Newfoundland* Act) of the *Constitution Act, 1867*, is responsible for making and implementing education policy. From the education reforms of the late 1960s to the early 1990s, an increasing number of calls for further education reform were being made. Government was strapped in its ability to unilaterally change the education system without infringing upon one or more of the constitutional rights of the religious denominations. To seek change, the government was forced by the Constitution to seek the agreement of the religious denominations. For those desiring change, this was an

impediment that had to be removed. Even within the Department of Education, there was frustration with how the system operated.

Most individuals within the Department of Education had a teaching background and many had experience with the NLTA – they had a first hand experience of how the system operated. To many, the system was lacking and needed reform. Len Williams noted, "So the Department of Education was very supportive of change I mean recognizing that for many these people in there – the consultants, the curriculum consultants – that was their role to advocate change. They saw themselves as setters of goals."[4]

It was the provincial government's appointment of the Williams Royal Commission, at the behest of Dr. Phil Warren, as noted above, to study the education system and recommend changes that led to the education reform of the 1990's.

Figure 6-1 The Newfoundland Education Policy Community Prior To 1995



*Was created after the first referendum in 1995 and was influential in the second referendum – not in operation today.
**Was created immediately before the first referendum in 1995 – not in operation today.

6.2.4 Major Actors

6.2.4.1 Clyde Wells

While it was ultimately Premier Brian Tobin who called for the second referendum on education in 1997, effectively removing all churches from the education system, all of the respondents in this study have pointed to Clyde Wells as the major actor in this whole debate. He was described as the "catalyst," the person who determined the agenda. Over and over when asked who or what group set the agenda, respondents from both interest groups and government put Clyde Wells as number one. Perhaps the best example was given by Chris Decker who, during the interview, described what happened one day in the Legislature while he and Clyde Wells were in the Opposition and Brian Peckford was Premier. There was a remark from one of the Liberal opposition against the denominational system. Decker tells the story,

> To which Peckford jumps up and "Mr. Speaker," he says, "does the opposition want us to abolish denominational education?" Clear out, you know, let's get this on the table. And we were like a bunch of cowards – everyone of us were frightened right to death because we thought the church had all this power and no one could change it you know. It was only after, I don't know what gave us the power, maybe it was the fact that Clyde was prepared to look at it.[5]

On April 15, 1969, during the debate on the introduction of a new Education Act brought in by the Smallwood government, Clyde Wells made a very poignant speech on why the Act should not pass. It was his argument that the Act allowed for duplication of schools in the small Newfoundland communities and thereby reduced the facilities available to the students – there would not be enough money for a gymnasium, a laboratory, etc. Thus, the education of the children would be compromised. It is also

interesting to note that during this 1969 debate, Wells advocated establishing a commission to travel the province and obtain the views of the people and to bring the matter to a referendum,

> I suggested, however, that a Select Committee might well be set up to hear the views of the people in this province on the necessity for and the possibility of finding a way, a means, to have complete consolidation of our efforts in the field of education and if possible or if deemed appropriate or advisable prepare alternatives that might appear on a referendum to be placed before the people.[6]

What is striking about Wells's 1969 speech is his very personal story of his and his family's educational experience growing up in Newfoundland, how he struggled through university because he did not have a language course while in secondary school, how his brothers and sisters were unable to go to university. Listening to the different respondents in this study, reading the debates in the Legislature, the researcher realized that Wells was not alone in his passion. The actors in this debate may not only have objective philosophical, logical or economic arguments about education reform, but underlying those are real life experiences that has helped shape the debate. "I can only surmise," says Wayne Noseworthy, of the NLTA, "that they shared on an individual basis and I suppose collectively as a government and as an administration or as a caucus really, the types of views that we had as an organization...it was time for radical change.... I mean these people grew up in the system."[7]

The same passion exhibited in the 1969 speech was evident 20 years later as Premier. Wells wanted change and was determined to put the matter on the agenda to be dealt with one way or another. There has been some speculation about whether he wanted to get rid

of the denominational system altogether or whether he was simply interested in reform for the sake of efficiency and economy. Chris Decker claims to have been the radical in Well's cabinet who wanted the denominational system abolished altogether. Decker notes that at one point early in the process he was in an argument with Wells over the pace of change. Decker felt Wells was dragging his feet,

> It was just the two of us in the room. I accused him of not going far enough and that he was too slow with it. He sort of thought I was being too hasty you know. I just remember bits and pieces of the conversation but one sentence he said was, "Look, I want to go just as far as you do but can we take the chance?" What he was afraid of was if we go for broke, get the churches out, go for the referendum get them out of the system, he was afraid we would lose. And he said, "If we lose the referendum it will be fifty years before you get another government who has got the nerve to even tackle the issue again." And I suppose he was right.

Decker further stated, "Had they (the churches with the rights) said, 'We're prepared to go with one inter-denominational system and make provisions for the non-adherents to have representation on the boards' – I think Clyde Wells would have jumped for it." From all of this it would appear that Clyde Wells's approach was to have a one school system, preferably a non-denominational system, but failing that a one inter-denominational system.

"It demanded some courage," says Phil Warren, "on the government to decide to take this issue on."[8]

6.2.4.2 Williams Commission

The appointment of the Williams Commission in 1990 provided the government an opportunity to educate the public about the issues facing education. Dr. Phil Warren,

while Minister of Education under Clyde Wells, convinced Cabinet to appoint another commission to study education. "One of the arguments," says Warren, "for using a commission of course is that it involves other people who are "expert"; it provides visibility; it provides an opportunity for public participation and perhaps public education."[9] The Williams Commission played a pivotal role in bringing education reform to the public forefront.

The final recommendations of the Commission set the terms of the debate for the ensuing years. It was the attempt by government to implement the recommendations concerning the denominational aspect of the education system that led to the very contentious struggle between the churches and government – finally leading to the two referenda that removed the churches altogether.

The government respondents saw the Commission's report as confirming their suspicions as to the ailments of the denominational system. The church respondents on the other hand saw the Commission as a smoke screen by a government that was intent on removing their constitutional rights from the outset. The NLTA saw the Commission as a fulfillment of their long time demand to government for such a study and was long overdue.

The Commission's primary role was to outline the frame of reference for the government to follow in pursuing education reform. The Commission's report became the government's yardstick to measure all outcomes by.

6.2.4.3 The Churches

The churches were a divided lot and at times faced internal divisions between clergy and laity. The churches consisted of two camps, while the Government saw them as one group. One camp favored the denominational system – they were the Roman Catholic, Pentecostal, and Seventh-day Adventist Churches. The churches in the other camp were either indifferent to or openly against the denominational system – they included the Anglican, United, Salvation Army, and Presbyterian Churches, known as the "Integrated churches." It is interesting to note that in the minds of government the churches were lumped together in one pot. Very little negotiation occurred one on one between the government and one church at a time. The government approached them and met with them as a single group.[10]

The divisions between the Integrated churches and the other three churches became more evident as time went on. During the early negotiations with government, the churches appeared to have a common front. So much so that members of the government felt that their own churches "let them down". For instance Chris Decker, who was once a United Church minister, never "forgave" his church for supporting the denominational system during the early negotiations when the official United Church policy was in favor of one secular public system of education. "It was hypocritical," said Decker, "they really failed."[11] The common front did not come easily. There were a lot of discussions between the Integrated churches and the others over the issue. At one point, Dr. Hector Swain, leader of the United Church, openly stated, during a meeting of the church leaders, that it was a great opportunity to finally get rid of the denominational system.

The DEC leaders convinced him it would never be a good time to get rid of the system and he gave tacit support. Another leader who was vehemently opposed to the publicly supported denominational system replaced Swain.[12]

The Integrated Church leaders were often in an embarrassing situation after having agreed with the other church leaders on strategy and policy vis-a-vis the government, only to face a hostile church membership. The Presbyterians had to back track on at least one occasion, because their lay members rejected the churches' proposal to government, believing it was not going to save government enough money.[13] There were other incidents where the Integrated Church leaders were at odds with their own Education Council personnel. George Morgan noted his discussion with Dr. Tom Pope of the Integrated Education Council. "It was quite a shock to him to discover all these years he thought he was doing something worthwhile for the Anglicans and during the referendum he was made aware the church leaders - the Archbishop and the Synod couldn't care less about losing their education. He realized that his agenda and theirs was quite different."[14]

By the time the second referendum was called by Premier Brian Tobin, the Integrated churches were publicly calling on the Pentecostal Church not to exercise their constitutional rights.[15] The Roman Catholic respondents noted with some disdain that they lost their constitutional rights due in no small part to what they viewed as the intransigence of the Integrated churches.

Gerry Fallon stated that during the discussions between the churches and government after the Williams Commission report, government was prepared to allow for the

continuation of Catholic and Pentecostal schools where numbers warrant if the Integrated schools became the general school system. He states,

> They (the Integrated churches) said, "We'll give up our rights in education if the Catholics and Pentecostals give up theirs." So there was a real problem at that particular time and in my view and I believe it to this day that we lost our system because the Integrated denominations did not wish to see the denominational system continue but were not willing to allow us to have our schools, our Catholic schools and the Pentecostals have their schools.[16]

The Roman Catholic and the Pentecostal Churches led the charge for the right to retain denominational schools. While the Seventh-day Adventist Church also sought to maintain the right, it was too insignificant in size and influence to hold much sway over the government. "[The Seventh-day Adventist] cause," said Decker, "was totally unrealistic."[17]

6.2.4.4 Newfoundland & Labrador Teachers Association

Founded in 1890, the Newfoundland and Labrador Teachers' Association is the teachers labor union for the province. It currently has 8,000 members, with offices located in St. John's. The Association provides numerous services to teachers through various professional divisions. The NLTA has an Executive Council consisting of 12 members, 52 Branches and 21 Special Interest Councils. The Association is affiliated with Education International (EI), representing teachers around the world, and the Canadian Teachers' Federation (CTF), representing the 220,000 teachers in Canada.

The NLTA played a pivotal role in the education reform. For years, the NLTA had fomented for reform. In 1986, the NLTA organized a conference on the education

system in Newfoundland. The conference gathered "all of the major players" together and the NLTA used the forum as a public staging of their views.[18] Two areas of reform were necessary for the NLTA – one was duplication associated with the denominational system and the second was the human rights issues of the teachers.

In May 1986, the NLTA submitted a brief to the provincial government entitled "Exploring New Pathways" that outlined the need to review the flaw of the education system. The flaw of "isolation by denomination" if not corrected, they argued, would ultimately "lead to the dismantling of the system." The NLTA was willing to allow a "church-influenced education" but demanded that reform of the system for "the best possible education" was necessary. The brief then concluded:

> The provincial government should establish a Royal Commission with the broad mandate of examining the administrative and economic disadvantage of the current denominational system and provide recommendations for improvement.[19]

The Peckford Government assured the NLTA that such a study would be carried out, but Government soon changed hands and the NLTA had to get the ear of Clyde Wells and Phil Warren.[20] That, in the end, was not too difficult.

