

# The Responsible Government League and the Confederation Campaigns of 1948

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THE RESULTS OF Newfoundland's referendum on July 22, 1948, are well known. The Avalon Peninsula voted predominantly for a return to responsible government (67.3% for responsible government, 32.7% for confederation), while the remainder of the island supported confederation (68.1% for confederation and 31.9% for responsible government). Explanations of this division have varied. St. John Chadwick concluded that support for responsible government came from "the professional and commercial classes," while fishermen and loggers favoured confederation (206). Political scientist George Perlin correctly pointed out that the Avalon Peninsula was not synonymous with the professional and commercial classes, and suggested that sectarian rivalry during the campaign was responsible for the geographic split. He believed that Roman Catholics, who were in the majority on the Avalon Peninsula, followed the dictates of Archbishop E.P. Roche and voted for a return to responsible government; the Protestant majority on the rest of the island, meanwhile, supported confederation as a response to what they perceived as Catholic interference in politics.

Sectarian rivalry was undoubtedly a factor in the decision, but it is not a complete explanation since the Roman Catholic population had, on other occasions, been willing to ignore episcopal political advice. In 1908, for example, Catholic voters supported Edward Morris for Premier over Robert Bond, despite their church's endorsement of Bond. More importantly, one cannot extrapolate the existence of a Catholic-Protestant split on the con-

federation issue on the basis of the geographic distribution of denominations and support for confederation. In the first referendum on June 3, 1948 — in which voters selected either responsible government, confederation, or the continuance of Commission Government — two predominantly Catholic districts off the Avalon supported confederation while two Avalon districts with Protestant majorities supported responsible government (Neary 321). In his book *Politics in Newfoundland* S.J.R. Noel acknowledged that the referendum had both sectarian and economic aspects, and concluded that no simple explanation of the vote was possible (259-60).

While Noel's cautionary note remains valid, the availability of new sources makes possible a reevaluation. It is clear that regional and economic tensions must not be confused with sectarian division. An alternate explanation of the referendum result is that it was a division between the Avalon and the rest of the island. The origin of this lies in historic divisions in Newfoundland society and in the referendum campaigns themselves. More specifically, the Responsible Government League (RGL) must bear some of the responsibility for the outcome. The Confederate Association, which encouraged further outport-city antagonism, also had an effect, of course.

This approach to the question can also shift the historical debate on confederation from the realm of diplomatic history towards issues rooted in the community.

This paper will outline the reasons the RGL was out-manuevered by the confederates in rural Newfoundland, and will suggest that the crucial factor in the campaigns of 1948 was the League's failure to present the voters with an alternative to the St. John's dominated political system that had failed in 1933. It will argue that, in part, those voting for confederation were rejecting this political system. A number of factors weakened the RGL. Firstly, because of its failure to create an island-wide political organization, the League did not campaign effectively in rural Newfoundland. This not only prevented it from competing with the confederate campaign, but it also reinforced among rural Newfoundlanders the feeling that a return to responsible government was a return to a political system dominated by St. John's. Secondly, given that a great deal of resentment existed toward St. John's in outport districts, an appeal to return to "responsible government as it existed in 1933" was not attractive to many voters. Finally, it will be suggested that different conceptions of national identity existed in different areas. Thus the people of the Avalon Peninsula appear to have remained committed to the Newfoundland nation state, while the remainder of the island envisioned a different future for themselves.

The impetus for the creation of the RGL was Joseph Smallwood's proposal, on October 28, 1946, to send a delegation of the National Convention (which had been elected earlier that year to recommend possible future forms of government for Newfoundland) to Ottawa. Smallwood

intended to inquire if terms of union between Newfoundland and Canada could be reached (Webb). This proposal upset the peaceful functioning of the Convention and raised the possibility that responsible government might not be restored to the country. Furthermore, though the motion to inquire into terms of union had been defeated, the idea of confederation was clearly gaining in popularity. On the evening of February 11, 1947, a group of businessmen and professionals met in the Newfoundland Hotel in St. John's to discuss the island's constitutional future.<sup>1</sup> They formed a "Responsible Government League" and dedicated themselves to "secure Responsible Government for Newfoundland and to encourage the people of Newfoundland to accept their full, personal and collective responsibilities for the good government of our country." In an effort to prevent their being perceived as representing a particular denomination or faction, they declared themselves nonsectarian and of no party.