Wayne Noseworthy, the current Executive Director of the NLTA, argued that the NLTA was "THE main lobby force to see that we had a system that was based on functionality as opposed to denominationalism."[21] Len Williams, who not only served as the chair of the Williams Commission, but served at one time as president of the NLTA, stated that the NLTA "brought forth the weaknesses of the denominational system." They were appalled at the treatment of teachers by the denominations – teachers were

being fired because they changed religions or married outside of their religious communion. Such things "in the late 1980s, 1990s was an anathema to society." Williams continued,

> But that wasn't their only concern – the denominations. They were really concerned about under resourcing, protection of teachers, inadequate number of teachers, and they were the most organized and best financed and politically best organized organization to articulate because they had a tremendous reputation with the media and in the province and a very powerful, powerful influence with politicians.[22]

While the NLTA is credited with having called on government to establish a Royal Commission to study the denominational system, they were not seeking to abolish the system altogether. What they wanted, says Wayne Noseworthy was a "unified system" and a system that would respect the human rights of the teachers. "I think the radical change, the very swift change that came about, you know, particularly with regard to the two referenda surprised everybody, including ourselves."[23]

From the government's perspective, the NLTA did not help them during the referenda debates. Chris Decker said unequivocally the NLTA did not play

> any part whatsoever. They're pretending that they did but they played none. They were frightened right to death. They would only comment when they were absolutely certain that they had the majority support of the people. I used to get phone calls from people who said there Catholic teachers and Pentecostal teachers, and I believe they were and they'd say, "Look Decker I cannot, I'm afraid to go public it's my job, but for god's sake," and I remember one guy was passionate – I'm sure he was a teacher, he didn't give me a name but he said, "You're the only thing that stands between them and us....
>
> But the official position of the NTA (sic) was so compromised they didn't want to offend the Catholics, didn't want to offend the Pentecostals, didn't want to offend the Integrated. The only time they took a firm stand I believe was after. Even in the referendum remember they didn't play any active stand in the first referendum we had and I am not even aware of them playing a major role in the second referendum.

> So the NTA (sic) cannot take any credit for this, in my opinion. In my opinion they could have, they had an opportunity, but I suppose NTA (sic) represented Catholic, Pentecostal, and Integrated teachers and they just couldn't come out and be as strong as individual teachers would have liked so they tried to have a position that was so compromised that it was really no better than the one that the United Church held because its position was so compromised that they sold themselves so short.[24]

While the NLTA may not have assisted the government during the education debate (or at least to the government's expectation), it did lay the groundwork for the debate. It is suggested that without the NLTA's insistence on reform throughout the years, the government may not have dealt with the issue. The words, "may not" are used because we cannot overstate the role that personality played in the whole scheme of things – namely Clyde Wells. Would reform have happened anyway were it not for Clyde Wells? Wayne Noseworthy is of the view that change was inevitable simply because of the loss of student population, and the shrinking outport communities.[25] While change may have been inevitable because of demographics and economics, the total removal of churches from the system was not necessarily inevitable.

6.2.5 Minor Actors

6.2.5.1 Federation de parent francophone de Terre-Neuve et du Labrador

This group was primarily interested in maintaining their own specific linguistic rights under the Constitution. They wanted the assurance from government that a francophone school board would be established to protect their linguistic rights. They got that assurance on February 28, 1997, when Premier Tobin and Deputy Prime Minister

and Minister of Canadian Heritage Sheila Copps announced a six-year agreement to support the establishment of a francophone school board.[26] "I've been involved in this since the mid-70s," said Joe Benoit, principal of Ecole St. Anne's all grade school in Mainland, "and our ultimate goal was to get governance for our own schools, which we did."[27]

6.2.5.2 "Yes Means Yes" Committee – Education First

This ad hoc group arose after the first referendum. Their existence is further evidence of the confusion surrounding the referendum question of 1995. Many people were of the view that the results of the 1995 referendum meant that churches no longer had any rights with respect to school administration. When it appeared that government was going to allow some Pentecostal and Catholic schools to still exist, the "Yes Means Yes Committee" was organized to put public pressure on the government not to allow any public church run schools to exist.

When the 1997 referendum was called, the Yes Means Yes Committee joined up with the Human Rights Association and the Home and School Federation to form the "Education First" group.[28] This group, while non-partisan, was nevertheless seen as supportive of the government and at one point the government considered funding them – but never did.[29] Its membership was ad hoc – and soon after the referendum the group disbanded having accomplished their objective of a Yes victory. The finances were sparse – there were a number of private donations of such things as use of cell phones and office space, but no substantial means of any sort.

6.2.5.3 Newfoundland and Labrador Home and School Federation

This group was made up of parents and teachers concerned about the financial resources of the schools. The Home and School Federation was a Federation of Home and School Associations, usually 40-50 of them.[30] Though they did not have a major role in influencing government policy, they were seen as sympathetic to government's cause of reform. Very limited in financial resources, they did have significant leadership. Professor Steve Wolinetz of Memorial University's Department of Political Science was identified by a number of respondents as being involved as a public spokesperson. His role was to keep the issue on the agenda. As Decker pointed out, the teachers amongst the membership of the Home and School Federation were loathe to publicly state their views. "You could get the individual member of the Home and School Association (sic)," said Decker, "who thought we were doing the right thing but they had the official party line to stand by."[31] Wolinetz had the freedom to speak without fear of losing his job, as others in the Federation could not.

6.2.5.4 Newfoundland and Labrador Human Rights Association

This organization was founded in 1969, with one of its main goals being the removal of churches from any influence or control in the education system. Government saw their public pronouncements as counter-productive. They were radical and seen by government as a hindrance to the cause of education reform. "I used to like what they

were saying," said Chris Decker, "I believe they were right." But the problem was what they were saying "weren't the right things to be saying in the middle of the debate."[32]

6.2.5.5 St. John's Board of Trade

Government saw the Board of Trade as allies but not of any real force. They were concerned that the system provide an education that would ensure that the work force of the province was competitive in the new technologies.

6.2.5.6 Alliance for Choice in Education

This Roman Catholic group, led by St. John's lawyer Janet Henley-Andrews, was supportive of the Church rights to a publicly funded education system. They recognized that in the outlying areas of the province there had to be an elimination of duplication – a greater sharing of the resources to ensure proper education facilities. However, in the larger centres such as St. John's, Corner Brook, Grand Falls, and Gander, they argued that the populations were sufficient to allow for the running of separate church schools.

Though a small group, they were nevertheless successful in appearing before the parliamentary committees, and participating in interviews on radio and television. For being a small group they were a vocal group. While they felt they had influence with government, the government thought otherwise. "Alliance For Choice meant one thing to that particular group," said Chris Decker, "but it did not mean the same thing for me because to me there was no choice."[33]

6.3 Institutional Characteristics

Analysis of a group's institutional characteristics, according to Pross, indicates its potential for influence. Characteristics such as membership, resources, organizational structure and outputs (i.e. newsletters, briefs, and delegations) explain the group's ability to influence government. While the information on the major and minor players is not exhaustive, it is, nevertheless, sufficient to enable the researcher to come up with generalizations that are helpful. To be more accurate, one would have to go beyond the overview presented by this study.

6.3.1 Membership

When analyzing the memberships of the groups in our study, we are able to establish the following:

Table 6-1 Interest Group Membership

Roman Catholic Church	209,000*
Anglican Church	148,000*
United Church	97,000*
Pentecostal Church	40,000*
Presbyterian Church	2,200*
Salvation Army	44,350*
Seventh-day Adventist Church	700**
NLTA	8,000***
Yes Means Yes Committee-Education First	No set membership – 30 people at average meeting i
Human Rights Association	No set membership 15 on Board elected at annual meeting[34] ii
Federation des parent francophones	Unknown
Home and School Federation	40-50 iii
Alliance For Choice	No set membership – core group of 20 iv

* Statistics Canada, 1991 Census. **SDA Church in Newfoundland & Labrador. ***Wayne Noseworthy.
i Ivan Morgan. ii Ivan Morgan. iii Steve Wolinetz iv Janet Henley-Andrews.

6.3.2 Resources

Those groups involved in the education debate can be classified into two distinctive parts – "the haves" and "the have-nots". Among the haves would be the churches and the NLTA. They had the finances, the personnel and the volunteer support that other groups could only dream about. The have-nots included the Human Rights Association, the Home and School Federation, Yes Means Yes Committee, and Alliance For Choice In Education. However, such have-nots did have access to government, media, and a very competent volunteer pool. The resource capacity of the Metis Association and the Federation des parent francophones has not been established. However, given that it was not until February 1997 that the Federation de parent francophone received government funding, speculation is that there was very limited funding.

6.3.2.1 Finances

There can be no doubt that the churches (particularly the Roman Catholic and Pentecostal Churches) had the financial wherewithal to get the expertise to produce policy papers, legal opinions of their respective positions in the debate, the personnel to lobby the government, and to take part in a public awareness campaign. This was particularly evident during the first referendum process. During the first referendum in 1995, the Roman Catholic and Pentecostal Denominational Committees hired Leo Power and nine others to organize a political campaign for the "No" side.[35]

During the second referendum in 1997, the churches did not organize a campaign. It appeared the churches had run out of steam and money to fight.[36] However, the "Yes"

side in the 1997 referendum were organized, and while they did not receive direct funding there were indirect funds going their way – they received such things as cell phones to assist in their campaign.

By 1997, the Integrated churches were clearly on the Yes side and the Roman Catholic, Pentecostal, and the Seventh-day Adventist Churches were without the financial assistance of the Denominational Educational Committees. It should also be remembered that under the *Income Tax Act*, the churches, in order to maintain charitable status, are limited in their political involvement.[37] Nevertheless, with the exception of government and the NLTA, the churches were the only groups with the means to obtain the legal counsel and personnel within the church school boards devoted to the issue of education reform. They had the capability to research issues, consult their membership, lobby government, and gain an expertise into the complexities of government maneuvers during the reform process.

The Human Rights Association; Yes Means Yes Committee-Education First, Parent des Francophone, Home and School Federation, and Alliance For Choice had very limited funding. They had no choice but rely upon volunteers who were ideologically and philosophically on their side. Ivan Morgan of the Human Rights Association stated,

> There is no source of funding. Because of the fact that we are a private, nonprofit organization we exist on project funding and so we're constantly searching for projects and then doing projects in order to survive.[38]

However, during the 1997 referendum, as noted above, the Education First group did receive indirect assistance from the government, such as executive assistants assigned to

the group's headquarters to assist in the organization and running of the Yes campaign. "Education First had at best MINOR government assistance," says Steve Wolinetz, "one 'suit' was involved from time to time, but was kind of useless."

The only Yes side group with any means was the NLTA. As Wayne Noseworthy of the NLTA put it,

> We were, this sounds a little bit self-serving I suppose as an organization, but we were the only organization, of any consequence, of any size, of any resource base, and with any political influence that would have had the ability to cause this to happen. I mean for years the Human Rights Association would have cried foul with respect to the what we would call the ill treatment of our members based upon denominational bias and so on but they had no power to influence the agenda - we did. I think we did and I think this reform would not have started as it did. It would not have proceeded as rapidly as it did if we hadn't given it a really strong kick-start in the late '80s. That is my personal assessment.[39]

For further information the following table is provided:

Table 6-2 Interest Group Finances

Group	Yearly Budget
Roman Catholic Church	Unknown
Anglican Church	Unknown
United Church	Unknown
Pentecostal Church	$17,000,000.00 I
Presbyterian Church	Unknown
Salvation Army	Unknown
Seventh-day Adventist Church	Unknown
NLTA	$3,000,000.00 ii
Yes Means Yes Comm ittee – Education First	No budget
Human Rights Association	No budget – Project funding iii
Federation des parent francophones	No funding until 1997 iv
Home and School Federation	$15,000.00 v
Alliance For Choice	No budget vi

i Pastor Earl Batstone. ii Wayne Noseworthy. iii Ivan Morgan. iv Information gathered from newspaper accounts. v Eva Whitmore. vi Janet Henley-Andrews.

6.3.2.2 Volunteers

Most church work is carried on by volunteers. It was evident throughout the education debate that the churches mobilized a number of volunteers for the purposes of writing letters, making phone calls to open line shows, making appearances before government committees and general lobbying of government. However, the churches were able to rely upon paid staff to put forward their viewpoints. The executive directors of the respective Denominational Education Councils had the time and the means to organize the church volunteers for the public and private campaign of influencing government.