Though in theory membership in the League was open to all, in fact the organization was drawn almost entirely from the St. John's middle class and business elite. The League's President, F.M. O'Leary, was a prominent businessman who had sponsored several cultural activities, including the popular radio program "The Barrelman" that had helped foster a national sense of identity. In 1940 he had also been involved in the Newfoundland National Association, a political arm of the St. John's elite that advocated constitutional reform and opposed the Commission Government. This earlier organization shared many of the same members and concerns, and may be seen as a precursor of the League. Primarily a local agent for foreign manufacturers, O'Leary may have feared the economic effects of confederation. That is not to suggest that his motive was entirely personal economic gain, for he genuinely believed in the viability of the Newfoundland nation state. Many of the other founding members held similar economic niches and views. They included retailers like Harold Macpherson, the president of the Royal Stores, James and Lewis Ayre of Ayre and Sons, and Charles R. Bell of the company bearing his name; Robert J. Murphy, President of United Towns Electric Company; Walter Chafe of the Mutual Life Insurance Company; Eric White, Managing Director of the White Clothing Company; and Harold Mitchell, President of J.B. Mitchell and Sons.

The other members were St. John's professionals, including John Currie and Albert Perlin, editor and assistant editor of the *Daily News*, Allan Fraser, a professor of history at Memorial College, and prominent lawyer C.E. Hunt. The League actively recruited the membership of St. John's lawyers, doctors and other professionals. The few rural people who joined were mostly outport merchants who had a large stake in the economic status quo, and were sometimes little more than agents for "Water Street," as the St. John's business community was collectively known.

One of the League's first decisions was not to campaign while the Convention was sitting. This effort to avoid the accusation of interfering with the investigations of that body left the League with little practical work to do. Even when the pretext of impartial investigation in the Convention had ended, the League and the responsible government advocates in the Convention did not become publicly affiliated. This did not prevent individual members of the Convention from performing tasks for the League such as writing radio speeches, but it hampered cooperation between the two principal anti-confederate groups. The unpredictable character of the Convention's leading anti-confederate, Peter Cashin, also helped to keep these two groups working independently of one another. Cashin had the oratorical skill and the energy necessary to lead a popular movement, but his drinking and notorious temper undermined the League's confidence in him. Furthermore, the conservative business community feared that a restored responsible government might be led by a loose cannon like Cashin; they preferred a less flamboyant and more stable leader such as businessman Chesley Crosbie. The League did give Cashin control of its campaign after the Convention dissolved, but this was an uneasy alliance. At one point, it refused to allow him to speak on its behalf during radio time allotted for responsible government (CNS, Galgay Papers, file 29).

An examination of the financial backers of the responsible government cause also helps to define the movement. For this purpose the League will be considered with the other anti-confederate organization, the Economic Union Association (EUA) (MacKenzie, "Economic Union"). The EUA was devoted to restoring responsible government as a method for achieving reciprocity with the United States. It had a strained relationship with the League, but both organizations drew upon many of the same supporters, which consisted of a cross section of the St. John's business community.

Analysis of eighty-two of the contributors of \$25 or more to these organizations reveals that thirty-three firms were primarily in the retail trade. An additional ten were small manufacturers who had good reason to fear competition from Canadian companies once tariff restrictions were removed by confederation, and ten companies were agents for foreign manufacturers. Other contributors were eight firms which were part of the service sector, and nine professionals. Surprisingly only twelve firms were involved in Newfoundland's primary industry, the fishery. Even these were either small businessmen like S.W. Mifflin of Catalina, or firms which were so diversified as not to be primarily fish exporters, like Baine Johnston. Not only did few salt fish exporters contribute, but none of the fresh fish exporters (the firms who presumably had the most to gain from reciprocity with the United States) supported responsible government. These businesses must not have perceived confederation as a threat to their industry, or else they welcomed the opportunity for diversification that union offered. Notable by their absence

were many of the principal family firms of Water Street which had once dominated the island's economic life.

Neither the League nor the EUA had overwhelming support in any segment of the business community. Relatively few businesses donated any money. Most of those who did contribute gave only token sums, and may have hedged their bets by contributing to the confederates as well. In fact, given the interlocking ties of family and directorships, the pool of contributors was extremely small. Personal ties were responsible for most of the funds raised, and only eighteen firms contributed more than \$500 to the League in the campaign for the first referendum.<sup>2</sup>

The meager financial support offered by the business community may be partially explained by two factors. Firstly, Water Street's attitude toward responsible government had always varied between ambivalent and hostile. In its view, the best government was the one which interfered in the economy least, and at times responsible government had been inconvenient. Secondly, there was a real possibility that businesses would profit from the higher disposable income under confederation that the confederates were promising. These new profits might well balance out the new taxes and competition.

Though it seems that Water Street as a block was not so opposed to confederation that it was prepared to fund the League, neither did it welcome the idea of union with Canada. Some firms may have contributed to the confederates, since some Water Street businessmen, notably Leonard Outerbridge, did favour confederation. In the absence of a list of contributors to the Confederate Association, however, one must accept the word of the confederates and assume that they received little from the St. John's business community. A more specific definition of elite attitudes toward confederation awaits further research, but it seems clear that the business community was divided on the question of confederation and largely ambivalent to the outcome of that debate.

Though the League was supported by only a segment of the business community, it was nonetheless widely perceived as representing Water Street. Its very formation elicited criticism on these grounds. A Stephenville Crossing man, in a letter to F.M. O'Leary, condemned the "underhanded" action of big business in attempting to influence public opinion while the National Convention was deciding Newfoundland's future democratically (RGLP 3.01.001). The confederates spread the view that the League was nothing more than a front for Water Street and rarely missed an opportunity to hammer this point home. A League supporter, James Dray, of Little Paradise, warned that having too many merchants' names on the League's executive would harm responsible government's chances. He went on to explain that

it will be very difficult to persuade the people the old political system will be altered, as for certain it will have to be since even the young, grown up since the inception of Commission Government, are determined that the old tricks of pap and patronage

as the price paid to those thought to have influence is rotten to the core, and cannot be allowed again. (RGLP 3.01.020)

Many Newfoundlanders associated their economic deprivation during the 1920s and 30s with the political system of that time. The indictment of partisan political corruption contained in the Hollis-Walker report of 1924 created the perception that politics was responsible for Newfoundland's problems. When, in 1933, the Amulree Commission set out to justify an end to democratic government, it repeated and popularized this judgement (Elliott). As James Overton has pointed out, such anti-democratic sentiments were common throughout the world during the 1930s. This disillusionment with democracy cut across class and regional lines, though it may have been more persistent among those who had been relatively powerless in influencing the state. The hardship of the 20s and 30s had scarred many people, and they were not eager to return to the form of government which they blamed for their troubles. As one woman in Trinity Bay answered the League's request for a donation,

What reply did we get from the old Responsible Government when we were forced to live on the Dole and had to spend days fighting for it. We were told to starve and be damned . . . I don't forget what we went through on 6 cents a day. I detest the word Responsible Government. (RGLP 3.01.025)

A League supporter warned that the confederates were profiting by characterizing responsible government as corrupt. He was concerned by a speech in which a confederate

laid great stress on the fact that he would not vote for responsible government *as it existed in 1933* . . . the reference to 1933 is not to the personalities of that Government, but to the form of government. I think a good policy for the Responsible Government League would be to explain just what Responsible Government is . . . If it is possible to change the exact form from what it was in 1933 . . . this should be told to the voters. Too many people connect Responsible Government with a few who may have strayed off the straight and narrow path. (RGLP 3.01.022)

In an effort to overcome this antipathy toward the old regime, the League attempted to formulate a vision of a renewed responsible government, and published its manifesto on October 9, 1947. Borrowing heavily from the discussions in the National Convention, the twenty-two point policy platform promised to pursue reciprocity with the United States, undertake a survey of the resources of Labrador, and make Memorial College a degree-granting institution.<sup>3</sup> A merchant marine would be created, and a National Development and Planning Council would assume an economic advisory role. Several new civil service departments, including Trade and Commerce, Labour, Tourism, and a Bureau of Statistics, were envisioned. A civil service commission would be established to discourage patronage in government hiring. The League also attempted to counter the social benefits of confederation by offering reduced tariffs on essential goods, an increase in old age pensions, workmen's compensation, and disability and life insurance

for fishermen (*Evening Telegram* 9 Oct. 1947). Unfortunately, this manifesto failed to capture the public imagination.