Other groups such as the Human Rights Association, Yes Means Yes Committee-Education First, Parent des Francophone, Home and School Federation, Alliance For Choice, depended totally on volunteer support. Their volunteer assistance was fluid, with many assisting for short "spurts" at a time. However, they were dedicated – spending many nights arguing and debating the moves for the following day.

6.3.2.3 Leaders

The effectiveness of the groups depended upon their respective leadership. The leaders of the interest groups were committed to their organizations. Especially was that so among the minor actors. They did not receive any remuneration for their efforts – they were motivated by ideology, religious affiliation or lack thereof, by their own experiences with the school system, and their own children's futures. There are times in public matters where money ceases to be a motivator and instead passion reins as the supreme

motivation. The passion exhibited by both the Yes and the No sides of this debate is indicative.

The leadership of the Integrated churches showed evidence of divided loyalties. On the one hand, there was some desire to maintain Term 17 rights; yet, on the other, they were forced by their constituents to acquiesce to the government's demands to get out of school administration. This "waffling" by the Integrated churches caused them to lose some credibility by, first, their own constituency and, then, later, by the other churches, particularly the Roman Catholic and Pentecostal churches.

The amount of time interest group leaders spent on education reform varied from group to group. For instance, the leadership of the minor actors included teachers, lawyers, university professors and so on – each with their own careers and responsibilities. They simply did not have the means to devote full time personnel on the issue. The churches, especially the Roman Catholic and Pentecostal leadership, did have full time personnel working with the reform issue.

6.3.3 Group Structure

Pross argues that a group's potential for political influence increases with a strong organizational structure. It allows the group to carry the necessary work in getting their point across to the key government policy and decision makers. Pross highlights five characteristics that indicate organizational strength: aggregative capacity (the ability to establish internal agreement), articulative capacity (the ability to communicate), strategic capacity (the ability to forecast and plan), mobilization capacity (the ability to

consistently contact government), and coalitional capacity (ability to network through regular contact with other groups).

6.3.3.1 Aggregative Capacity

The Roman Catholic, Pentecostal, and Seventh-day Adventist Churches each had the ability to maintain a fairly stable internal agreement. Of these three, the Roman Catholic leadership had the most difficulty in reaching agreement between themselves and the laity. "There are many Roman Catholics who do not look at church authority in quite the same way as they used to," said Bon Fagan.[40] He noted that influential laity did not support the church.

The Roman Catholic Church was going through its own internal struggle over the Mount Cashel affair involving the Christian Brothers' abuse of young boys and the high profile clergy abuse cases. Gerry Fallon notes:

> But even within the Catholic church itself the people themselves were tired of it all and they were fed up with it all and they themselves, when the time came to stand up and fight for Catholic schools, they just didn't support the church authorities in that regard. So there was a kind of a weakening there. I mean, I think the people felt if you can't get your own house in order and if you can't control members of your own clergy then why should you have a right to decide on how teachers should live, for example, you know, which was a major, certification of teachers and determining teacher lifestyle, and things of that nature making decisions on teacher lifestyle was a major issue as well.[41]

The Integrated Church leadership on the other hand had pressure from their respective constituents for unnecessarily holding out and maintaining a power struggle with government. Each of these churches eventually came to the realization that they could no longer hold on to their education rights and were willing to let them go. In speaking

before the Senate, the Right Reverend Donald Harvey, Archbishop of the Anglican Church, stated,

> Our hope now is that this bill will be passed and that the government, with its new authority, will listen to the dictates of its people as they attempt to frame a system which will embody the best of the past while providing for efficiency and consolidation to meet the rapidly changing demographics of this province.[42]

The NLTA's ability to build internal agreement was strong. The NLTA executive through its various committees and public forums focused on two central issues: efficiency and human rights of their members. There were internal struggles as teachers in the province were strongly committed to their churches; however, in the end, the NLTA was able to settle on these two issues of concern.[43]

6.3.3.2 Articulative Capacity

Since the interest groups were composed of and were led by professionals, they were able to articulate their respective positions as the debate unfolded. These interest groups made presentations to the various government committees, and were involved in public debates, radio talk shows, and television interviews.

The Education First group, for example, could draw on a variety of professional skills. They had the assistance of Professor Steve Wolinetz and Tom Hann during the 1997 Referendum campaign preparing press releases and other publicity work. The churches had the ability to hire lawyers for preparation of briefs and legal opinions. The churches and government met on a regular basis in their attempts for a negotiated settlement. From the examination of the public records it would appear that all of the interested parties had the ability and the means to get their points across. The media,

especially *The Evening Telegram*, carried extensive coverage of the debate within its pages – columnists both for and against had the opportunity to present their positions.

6.3.3.3 Strategic Capacity

From the beginning of 1989-1990, at the time of the announcement of the Williams Commission, the churches through means of the Denominational Education Committees were able to strategize how to best deal with the emerging problem of government seeking to remove their role in the school system. There were numerous strategy meetings between the officials of the various churches meeting separately from government. They met to organize a common front. "All of the denominations representing 97 percent of the populations were on side," noted Gerry Fallon, "and did not wish to see government remove constitutional rights in education at that particular point."[44] There were also strategy meetings among the Integrated school boards and their respective churches. These boards strongly advocated for the removal of the churches from the system and eventually the Integrated churches came to agree. An example of this occurred with the Framework Agreement in the Spring of 1996.[45]

The NLTA was strategizing throughout the 1980s and 1990s as to how to deal with the different education reform developments.

For many minor actors, strategy meetings did not occur in a serious way until the heat of the referendum campaigns. Especially was this so during the 1997 Referendum. Education First strategy meetings occurred each evening. Ivan Morgan noted that each

evening they discussed the day's events. They worked in concert with Keith Coombs who in turn kept in touch with Tobin and Grimes.[46]

6.3.3.4 Mobilization Capacity

The Roman Catholic and Pentecostal Churches used their ability to mobilize constituents to get involved in the process. An organized campaign sought to influence the Williams Commission – some "Three-quarters of all the briefs supported the existing system."[47] The churches organized mass letter campaigns to the government, letters to the editors of the local and provincial newspapers, and phone calls to the radio open line shows. It was evident from the respondents of these churches that as time moved on their people lost the momentum. They were simply "tired of it all" – they organized to influence the Williams Commission, they sought influence by writing letters to the government, they fought the 1995 Referendum, they organized during the school designation process, and by the time they had to face another referendum in 1997, there was very little left.

On the Yes side, as time moved on momentum increased. They gradually became more organized. The members of the Integrated schools, the boards and the churches, came to the realization that they must work harder during the 1997 Referendum to ensure that they "got it right." The Integrated Church leaders called on the public to vote yes.[48] During the first referendum, the NLTA stayed more on the sidelines, arguing only that people get out and vote. By the time of the second referendum, the NLTA were advocating that the public vote yes. The NLTA president said that the NLTA leadership

"felt compelled to respond to the expressed needs and concerns of its membership by pledging support for the Yes side."[49] Even the Liberal back benchers who had been sympathetic to the churches in 1995 were backing the government without reservations in 1997 – obviously there was nothing to fear from the electorate on the issue.[50]

6.3.3.5 Coalitional Capacity

At the beginning of the period, i.e. 1989-90, the churches were able to present a united front. However, as the process continued, as presented throughout this paper, the churches were unable to agree amongst themselves and eventually split on the Yes and the No sides during the referenda campaigns. The Roman Catholic, Pentecostal and Seventh-day Adventist Churches came to find themselves more and more marginalized. They lost momentum and the ability to build coalitions.

The Education First coalition was an amalgam of just about all of the minor actors along with some indirect support from the Newfoundland Government. Clearly, they were capable of building bridges – even with a number of the Integrated churches, who at one time supported the church right to school involvement, but by 1997 were supporters of the "Yes" side. It may be argued that this development in 1997 was a key contributor to the success the "Yes" side achieved.

6.3.4 Group Outputs

Pross suggests that the outputs of a group are important for strengthening the group itself and in its ability to influence the decision makers.[51] From the evidence of the

respondents and the information on the public record, the churches, particularly the Roman Catholic and Pentecostal Churches, the NLTA, and the Integrated churches and groups had by far the greater amount of outputs. They were presenting positions at every available opportunity. The pastoral letters from the church leaders, and articles in their respective church newspapers, were all an attempt to keep their memberships informed as to the issues.

While it is difficult to gauge the success of such efforts, there were times when the "mass letters" sent to government had a negative effect on government. Chris Decker recalls receiving a letter from a young girl and was outraged that a child could be "manipulated" into writing a letter for something she did not know anything about.

6.3.5 Group Goals In Education Reform

Information gathered from the respondents, the media, and the public record has allowed me to construct the table of interest groups and their respective goals that follows.

Table 6-3 Interest Group Goals

Group	Goals
Roman Catholic Church	Reform while maintaining constitutional rights
Anglican Church	At first reform while maintaining constitutional rights – then changed to reform without constitutional rights
United Church	At first reform while maintaining constitutional rights – then changed to reform without constitutional rights
Pentecostal Church	Reform while maintaining constitutional rights
Presbyterian Church	At first reform while maintaining constitutional rights – then changed to reform without constitutional rights; but schools maintain a "Christian character"
Salvation Army	At first reform while maintaining constitutional rights – then changed to reform without constitutional rights; but schools maintain a "Christian character"
Seventh-day Adventist Church	Reform while maintaining constitutional rights; per capita funding for schools
NLTA	Unified school system for greater efficiency and use of resources; removal of churches dominance over hiring and firing teachers; not necessarily the removal of churches from education
Yes Means Yes Committee – Education First	A single secular public school system – no church involvement
Human Rights Association	A single secular public school system – no church involvement
Federation des parent francophones	Recognition of right to a publicly funded French school board
Home and School Federation	Unified school system for greater efficiency and use of resources
Alliance For Choice	Public funding of denominational schools where such schools would be viable

Based upon the above information, the interest groups have been placed within the Institutional Continuum Framework on the following page:

Figure 6-2
The Institutionalizaton Continuum Framework

Categories	Group Characteristics							
	Objectives				Organizational Features			
	single, narrowly defined	multiple but closely related	multiple, broadly defined & collective	multiple, broadly defined collective & selective	small membership no paid staff	membership can support small staff	alliances with other groups/staff includes professionals	Extensive human and financial resources
Institution-alized				Roman Catholic Church; Pentecostal Church; Seventh-day Adventist Church; United Church; Anglican Church; Presbyterian Church; Salvation Army; Newfoundland & Labrador Teachers Association				Roman Catholic Church (209 000); Pentecostal Church (40,000); United Church (97,000); Anglican Church (148,000); Salvation Army (44,000); Newfoundland & Labrador Teachers Association (8,000)
Mature			Newfoundland & Labrador Human Rights Association					
Fledgling		Home and School Federation				Seventh-day Adventist Church (700); Presbyterian Church (2,200.)		
Nascent	Yes Means Yes Committee; Alliance For Choice in Education; Federation des parent francophones de Terre-Neuve et du Labrador;				Yes Means Yes Committee; Alliance For Choice In Education ; Newfoundland & Labrador Human Rights Association; Federation des parent francophones de Terre-Neuve et du Labrador; Newfoundland & Labrador Home & School Federation			

6.4 Conclusion

Strong institutional characteristics, as identified by Pross, have shown the relative strength of the interested parties. While the Roman Catholic and Pentecostal Churches have to be seen as the strongest influencers in public policy of all the churches with the

Term 17 rights, they were ultimately unsuccessful. The minor actors such as the Education First group were less developed institutionally, but yet made a profound impact on the debate.

Groups on the Yes side and the No side were effective in identifying and articulating their goals and objectives in the debate. Depending on the time in the process, one can see that most of the groups had considerable success in mobilizing and building coalitions to achieve those goals. It came down to a horse race – with the momentum clearly in favour of the Yes side.

References

[1] George Morgan, March 26, 2001.
[2] Chris Decker, April 1, 2001.
[3] Len Williams, April 19, 2001.
[4] Len Williams, April 19, 2001.
[5] Chris Decker, April 1, 2001.
[6] Province of Newfoundland, *Hansard*, April 15, 1969, Tape #15, pages 3-4.
[7] Wayne Noseworthy, March 29, 2001.
[8] Phil Warren, April 23, 2001.
[9] Phil Warren, April 23, 2001.
[10] Chris Decker, April 1, 2001.
[11] Chris Decker, April 1, 2001.
[12] George Morgan, March 26, 2001.
[13] George Morgan, March 26, 2001.
[14] George Morgan, March 26, 2001.
[15] Deana Stokes Sullivan, "Pentecostal stand prolongs teacher shuffle," *The Evening Telegram*, July 4, 1997, p. 3.
[16] Gerry Fallon, April 19, 2001.
[17] Chris Decker, April 1, 2001.
[18] Wayne Noseworthy, March 29, 2001.
[19] The Newfoundland and Labrador Teachers' Association, *Briefing Notes for a Meeting Between The Senated Standing Committee on Legal and Constitutional Affairs and The Newfoundland and Labrador Teachers' Association*, July 10, 1996, pp. 4-5.
[20] "Briefing Notes For a Meeting Between The Senate Standing Committee on Legal and Constitutional Affairs and The Newfoundland and Labrador Teachers' Association," July 10, 1996, page 5.
[21] Wayne Noseworthy, March 29, 2001.
[22] Leonard Williams, April 19, 2001.
[23] Wayne Noseworthy, March 29, 2001.
[24] Chris Decker, April 1, 2001.
[25] Wayne Noseworthy, March 29, 2001.
[26] Executive Council Press Release, February 28, 1997.
[27] Quoted in Craig Jackson, "Francophone education protected: Tobin," *The Evening Telegram*, August 13, 1997, page 3.
[28] Deana Stokes Sullivan, "Group Puts Education First," *The Evening Telegram*, August 9, 1997, page 1.
[29] Chris Decker, April 1, 2001.
[30] Notes from Steve Wolinetz.
[31] Chris Decker, April 1, 2001.
[32] Chris Decker, April 1, 2001.
[33] Chris Decker, April 1, 2001.
[34] The NLHRA website states, "The Board of Directors of the Newfoundland-Labrador Human Rights Association is elected annually at the Annual General Meeting held during the early part of December to coincide with International Human Rights Day. The composition of the Board includes representatives from various sectors of the community. The Board meets every month except in July. Whenever there are agenda items that require more deliberation, special meetings are scheduled. In addition, various Board members sit on special committees to supervise major projects or to develop positions on important themes." http://www.stemnet.nf.ca/nlhra/About percent20Us/bod.htm
[35] David Sorensen, "Leo Power – a man with a mission," *The Express*, August 23, 1995, page 5.
[36] Craig Jackson, "Pundits speculate on No side strategy," *The Evening Telegram*, August 19, 1997, page 3.
[37] See Information Circular 87-1, *Registered Charities - Ancillary and Incidental Political Activities*.

[38] Ivan Morgan, April 29, 2001.
[39] Wayne Noseworthy, March 29, 2001.
[40] Personal interview with Bonaventure Fagan, April 14, 2001.
[41] Gerry Fallon, April 19, 2001.
[42] Unrevised Hansard of The Standing Senate Committee on Legal and Constitutional Affairs, July 10, 1996, p. 8.
[43] Personal interview with Wayne Noseworthy, March 29, 2001.
[44] Gerry Fallon, April 19, 2001.
[45] Deana Stokes Sullivan, "Churches gave in to get reform rolling," *The Evening Telegram*, May 7, 1996, p.3.
[46] Ivan Morgan, April 29, 2001.
[47] *Our Children, Our Future*, p. 14.
[48] See: Craig Jackson, "Majority of church leaders support new Term," *The Evening Telegram,* August 26, 1997, p. 1; Deana Stokes Sullivan, "Two more churches in favor of single school system," *The Evening Telegram*, August 7, 1997, p. 3; Deana Stokes Sullivan, "Harvey takes Yes side," *The Evening Telegram*, August 6, 1997, p. 4.
[49] Bernie Bennett, "Union urges teachers to vote Yes," *The Evening Telegram*, August 26, 1997.
[50] Craig Jackson, "Backbenchers back Tobin on school vote," *The Evening Telegram*, July 31, 1997, p. 3.
[51] Pross, 1992, p. 111.

CHAPTER 7

CONCLUSION

7.1 Introduction

Albie Sachs once stated that, "All revolutions are impossible until they happen; then they become inevitable."[1] From hindsight, the removal of denominational education in Newfoundland was inevitable. Many factors came together at the same time for a revolutionary change. The secular evolution of the people was having its effect – they saw denominational education as a relic of the past and no longer relevant. The churches, and in particular the Catholic Church, were in disarray over the clergy abuse scandals.[2] Changing demographics meant that student population was declining. The economic mood was despair in the wake of the collapse of the Northern Cod fishery. Teachers were deploring the lack of funding for education and the lack of support for what they saw as human rights issues in the hiring and firing practices of the church schools. Clyde Wells was elected with a known propensity for education reform. All of these factors came together to make the demise of the denominational system inevitable.

7.2 Summary of Groups Capacity to Influence Educational Policy

Presented below are a number of perceptions, gleaned from this study, that will be helpful for further research in the area.

7.2.1 The Government's Agenda and the Premier's Influence

A group's capacity to influence government may be muted or enhanced by a number of different factors. It is suggested that the personality of the premier and his agenda has been a major factor in the education reform. The respondents were almost unanimous on the significant role former Premier Clyde Wells played in the whole debate. His passion for reform appeared to have been based upon his own concept of what he thought was the right thing to do. For years, the NLTA and the Human Rights Association have been arguing for the need to change denominational education because of the human rights issues of the teachers. There were public forums and debates, but it was not until the election of Clyde Wells that education reform saw the light of day. "When he formed government he had an agenda," says Decker, "He definitely had an agenda and education was one of them."[3]

The group that shared his view would naturally feel they were being heard, while an opposing group would feel ignored and insignificant. Chris Decker appears to agree with this assessment; "You know I'm beginning to sound awfully arrogant, it seems the people that agreed with us we listened to and the ones we did not agree with we gave them a courteous meeting. This is a terrible thing to say but that is what it seems like."[4]

7.2.2 Views of the Public

A group that not only shares the views of the political leaders but also the views of the public is more apt to obtain recognition from the government. Newfoundland society changed drastically over the years. The population became more educated, more

affluent, and more secular. Churches no longer held sway over the population as they once did – resulting in them being, as Decker put it, "a paper tiger". Government was at first reluctant to rile the churches for fear of electoral defeat. However, by constant polling, the government soon realized that the population was indeed ready for change. Those groups that were in line with public opinion were more apt to have the ear of government – as was evident with the involvement of Tobin and Grimes in the Education First group.

The Roman Catholic, Pentecostal, and Seventh-day Adventist Churches were out of step with the public mood. They were in a no-win situation. Government was intent on removing the churches from the administrative functions of the school system and public support was with the government. Nevertheless, the churches did manage to not only slow the process with the Wells administration, but they were able to get a right to some "unidenominational" schools in certain circumstances in the Wells Term 17 reform. That would not have happened had it not been for the Roman Catholic and Pentecostal representations to the government.

7.2.3 Volunteer Commitment

A group may have limited resources and yet have an impact. There were a number of groups that did not have money. The Human Rights Association, Home and School Federation, Yes Means Yes Committee-Education First, and Alliance For Choice were without secure funding yet were noticed by the media, by the government and by the population at large. Their limited resources were compensated by the dedication of their

volunteers. Their members often included well-respected professionals such as teachers, lawyers, and university professors who were articulate and knowledgeable as they appeared before government officials and committees advocating their respective views of reform.

7.2.4 Persistence

A group's persistence pays off. The NLTA's tenacity and determination to continue the role of pushing government on reform of the denominational education eventually gained political traction after some twenty years. Chris Decker's view that the NLTA cannot claim any credit for bringing about the reform of the system in the 1990s cannot be correct for at least the following reason: the NLTA performed what Pross calls "a vital part in policy development."[5] The conferences and study sessions sponsored by the NLTA in the late 1980s kept before government and the public the issue of education reform. Without such constant and repetitive actions, the government would not have had the ability to make the changes when it did. Wayne Noseworthy's view bears repeating,

> We were, this sounds a little bit self-serving I suppose as an organization, but we were the only organization, of any consequence, of any size, of any resource base, and with any political influence that would have had the ability to cause this to happen. I mean for years the Human Rights Association would have cried foul with respect to the what we would call the ill treatment of our members based upon denominational bias and so on but they had no power to influence the agenda - we did. I think we did and I think this reform would not have started as it did. It would not have proceeded as rapidly as it did if we hadn't given it a really strong kick-start in the late '80s. That is my personal assessment.[6]

7.2.5 Politics

Perhaps, in the end, Government is going to do what Government is going to do. Ivan Morgan of the Human Rights Association had this to say about whether they had influenced government:

> I really don't think we have any influence. We pissed and moaned long enough. We certainly kept it in the public agenda and we would from time to time talk this out to the annoyance of whoever the minister was at the time. These people don't give a shit about us. Jerry met with the Minister today regarding the creation of a child advocate and they're doing this as a public relations thing. Jerry went in with a list of revisions to their legislation and I don't think the Minister was actually listening. I think he was thinking about what he was going to have for lunch. We don't matter. We're downtown rubber booters. We don't affect their ability to get elected and from one human to another, when it comes to politicians, its getting elected and nothing else. They don't give a shit. I'll leave you with one quote. During the Education First campaign, Roger [Grimes] came in smoking these fucking cigars that are really obnoxious. This woman who had been volunteering with us had this issue and she came storming into the office and she cornered Roger and she started going on about class allotments. She went on and on. She had a bunch of questions that she rattled off to him and she said, "Well?" He gave her a little smile and he looked over to Keith Coombs and waved his cigar and said, "Isn't that what Deputy Ministers are for?" I'll never forget it. I laughed all the way home because it's absolutely right. Their job is to give the public what the public thinks they want.[7]

7.3 Summary of Results of Education Reform

At the end of the day, the reform of the school system in Newfoundland went like a prairie grass wildfire. Once government brought the issue onto the public agenda, it took a life of its own. The complexity of the forces, the interest groups, and the government's desire for change, all led to a movement that few thought would result in the way it did. Even government policies and goals appeared to develop on the fly – in the end Newfoundland, for better or for worse, has a single secular public system. Churches may

only be involved to the extent of religious education of their adherents – absolutely no administrative role.

7.4 Analysis of Data

7.4.1 Group Goals and Final Results of Education Reform

Below is a table of the group goals and the final results:

Table 7-1 Interest Group Goals and Results

Group	Goals	Result
Roman Catholic Church	Reform while maintaining constitutional rights	Not achieved - Government removal of church rights
Anglican Church	At first reform while maintaining constitutional rights – then changed to reform without constitutional rights	Achieved
United Church	At first reform while maintaining constitutional rights – then changed to reform without constitutional rights	Achieved
Pentecostal Church	Reform while maintaining constitutional rights	Not achieved - Government removal of church rights
Presbyterian Church	At first reform while maintaining constitutional rights – then changed to reform without constitutional rights; but schools maintain a "Christian character"	Achieved; Christian character to be seen
Salvation Army	At first reform while maintaining constitutional rights – then changed to reform without constitutional rights; but schools maintain a "Christian character"	Achieved; Christian character to be seen
Seventh-day Adventist Church	Reform while maintaining constitutional rights; per capita funding for schools	Not achieved - Government removal of church rights
NLTA	Unified school system for greater efficiency and use of resources; removal of churches dominance over hiring and firing teachers; not necessarily the removal of churches from education	Achieved – beyond expectation
Yes Means Yes Committee – Education First	A single secular public school system – no church involvement	Achieved
Human Rights Association	A single secular public school system – no church involvement	Achieved
Federation des parent francophones	Recognition of right to a publicly funded French school board	Achieved
Home and School Federation	Unified school system for greater efficiency and use of resources	Achieved
Alliance For Choice	Public funding of denominational schools where such schools would be viable	Not Achieved

7.4.2 Apparent Winners and Losers

To put the matter succinctly, the losers among the groups were those who wanted to maintain their own separate school systems – namely, the Roman Catholic, Pentecostal, and Seventh-day Adventist Churches. They, along with the Alliance for Choice in Education, were the sum total of the "No" side – and they lost their attempt to maintain denominational schools.

The winners were certainly the "Yes" side. They obtained the single secular public school system – conceivably it should solve the problems identified by the Williams Commission. However, already there are some misgivings. Ivan Morgan states that government has made cut-backs, closed down school libraries to make more classrooms, "classes are over-crowded, services have been cut back time and time again," former Catholic schools that were run efficiently and clean are now poorly administered and "depressing." Everyone is getting ready for a teachers strike. Tensions are still running high. While at a restaurant recently, Ivan was accosted by an individual, "Do you feel responsible for the mess the school system is in?" the person asked. "No I don't," he asserts,

> They are separate issues right? First things first. Did I know Tobin was going to do this? Oh yeah, sure. I feel sorry for some of the people that I worked with because I think they really didn't think he'd do it. But we were too preoccupied just getting the flyers out, handling the press, dealing with the opposition and you know?[8]

Chris Decker views it differently. He says,

> Sometimes people compare what is to what was, but you can't compare what is to what was. You must compare what is to what would have been because had we not got rid of this, not necessarily denominations, had we not gotten rid of this duplication where we had three or four systems in a little province less than … a 100 thousand children, trying to operate three distinct or four systems…. Had we continued with that, our system today would have been an awful lot worse than it is not saying it is perfect, right now but it is a lot better than it would have been had we not had the balls to go and reform the system.[9]

Steve Wolinetz is of the view that nobody won.

> The school system five years in may get back to education but there are still many, many blockages in it. You know there are a lot of political processes where no one wins or no one wins very much. I am happy enough to see the denominational element gone. I am happy that basically proved that most people did not care – you know that it was empty as a shell – I'm quite right about that…. There is no evidence that there has been a great deal of improvement in the system either – teachers are still being burnt out because too much is being loaded on them." [10]

The problems, such as not having enough teaching assistants to deal with remedial students who are placed in the regular classroom and are frustrating the learning experience of the students, are still there. "As much as I believe in secular education," says Wolinetz,

> fixing that would have been much more important than whatever role the churches had because the religious element was quite frankly innocuous. The Department of English still wished at one point that its majors would do religious studies because students coming out of the so called denominational system knew nothing about the Bible. It was a failure. It's explainable in the sense that Catholics don't teach the Bible in the way the Protestant denominations might in the content but certainly none of the Integrated Boards were particularly teaching anything that gives anyone any knowledge of a major, let's say element in understanding Western civilization but hell they don't teach history either.[11]

7.5 Reflections on the Methodology

The naturalistic paradigm was an effective approach to study Newfoundland's education reform process and the role of the special interest groups. By studying the process in its natural setting, the researcher was able to explore the relationships between the different actors. It is felt that the actors openly discussed their experience and what they felt were the positives and the short-comings of education reform.

Qualitative studies are never precise – they tend to be multifaceted and complex. So while the theories as outlined in the beginning of this paper helped to focus and "pigeon hole" the data as received, it must be understood one had to work hard at deciphering from all of the material what was relevant. Literally thousands of pages of Hansard, newspapers, and discovery evidence were perused to present the analysis in as cogent a manner as possible.

All the while, the researcher looked for the unforeseen, or the surprising bit of information that shed light on the process in a new way. One such incident was the evidence that the Clyde Wells government "cleaned house" in the Department of Education, ensuring that those in senior positions were sympathetic to the reform proposals of the Williams Commission and would not hinder the process. Another was the incident of Brian Tobin meeting clandestinely with a leader of the Human Rights Association requesting that in the second referendum process the Association would keep quiet about minority rights and support the government initiative to get the churches out of education altogether. Still another was the frank admission of Chris Decker that from the start he personally wanted the churches removed from the education system, yet

publicly he would have to bite his tongue and say government policy was to allow church involvement. Again, with Mr. Decker and most other respondents held the view that this whole reform was the government's initiative, or more particularly Clyde Wells' initiative, and that no group or groups could be credited with forcing or pressuring government to bring education reform on the public agenda. These types of things allowed me to get behind the public persona and hear directly from the actors as to what was going on.

At the same time, there was a need to keep referring to the theoretical base of the study to ensure that the research did not expand beyond a manageable size. One problem was the sheer magnitude of the subject matter. There were and still are numerous avenues one could take for further research, as noted below.

The data for the research came from numerous sources. The section on the history of the denominational system of education required extensive research in university libraries. The general arguments of the reform debates were gleaned from the public records of the two Houses of Parliament and the Newfoundland Legislature. The interaction between the different actors was garnered from personal interviews. The personal interviews proved to be very successful in allowing me the latitude necessary to probe into the workings of the process and to answer questions raised by the other research. As mentioned above, the interviewees appeared genuine and frank in their responses.

The disappointment with the interview process was the inability to involve a number of key players. At one point, the study almost abandoned the whole concept of

conducting interviews from a broad range of respondents and considered narrowing the study to just one interest group. However, after further effort, interviews began to materialize. Sometimes, it took a multitude of emails and phone calls before an interview could be arranged. Still, there were some notable failures, such as the inability to interview Clyde Wells, Brian Tobin, Roger Grimes, and members of the Integrated churches. While such interviews would have certainly shed more important light on the matter, it was not, in the end, detrimental to the study. To compensate for this, an extra effort was made to review the public record and media accounts of what these actors said during the reform process between 1989-1998 to provide some balance. Yet, as the interviews showed, what individuals said to the media during the reform debate was often not the whole story.

Positivist critics note that qualitative research has validity and reliability problems. The researcher was cognizant of these potential charges, yet feel confident that while this study may not be replicated, there are general inferences that can be drawn from the presented material. One of the goals of this research was to assist those interested in influencing public policy in education. It is argued that that was accomplished. Such lobbyists may well find the information presented in this study very informative as to the type of approach they may want to use in getting matters on the public agenda. While no two situations can be the same, certainly general implications can be drawn.

7.6 Reflections on the Theory

The framework of this study was based on the work of Pross in the area of policy communities. His Institutionalization Continuum allowed the researcher to consider the different characteristics of the interest groups and their relative potential to influence the public policy in education. One problem with Pross's work that became evident early on in the study was that his policy community was based on the Canadian federal government. In applying the model to a provincial level, one could see some discrepancies. First, Pross noted that the Federal Cabinet was the final decision-maker. While that was also true on the provincial level, in this case it did not adequately address the situation where there is a strong personality in the office of Premier. Clyde Wells was seen as the catalyst placing the education reform on the public agenda. It was for all intents and purposes "his baby." "He introduced it," said Decker. The dominant role of a provincial premier may, in fact, be much different from a comparable role at the federal level. The provincial "pond" or policy community is a much smaller community, perhaps more apt to be intimidated by a stronger personality. Second, Pross's framework envisions a lot more organized groups than what was evident here. The different groups that sprung up in the reform process were under-financed, under-staffed, and often left in the dark as to what the provincial government was doing. The church groups with a long standing as part of the subgovernment did appear to have the personnel and the resources to challenge government policy.

Nevertheless, Pross's work was extremely helpful in assisting me to study the phenomenon of the education reform process of the 1990s. It very much anchored the

study into a well-defined method of analysis allowing for future studies to carry this work forward.

7.7 Future Research

Working on this thesis presented ideas for further study. One is the need for analysis of the referenda process. There were a number of issues such as government funding, the role of the media, the lack of any clear "ground rules" as to the timing of when the question should be made public, and other legislative initiatives relying on the results of the referenda. Perhaps, such a study could be undertaken, leading to a legislative framework for further plebiscites and referenda in the province.

Two, while this research took a very broad approach to the reform process, further study should be taken to analyze individual interest groups in greater depth. This study has presented a superficial view of the different interest groups in the process. Other studies may want to centre one group and analyze their role in the education reform. The one that comes to mind is the NLTA.

Finally, this thesis is limited in that members of the Integrated churches were not interviewed. Some did not respond to my requests for interviews and others refused to participate. It would be of great interest to study their struggles in the debate. They had supported church rights in the first instance, only to back away from that position by the time of the second referendum. Surely, they had internal struggles that would help shed light on this whole process.

7.8 Conclusion: Research Question Answered

At the beginning of the study, the basic question asked was, "What interest groups had the primary influence on the Newfoundland government's move to reform the educational system?" Surprisingly enough, it was concluded that, while interest groups, particularly the NLTA, had a long history of lobbying government for reform of the system, it was not until Clyde Wells, a political leader with a particular view of what was in the best interests of the public, came on the scene that government mustered the courage to deal with it. It was no easy feat for Wells to raise the matter for discussion. The very fact that he took a cautious approach in his dealings with the churches is evidence of his legitimate fear of what the churches could do politically to his career as premier.

Some may criticize the conclusion, since it suggests that an interest group's ability to influence government policy depends more on whether the group is in sync with the government view. However, that is not what is being said. Rather, the study confirms, Pross's general observations that a group's level of institutionalization is a good indicator of a group's ability to influence government, but not, perhaps in the same way as Pross would see it.

The education reform process confirms Pross's view of the role interest groups have in challenging government policy by means of conferences, seminars, and briefs creating a means of discussion as to reform. This can be seen by the pro-active role the NLTA played in the 1980s and their "Exploring New Pathways" documents and seminars. We also have to move Pross's view further, at least in this case. There can be

no doubt that political leadership was a major, if not the major, development in the early 1990s that brought education reform to the public agenda. And it is here that Graesser's view of the churches being the gatekeepers comes into play.

If, as Graesser maintains, the churches had a gatekeeper role, why didn't they use their role to keep the matter off the agenda? This research shows that they tried, but government refused to budge: it was going to be on the agenda period. Those in the Department of Education who did not support or were perceived to hinder the move towards reform were moved on.[12] Again, political leadership came into play. While Wells publicly maintained a confident stance against the churches, he was reluctant to move too fast, but he was going to move because he felt it was the right thing to do.

Of course, from hindsight, one could say it was inevitable. The churches were "on the ropes" because of the sexual abuse scandals of the late 1980s; the NLTA and the Human Rights Association were constantly in media opposing the way teachers' lifestyles were factors in their employment with church schools; and the public had become secular. The church, it may be claimed, had become "paper tigers", no longer capable of playing the gatekeeper of public policy in education. In addition, government members were former NLTA presidents or executives, the economy was at a standstill, and student enrollment was falling and resources dwindling. All these things came together as if and explosive mist. Premier Clyde Wells was the "champion spark plug," igniting the passions that ultimately led to the removal of churches from the Newfoundland school system.

References

[1] Albie Sachs, "Towards a Bill of Rights For a Democratic South Africa," 12 *Hastings International and Comparative Law Review* (1989) p. 289.
[2] Fallon stated, "Another factor which had an impact on the strength of the churches or the lack of the strength of the churches during this particular time was the tremendous day to day media – what we would hear in the media about sexual abuse by members of the clergy. The Catholic church in particular went through a very, very difficult time with respect to that."
[3] Chris Decker, April 1, 2001
[4] Chris Decker, April 1, 2001
[5] Pross (1995), p. 265.
[6] Wayne Noseworthy, March 29, 2001.
[7] Ivan Morgan, April 29, 2001.
[8] Ivan Morgan, April 29, 2001.
[9] Chris Decker, April 1, 2001.
[10] Steve Wolinetz, July 23, 2001.
[11] Steve Wolinetz, July 23, 2001.
[12] Chris Decker, April 1, 2001.

BIBLIOGRAPHY

Anstey, Frank. *A Study of Certain Factors surrounding the origin and implementation of the recommendations of the Royal Commission of Education and Youth that the Department of Education be reorganized along functional lines*. M.Ed. thesis, Memorial University of Newfoundland, 1972.

Atkinson, Paul and Martyn Hammersley. "Ethnography and participant observations," in *Handbook of qualitative research*, edited by N. Denzin and Y. Lincoln. (Thousand Oaks, Ca: Sage, 1994).

Babbie, Earl. *The practice of social research*. 6th ed.. (Belmont, Ca: Wadsworth, 1992)6.

Barron, Tracy. "Vote a small victory for Wells, says pundit," *The Evening Telegram*, September 6, 1995, p. 1.

Baumgartner, Frank R., and Beth L. Leech. *Basic Interests:The Importance of Groups in Politics & in Political Science* (Princeton: Princeton University Press, 1998).

Bennett, Bernie. "Union urges teachers to vote Yes," *The Evening Telegram,* August 26, 1997, p. 4.

Boswell, Peter. "Time for another education referendum," *The Evening Telegram*, July 12, 1997, p. 11.

Brooks, Stephen, *Public Policy in Canada: An Introduction* (Toronto: Oxford University Press, 1998).

Buchwald, Cheryl Cowan, "Canada's Coalition For Public Information: A Case Study Of A Public Interest Group In The Information Highway Policy-Making Process," Ph.D. Thesis, (Toronto: University of Toronto, 1999)

Callan, E. "Justice and Denominational Schooling." *Canadian Journal of Education* 13, no. 3 (Summer 1988), 367-383.

Canada. *House of Commons Debates*. Vol. 134, No. 055, 2nd Session, 35th Parliament, Monday June 3, 1996.

Canada. Royal Commission on Electoral Reform and Party Financing, *Reforming Electoral Democracy*, Minister of Supply and Services, 1991.

Canada. Senate of Canada. House of Commons. *Report Of The Special Joint Committee On The Amendment To Term 17 Of The Terms Of Union Of Newfoundland*. Ottawa: The Speaker of the House, December 1997.

Carroll, Frank. "May be time to 'get it right,' says Tobin, *The Evening Telegram*, July 24, 1997, p. 1.

Church Leaders. *Discussion Purposes Only*, November 3, 1993.

Cipparone, Eugene, "A Case Study on Interest Group Behaviour in a Federal System: The AIDS Lobby Groups in Canada." *University of Toronto Faculty of Law Review*. Spring 1992, 50:2, 131.

Clemens, Michelle T., "The Catholic Education Council of Newfoundland and Labrador: A Case Study in Interest Articulation," M.Ed. Thesis (The University of Manitoba, 1999).

Cobb, Roger W. and Charles D. Elder. *Participation in American Politics: The Dynamics of Agenda-Setting*. 2nd Ed. Baltimore: The John Hopkins University Press, 1983.

Cody, Ann. "The Dynamics of a Royal Commission in Political Innovation: A Case Study of Structural Reform of Denominational Education." *International Journal of Education* Reform 5, no. 2 (April 1996), 169-178.

Cramm, Frank. *A Historical Examination of Educational Change in Newfoundland, 1949-1969*. Boston: Boston University, 1981.

Curtis, Sister Angela. "Irish Presentation Sisters Answer The Call: Education In Newfoundland In The 1830s." *Newfoundland Quarterly* LXXXI, no. 4 (Spring 1986), 18.

Dahl, Robert A.. *Who Governs? Democracy and Power in an American City*. New Haven: Yale University Press, 1961.

Daly, Patrick and Marilies Rettig. *A Dangerous Precedent: Term 17 – Newfoundland and Labrador Challenge*. Ontario Separate School Trustees' Association and Ontario English Catholic Teachers Association, May 31, 1996.

Dawe, Ronald Herbert, "Denominational education in Newfoundland and Labrador : an analysis of the effects of sociopsychological factors on attitudes toward church involvement in education and educational change," Thesis (M.Ed.), Memorial University of Newfoundland, 1996.

Department of Education, Government of Newfoundland & Labrador, Press Release, July 23, 1997.

Desveaux, James A., Evert A. Lindquist, and Glen Toner, "Organizing for Policy Innovation in Public Bureaucracy: AIDS, Energy and Environmental Policy in Canada," Canadian Journal of Political Science Revue canadienne de science politique XXVII:3, 1994

Doern, Bruce. *Canadian Public Policy: Ideas, Structure, Process* (Toronto: Methuen Publications, 1983).

Doyle, Marjorie M.. "How I arrived at a 'no' vote," *The Evening Telegram*, September 6, 1995, p. 4.

Dunsmuir, Mollie. *Questions And Answers On The Newfoundland Referendum On Denominational Education.* Ottawa: Library of Parliament, February 27, 1996.
Dye, Thomas R.. *Understanding Public Policy*, 3rd ed. (Englewood Cliffs, N.J.: Prentice-Hall, 1978), p. 3.
Editorial, "Education reform endorsements," *The Evening Telegram*, August 9, 1997, p. 10.
Editorial, "Education's set-back," *The Evening Telegram*, April 27, 1996, p. 4.
Editorial, "What next for education reform?" *The Evening Telegram*, July 19, 1997.
Editorial, "Yes, reluctantly," *The Express*, August 30, 1995, p. 8.
Education First The Future is now!" *The Evening Telegram*, August 30, 1997, p. 5.
English, Christopher. *The Development of Denominational Education in Newfoundland, 1800-1970.* St. John's: Memorial University of Newfoundland, Centre for Newfoundland Studies, mimeo, 1975.
Executive Council Press Release, Government of Newfoundland & Labrador, August 13, 1997.
Federation des parents francophones de Terre-Neuve et du Labrador. *Brief submitted to the Legal Affairs Committee of the Canadian Senate; at hearings on the proposed amendment to Article 17 of the Terms of Union between Newfoundland and Canada.* July 10, 1996.
Fenwick, Peter. "The last referendum column," *The Evening Telegram*, September 3, 1995, p. 10.
Flanagan, Chris. "Agreement matches goals says Grimes," *The Evening Telegram*, April 28, 1996, p.2.
Galt, Virginia. "School 'reforms' more of the same," *The Globe and Mail*, June 1, 1996, p. A1.
George W. Dent, Jr. "Religious Children, Secular Schools." *Southern California Law Review* 61, no. 4, (May 1988), 863-941.
Glaser, Barney and Anselm Strauss. *The Discovery Of Grounded Theory: Strategies For Qualitative Research*, (Hawthorne, NY: Aldine Publishing, 1967).
Glaser, Barney. *Theoretical Sensitivity*, (Mill Valley, Ca.: The Sociology Press, 1978).
Government of Newfoundland and Labrador, *Adjusting the Course Part II: Improving the Conditions for Learning*, February 24, 1994.
Government of Newfoundland and Labrador. *Adjusting the Course: Restructuring the School System for Educational Excellence.* November 25, 1993.
Government of Newfoundland. Office of the Chief Electoral Officer, "SEPTEMBER 2, 1997 PLEBISCITE OFFICIAL RESULTS," September 9, 1997.
Graesser, Mark W.. "Church, State, And Public Policy In Newfoundland: The Question Of Denominational Education," Prepared for the Annual Meeting of The Canadian Political Science Association, University of Victoria, May 27-29, 1990.
Graesser, Mark W.. "Education Reform In Newfoundland, 1990-1995: The Impact of Constitutional Constraints and Referendum Politics," Prepared for the Annual Meeting of The Canadian Political Science Association, Memorial University of Newfoundland, June 10, 1997.
Graesser, Mark W.. "Attitudes toward Denominational Education in Newfoundland," A Research Study Prepared for the Royal Commission of Inquiry into the Delivery of Programs and Services in Primary, Elementary, and Secondary Education, May 1992.
Green, Thomas F.. "Policy Questions: A Conceptual Study," *Education Policy Analysis Archives*, April 15, 1994, Vol. 2, No. 7 (a peer-reviewed scholarly electronic journal: http://olam.ed.asu.deu/epaa/v2n7).
Guba, Egon and Yvonna Lincoln. "Competing paradigms in qualitative research," in *Handbook of qualitative research*, edited by N. Denzin and Y. Lincoln. (Thousand Oaks, Ca: Sage, 1994).
Gwyn, Richard. *Smallwood: the unlikely revolutionary*, (McClelland and Stewart Limited: Toronto, 1968).
Hanrahan, S. "Between a Rock and a Hard Place: Teachers' Rights and Denominational Education in Newfoundland." *Education Law Journal* 1, no. 3 (March 1989), 261-276.
Harris, Michael. *Rare Ambition: The Crosbies of Newfoundland.* (Penguin Books: Toronto, 1992).
Hogan v. Newfoundland School Board, Newfoundland Supreme Court – Trial Division, 1997 No. St. J. 1433.
Hogan v. Newfoundland School Boards, 1997 No. St. J. 1433.
Hogwood, Brian W. and B. Guy Peters. *Policy Dynamics.* New York: St. Martin's Press, 1983.
Horwood, Harold. "I'd Do it All Again," in James R. Thoms, Ed., *Call Me Joey*, (Harry Cuff Publications Ltd., St. John's, 1990).
Howlett, Michael, "Issue-Attention and Punctuated Equilibria Models Reconsidered: An Empirical Examination of the Dynamics of Agenda-Setting in Canada," Canadian Journal of Political Science Revue canadienne de

science politique XXX: 1, 1997
Howlett, Michael, "Predictable and Unpredictable Policy Windows: Institutional and Exogenous Correlates of Canadian Federal Agenda-Setting," Canadian Journal of Political Science Revue canadienne de science politique XXXI: 3, 1998
Howley, Reverend Michael Francis, D.D.. *Eccleasiastical History Of Newfoundland.* Boston: Doyle and Whittle, 1888.
Hunter, Linda. *Submission to The Standing Senate Committee On Legal and Constitutional Affairs.* Ottawa: Ottawa Board of Education, June 25, 1996.
Irving, Colin K.. *Memorandum In Support Of A Submission To The Standing Senate Committee On Legal And Constitutional Affairs.* July 9, 1996.
Jackson, Craig. "'Leap of faith' troubles senator," *The Evening Telegram*, July 12, 1996, p. 2.
Jackson, Craig. "Backbenchers back Tobin on school vote," *The Evening Telegram*, July 31, 1997, p. 3.
Jackson, Craig. "Francophone education protected: Tobin," *The Evening Telegram*, August 13, 1997, p. 3.
Jackson, Craig. "Grit MHA flips on education reform stand," *The Evening Telegram*, August 2, 1997, p. 3.
Jackson, Craig. "Majority of church leaders support new Term," *The Evening Telegram*, August 26, 1997, p. 1.
Jackson, Craig. "Pundits speculate on No side strategy," *The Evening Telegram*, August 19, 1997, p. 3.
Jackson, Craig. "Tobin denies deal made," *The Evening Telegram*, July 10, 1996, p. 1.
Jackson, Robert J., and Doreen Jackson, *Politics In Canada: Culture, Institutions, Behaviour and Public Policy*, 3rd Edition (Scarborough: Prentice Hall Canada Inc., 1994), pp. 552-553.
Jenkins, W.I. *Policy Analysis: A Political and Organisational Perspective.* (New York: St. Martin's Press, 1978).
Jones, Frederick. "Bishops in Politics: Roman Catholic v. Protestant in Newfoundland 1860-2." *The Canadian Historical Review* LV, no. 4 (December 1974), 408-421.
Karlberg, Michael, and Hackett, Robert A., "Cancelling Each Other Out? Interest Group Perceptions of the News Media." *Canadian Journal of Communication.* Fall 1996, v. 21:4, 461.
Kelly, William, "Decentralization of educational decision-making in the Newfoundland and Labrador education system reform process," Thesis (M.Ed.), Memorial University of Newfoundland, 1997.
Keough, Ida. "Literacy, politics and religion in Newfoundland: a historical perspective." *Our Schools/Our Selves: a magazine for Canadian education activists* 3, no. 2 (July 1991), 61-71.
Lawton, Stephen B. "Denominational Cause and Employment in Religious Schools." *Alberta Journal of Educational Research* 35, no. 3 (September 1989), 189-195.
Leblanc, Cathy. "Single school system best for all," *The Evening Telegram,* August 27, 1997, p. 7.
Lilly, A.G. *Letter to Pastor Earl Batstone; Mr. Gerald Fallon; and Hubert W. Norman.* April 8, 1991.
Locke, Lawrence F., Waneen Wyrick Spirduso, Stephen J. Silverman. *Proposals that work: a guide for planning dissertations and grant proposals.* 3rd ed.. (Newbury Park, Ca: Sage, 1993).
Magnuson, Roger. "Denominationalism and nondenominationalism: the different traditions of Canadian and American education." *McGill Journal of Education* 26, no. 2 (Spring 1991), 165-174.
Magsino, Romulo F.. "Human Rights, Fair Treatment, and Funding of Private Schools in Canada." *Canadian Journal of Education* 11, no. 3 (1986), 245-263.
Manning, Preston. *The New Canada*, Macmillan Canada, Toronto, 1992.
McCann, Phillip. "The Educational Policy of the Commission of Government." *Newfoundland Studies* 3, no. 2 (Fall 1987), 202.
McKim, William A.. "Churches in Schools," *C.B.C. Radio "Commentary"*, September 6, 1995.
McKim, William A.. *The Vexed Question: Denominational Education in a Secular Age*, (Breakwater, St. John's, 1988).
Meeting of Committee on Principles. *Coterminous And Cooperative School Districts Model And A Provincial Structure* November 22, 1993.
Meeting of Committee on Principles. *Coterminous And Cooperative School Districts Model And A Provincial Structure* November 15, 1993.
Mill, John Stuart. *Considerations On Representative Government* first published 1861, new edition with Richard Wolheim's introduction, Oxford: Oxford University Press, 1975.
Miller, R. M. "Should There Be Religious Alternative Schools Within The Public School System?" Canadian Journal of Education 11, no. 3 (Summer 1986) 278-292.

Moore, Howard. *Presentation To The Standing Senate Committee On Legal and Constitutional Affairs by Newfoundland Central Division; Newfoundland East Division; Newfoundland West and Labrador Division; The Salvation Army*. July 10, 1996.

Moulton, E. C. "Constitutional Crisis and Civil Strife in Newfoundland, February to November 1961." *The Canadian Historical Review* XLVIII, no. 3, (September 1967), 251-272.

Murphy, John. "Parents get final say," *The Evening Telegram*, May 8, 1996, p. 1.

Newfoundland and Labrador Teachers' Association. *Briefing Notes For The Senate Standing Committee on Legal and Constitutional Affairs* July 10, 1996.

Newfoundland. The Royal Commission of Inquiry into the Delivery of Programs and Services in Primary, Elementary, Secondary Education. *Our Children Our Future*. Queen's Printer, St. John's, 1992.

Noel, S.J.R.. *Politics in Newfoundland*. Toronto: University of Toronto Press, 1971.

Ontario English Catholic Teachers Association. *Statement – Senate Hearings June 25, 1996.*

Ontario Separate School Trustees' Association. *Brief To The Standing Committee On Legal and Constitutional Affairs Of The Senate Of Canada Concerning a Resolution to Amend the Constitution of Canada and in Particular, Term 17 of the Terms of Union of Newfoundland with Canada*, June 25, 1996.

O'Flaherty, Patrick. "No Ian Paisley." *The Evening Telegram* (September 24, 1995), 4.

Pal, Leslie. *Public Policy Analysis: An Introduction*. Toronto: Methuen, 1987

Panitch, Leo V.. "Elites, Classes and Power in Canada" in Michael S. Whittington and Glen Williams, eds., *Canadian Politics in the 1980's* (Toronto: Methuen, 1981).

Paquet, Gilles. "Policy As Process: Tackling Wicked Problems," in *Essays On Canadian Public Policy*, edited by T. Courchene and A. Stewart, (Kingston, Ontario: School of Policy Studies, Queen's University, 1991).

Penner, D.S. *Public Funds and Private Education: Issues of Church and State*. Berrien Springs: Andrews University, 1991.

Pentecostal Assemblies of Newfoundland. *Submission to The Standing Senate Committee On Legal And Constitutional Affairs regarding The Resolution To Amend The Constitution of Canada with Respect to Term 17 of the Terms of Union of Newfoundland with Canada*. July 9, 1996.

Pentecostal Assemblies of Newfoundland. *The Necessity of Church Schools in a Christian Democracy,* St. John's: Pentecostal Assemblies of Newfoundland, 1967.

Pomfret, Alan. "Comparative Historical School Change: Newfoundland, Southern Ontario, and New England." *Canadian Journal of Sociology* 4:3 (1979), 241-255.

Ponder, A. A. "Denominational Education At Any Cost?" *Morning Watch: Educational and Social Analysis* 14, no. 3&4 (Winter 1987), 21-23.

Pross, A. Paul, *Group Politics & Public Policy* (Toronto: Oxford University Press, 1992).

Pross, A. Paul. "Canadian Pressure Groups in the 1970s: Their Role and Their Relations with the Public Service," *Canadian Public Administration* 18, no. 1 (1970): 124.

Pross, Paul. "Pressure Groups: Talking Chameleons," in Michael S Whittington and Glen Williams editors, *Canadian Politics in the 1990s*. Scarborough, Ontario: Nelson, 1995.

Pross, Paul. *Group Politics and Public Policy, second edition*. Toronto: Oxford, 1992.

Prowse, D.W.,Q.C.. *A History Of Newfoundland*. London: MacMillan and Co., 1895.

Prowse, D.W.. *A History Of Newfoundland*, (MacMillan and Co., London, 1895).

Ralph, Michael, "The political atmosphere surrounding the inclusion of Term 17 in the Terms of Union," (St. John's: M. Ralph), 1995.

Re Newfoundland Teachers' Association et al. and The Queen in right of Newfoundland et al. 53 D.L.R. (4th) 161.

Re Newfoundland Teachers' Association et al. and The Queen in right of Newfoundland et al. (1988) 53 D.L.R. (4th) 161.

Ready for a Better Tomorrow: Platform of the Liberal Party of Newfoundland and Labrador (February, 1996).

Reference Re An Act To Amend The Education Act (Ontario) (1987) 40 D.L.R.(4th) 18.

Regina v. *Big M Drug Mart Ltd.* (1985) 18 D.L.R.(4th) 321.

Richard Gwyn. *Smallwood: the unlikely revolutionary*. Toronto: McClelland and Stewart Limited, 1968.

Robbins, C.. "The Amalgamated Schools of Newfoundland." *Newfoundland Quarterly* LXX, 1 (June 1973).

Rothney, G.O.. "The Denominational Basis of Representation in the Newfoundland Assembly, 1919-1962." *Canadian Journal of Economics and Political Science* 28 (1964), 557-570.

Rowe, Frederick W.. *Education and Culture in Newfoundland*, (Toronto: McGraw-Hill Ryerson, 1976).
Russell, W. "Where once we feared to tread: An Examination of the Denominational Education System." *Morning Watch: Educational and Social Analysis* 15, no. 1&2 (Fall 1987), 12-18.
Russow v. *British Columbia (Attorney-General)* (1989) 62 D.L.R. (4th) 98.
Sachs, Albie. "Towards a Bill of Rights For a Democratic South Africa," 12 *Hastings International and Comparative Law Review* (1989) p. 289.
Schattshneider, E.E.. *The Semisovereign People: A Realist's View of Democracy in America* (Hinsdale: Dryden Press, 1975).
Sellars, Clarence R.. *Presentation To The Standing Senate Committee On Legal and Constitutional Affairs By Newfoundland and Labrador Conference The United Church of Canada.* July 10, 1996.
Senate of Canada. *Proceedings of the Standing Senate Committee on Legal and Constitutional Affairs.* 2nd Session, 35th Parliament, 1996, (June 18, 20, 25, 26, July 9, 10,11, 1996)
Senate of Canada. *Thirteenth Report: Amendment to the Constitution of Canada: Term 17 of the Terms of Union of Newfoundland with Canada.* Ottawa: Standing Senate Committee on Legal and Constitutional Affairs, July 17, 1996.
Skillen, James W. "Religion and Education Policy: Where Do We Go From Here?" Journal of *Law & Politics* 6, no. 3 (1990), 503-529.
Smith, Jennifer. "Educational Plebiscite Is A Go," *The Evening Telegram*, June 24, 1996, p. 11.
Sorensen, David. "Keepers of the faith," *The Express*, August 23, 1995, p. 5.
Sorensen, David. "Leo Power – a man with a mission," *The Express*, August 23, 1995, page 5.
Soroka, Stuart, "Policy Agenda-Setting Theory Revisited: A Critique of Howlett on Downs, Baumgartner and Jones, and Kingdon, Canadian Journal of Political Science Revue canadienne de science politique XXXII: 4, 1999
Spence, Francis J. *Brief to the Standing Senate Committee on Legal and Constitutional Affairs by the President of the Canadian Conference of Catholic Bishops regarding the Resolution to Amend the Constitution of Canada with respect to Term 17 of the Terms of Union for Newfoundland.* Undated.
Stake, Robert. "Case Studies," in *Handbook of qualitative research*, edited by N. Denzin and Y. Lincoln. (Thousand Oaks, Ca: Sage, 1994).
Stokes-Sullivan, Deanna. "Looking Ahead." *The Evening Telegram* (September 3, 1995), 15.
Strauss, Anslem and Juliet Corbin. *Basics of Qualitative Research: Grounded Theory Procedures and Techniques* (Newbury Park, Ca.: Sage, 1990).
Sullivan, Deana Stokes, "Judge halts school reform," July 9, 1997, p. 1.
Sullivan, Deana Stokes. "Churches gave in to get reform rolling," *The Evening Telegram*, May 7, 1996, p.3.
Sullivan, Deana Stokes. "Group puts Education First," *The Evening Telegram*, August 9, 1997, p. 1.
Sullivan, Deana Stokes. "Harvey takes Yes side," *The Evening Telegram*, August 6, 1997, p. 4.
Sullivan, Deana Stokes. "Most MHAs intend to vote Yes," *The Evening Telegram*, August 27, 1997, p. 4.
Sullivan, Deana Stokes. "Pentecostal stand prolongs teacher shuffle," *The Evening Telegram*, July 4, 1997, p. 3.
Sullivan, Deana Stokes. "Reform losing ground," *The Evening Telegram*, April 23, 1996, p.1.
Sullivan, Deana Stokes. "School boards told to cut teaching jobs," April 6, 1996, p. 1.
Sullivan, Deana Stokes. "Slow pace irks Tobin," *The Evening Telegram*, May 8, 1996, p.1.
Sullivan, Deana Stokes. "Tobin comes to terms with wording," *The Evening Telegram*, August 26, 1997, p. 1.
Sullivan, Deana Stokes. "Two more churches in favor of single school system," *The Evening Telegram*, August 7, 1997, p. 3.
Tanguay, A.B. & Gagnon (eds.), *Canadian Parties in Transition* (2nd ed.) (Toronto: Nelson), 1996.
The Alliance For Choice In Education. *Fact or Faction: An Analysis Of The Rationale For Amending Term 17, a brief for The Senate Standing Committee on Legal and Constitutional Affairs.* July 1996.
The Anglican Church of Canada. *Presentation To The Standing Senate Committee On Legal and Constitutional Affairs by Diocese of Central Newfoundland; Diocese of Eastern Newfoundland & Labrador; Diocese of Western Newfoundland.* July 10, 1996.
The Association of Roman Catholic School Boards of Newfoundland and Labrador. *Presentation To The Standing Senate Committee On Legal and Constitutional Affairs regarding The Resolution To Amend Term 17 of the Terms of Union of Newfoundland with Canada.* July 9, 1996.

The Canadian Catholic School Trustees' Association. *Brief To the Standing Committee on Legal and Constitutional Affairs of the Senate of Canada Concerning a Resolution to Amend the Constitution of Canada and in Particular Term 17 of the Terms of Union of Newfoundland with Canada.* June 25, 1996.

The Catholic Education Council. *Submission to The Standing Senate Committee On Legal and Constitutional Affairs regarding The Resolution To Amend Term 17 of the Terms of Union of Newfoundland With Canada.* July 9, 1996.

The Evangelical Fellowship Of Canada. *Ensuring Choice: A Submission To The Standing Senate Committee On Legal and Constitutional Affairs Regarding the Resolution to Amend the Constitution of Canada with Respect to Term 17 of the Terms of Union of Newfoundland with Canada.* June 25, 1996.

The Integrated Education Council. *Presentation To The Standing Senate Committee On Legal and Constitutional Affairs.* July 10, 1996.

The Joint Executive of The Denominational Education Committee of Newfoundland. *Brief to the Special Joint Committee on the Constitution of Canada.* Centre For Newfoundland Studies: JL 203 Z9 E45 C.1.

The Newfoundland and Labrador Teachers' Association, *Briefing Notes for a Meeting Between The Senated Standing Committee on Legal and Constitutional Affairs and The Newfoundland and Labrador Teachers' Association*, July 10, 1996, pp. 4-5.

The Roman Catholic Education Committee. *A Brief to the Special Joint Committee of the House of Commons and the Senate of Canada on the Amendment to Term 17 of the Terms of Union of Newfoundland with Canada.* St. John's, November 15, 1997.

Tiny Separate School Trustees v. The King, [1928] 3 D.L.R. 753.

Titley, E. Brian. *Church, State, and the Control of Schooling in Ireland 1900-1944*, (McGill-Queen's University Press, Kingston, 1983).

Tobin, Premier Brian. "Notes from a province-wide address," July 31, 1997.

Van Loon, Richard, and Michael Whittington. *The Canadian Political System: Environment, Structure and Process.* Toronto: McGraw Hill-Ryerson, 1987.

Walsh and Newfoundland Teachers' Association et al. v. *Newfoundland (Treasury Board) et al.* (1986) 59 Nfld. & P.E.I.R. 129.

Weber, Paul J. and Dennis A. Gilbert. *Private Churches and Public Money: Church-Government Fiscal Relations.* Westport, Conn.: Greenwood, 1981.

Williams, A. Paul, "Social origins and elite politics in Canada: The impact of background differences on attitudes toward the welfare state." *Canadian Journal of Sociology*, Winter 1989, 14:1, 67.

Williams, Leonard. *Our Children Our Future: The Royal Commission of Inquiry into the Delivery of Programs and Services in Primary, Elementary, Secondary Education*, (St. John's: Government of Newfoundland & Labrador, 1992).

Wishart, Ian S. *Presentation To The Standing Senate Committee On Legal and Constitutional Affairs by The Presbytery of Newfoundland, The Presbyterian Church in Canada.* July 10, 1996.

Wolinetz, Steve. "Schools mess: Getting there and getting out," *The Evening Telegram*, July 12, 1997, p. 11.

Yaffe, Barbara. "Plan Offered by Clerics Accepted by Both Sides in Newfoundland Strike." The *Globe and Mail* (September 25, 1986), 2.

Yaffe, Barbara. "Plan Offered by Clerics Accepted by Both Sides in Newfoundland Strike," *The Globe and Mail*, September 25, 1986, page 2.

Zylberberg v. *Sudbury Board of Education* (1988) 52 D.L.R. (4th) 577.

APPENDIX A

INTERVIEW QUESTIONS FOR GOVERNMENT INTERVIEWEES

BACKGROUND:
I am studying the influences on the policy-making process of interest groups in Newfoundland on the issue of the educational reform of the 1990s (up to an including the "Second Referendum") for my Master of Arts dissertation in the Faculty of Political Science at Memorial University. Your willingness to assist me in my research is invaluable and very much appreciated. The qualitative research method is being used as opposed to the quantitative research method.

What would you identify as the major issues during the educational reform of the 1990s?

EXTERNAL INFLUENCES:
Would you outline your involvement in/knowledge of information for the decision-making process in the Provincial Government on the matters of the education reform?

- What was your role in the process
- What were your department's responsibilities and goals during the education reform debate
- Were those goals achieved
- What are your responsibilities as "minister" (and "deputy minister" etc)
- What sources do you use to familiarize your self with a policy issue – any outside organization that you used for formation of educational policy?

POLITICAL PROCESS:

Could you outline the process that leads to policy recommendations/decisions for the education department?

- Who determines the agenda
- How were decisions made
- Who made the decisions
- How did this process work during the education debate
- Was that process typical of most decision-making within the department

POLITICAL CONTEXT:

Who was/has been involved in discussions, recommendations and decisions
To what degree are/were they involved
What groups were seeking to influence policy on education reform
If you put the primary decision makers in the center – where would you place other players in the process in relation to the decision makers and to each other?

government agencies; public interest groups etc. (here is a partial list of interest groups that gave evidence before the Senate Constitutional Committee holding hearings on the educational referendum:

Pentecostal Assemblies of Newfoundland;
Seventh-day Adventist Church in Newfoundland & Labrador;
Roman Catholic Church;
Integrated School Boards;
Anglican Church;
Presbyterian Church;
Salvation Army;
United Church;
Federation des parent francophones de Terre-Neuve et du Labrador;
"Yes Means Yes" Committee;
Newfoundland and Labrador Home and School Federation;
Newfoundland and Labrador Teachers' Association;
Newfoundland and Labrador Human Rights Association;
Labrador Metis Association;
Official Opposition of Newfoundland and Labrador; (the political parties are not interest groups however I am interested in your view of the role they played during the reform debates)
New Democratic Party of Newfoundland and Labrador; (the political parties are not interest groups however I am interested in your view of the role they played during the reform debates)
St. John's Board of Trade;
Alliance for Choice in Education
Parents and Students

- what groups are/were particularly influential in educational policy – and why do you think they are successful or no longer successful

GROUP CHARACTERISTICS:

It is important for my study to determine the relationship the provincial government had with the various groups.

How would you describe "each of the interest groups listed above" with respect to the following characteristics:

- size
- membership
- finances
- expertise with issues
- degree of influence

STRATEGIES:

Would you describe your relationship with members of "the different groups"

- how do/did you come into contact with the members
- how were you made aware of "X group"
- how much contact do/did you have with "X group"
- what issues do/did you discuss with them
- in policy discussions on education reform where did "X group" become involved

OUTCOME:
What did you do with the information/request/proposal on education reform brought to you by "X group".

- are there any of "X group's" proposals reflected in the education reform or final decisions
- in your opinion how significant has "X group's" role been in education reform policy process

As you look to education issues ahead, what role do you think groups like "X group" will play in the future?

- what do you think that "X group" could do to be more effective

WRAP UP:

Is there anything that you would like to add?
Who would you suggest that I talk to in order to gain a full appreciation of factors and groups that influenced education reform policy?
Are there any documents I would find relevant?
May I contact you if I have further questions? What would be the best way to contact you?

APPENDIX B

INTERVIEW QUESTIONS FOR INTEREST GROUP INTERVIEWEES

BACKGROUND:
What would you identify as the major issues during the educational reform of the 1990s?

EXTERNAL INFLUENCES:
Would you outline your involvement in/knowledge of information for the decision-making process in the educational reform?

What was your role in the process
What were your group's responsibilities and goals during the education reform debate
Were those goals achieved
What are your responsibilities as "member" of your group
What sources do you use to familiarize your self with a policy issue – any outside organization?

POLITICAL PROCESS:

Could you outline the process that leads to policy recommendations/decisions on education?

Who determines the agenda
How were decisions made
Who made the decisions
How did this process work during the education debate
Was that process typical of most decision-making
As you see it did the government have its own set of goals or objectives in regard to the educational reform that it wanted to see

POLITICAL CONTEXT:

Who has been involved in discussions, recommendations and decisions
To what degree are they involved
What groups were seeking to influence policy on education reform
If you put the primary decision makers in the center – where would you place other players in the process in relation to the decision makers and to each other?
government agencies; public interest groups etc. (here is a partial list of interest groups that gave evidence before the Senate Constitutional Committee holding hearings on the educational referendum:

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Newfoundland and Labrador Human Rights Association;
Labrador Metis Association;
Official Opposition of Newfoundland and Labrador; (the political parties are not interest groups however I am interested in your view of the role they played during the reform debates)
New Democratic Party of Newfoundland and Labrador; (the political parties are not interest groups however I am interested in your view of the role they played during the reform debates)
St. John's Board of Trade;
Alliance for Choice in Education
Parents and Students)

- what groups are particularly influential – and why do you think they are successful

GROUP CHARACTERISTICS:

Please refer to each of the groups mentioned above.

How would you describe "X group"

- size
- membership
- finances
- expertise with issues
- degree of influence

STRATEGIES:

Would you describe your relationship with members of "X group"

- how do you come into contact with the members
- how were you made aware of "X group"
- how much contact do you have with "X group"
- what issues do you discuss with them

- in policy discussions on education reform where did "X group" become involved

OUTCOME:
What did you do with the information/request/proposal on education reform brought to you by "X group".

- are there any of "X group's" proposals reflected in the education reform or final decisions
- in your opinion how significant has "X group's" role been in education reform policy process

As you look to education issues ahead, what role do you think groups like "X group" will play in the future?

- what do you think that "X group" could do to be more effective

WRAP UP:

Is there anything that you would like to add?
Who would you suggest that I talk to in order to gain a full appreciation of factors and groups that influenced education reform policy?
Are there any documents I would find relevant?
May I contact you if I have further questions? What would be the best way to contact you?