Following Malcolm Hollett's suggestion that "every effort should be made to offer something different from what we had before," the League tried to entice prominent men with unblemished reputations to announce that they would offer themselves to public life under responsible government — thus laying to rest public concerns that a return to the old constitution would mean a return to the old style of corrupt politics. The strategy was unsuccessful since few such people, even among the League's executive, were initially willing to commit themselves. Some of these men may have favoured confederation; some would have been unwilling to take time away from their business or legal practice; others may have not wanted to associate themselves with the League.<sup>4</sup> In any case, the perception remained that old style politicians would reemerge to dominate a renewed responsible government. One commentator, the Canadian High Commissioner to Newfoundland, rightly felt that this hampered the League's campaign (Bridle II, 723-4). The public cynicism and apathy about politicians continued, and aided the pro-confederation campaign.

As noted above, the Confederates encouraged the idea that the League represented Water Street, something the League members realized damaged their chances of winning the referendum. As Wickford Collins, the League secretary, wrote in December, 1947,

Reports from outport districts would indicate that Confederation is high liner at the moment, with Commission Government second in the field. A great deal of bitterness has been stirred up against responsible government by the use of class hatred against the merchant classes. (RGLP 3.01.020)

To counter this perception, the League corresponded with forty-five rural people, requesting that they add their names to the list of members published in the League's newspaper, *The Independent* (RGLP 3.10.002). Some merchants, like Fred Morris of Trinity Bay, favoured responsible government but were wary of taking time away from their businesses. Morris also put his finger on the nub of the League's organizational problems:

I would suggest you get a good sprinkling of baymen associated with your movement, you know, there's a feeling and probably justly so, that the Avalon Peninsula is Newfoundland and the remainder of the Country being "No Man's Land." (RGLP 3.01.019)

Despite this advice, the League was not interested in having rural members perform any organizational role or even in having them campaign in their districts. The League executive shared an elitist outlook that caused them to seek prominent men as members. By their very presence, these men would add to the respectability of responsible government — something the League perceived as a problem. Working class people, women, and rural Newfoundlanders might be called upon to contribute to the organization,

but they would not be allowed to have a role in governing the League. As O'Leary replied to Morris's concerns,

The man you recommend would not have to do any active work and neither would he have to be of exceptional ability. We merely want the bigger places through the country to be represented on our Board of Directors, so that the Responsible Government League would not be criticised as being a bunch in St. John's. (RGLP 3.01.109)

This presented a contradiction — the League wanted to have a good “class” of members yet not appear elitist. Unfortunately, this contradiction hurt the League in two ways. Firstly, it prevented them from creating an island-wide campaign organization. Secondly, the reports on public opinion by the rural police force, the Newfoundland Rangers, indicate that this effort to create the appearance, but not the substance, of a broadly based political movement was transparent to many voters.<sup>5</sup> This problem also illustrates the League's unwillingness to offer rural Newfoundlanders anything other than a return to the St. John's dominated political system that had always accompanied responsible government.

The League was also hampered by the fact that its members were poorly informed on the topic of confederation and Canada generally, and felt incapable of countering Smallwood's propaganda. When a League member in Gander became concerned that nothing was being done to answer Smallwood's campaign, Wickford Collins admitted they were powerless:

I phoned Mr. O'Leary concerning Smallwood's campaign at Gander, and he was of the opinion that we are not yet ready to tackle Smallwood in public. It would be fatal to tackle now, and lose out through lack of information. Smallwood has about three years head start on us, and is fully prepared with the most detailed information to speak in public. I personally feel that when we are ready we will be able to give him a good roasting . . . It is a bit binding to have to sit back, and watch him sweep all before him, but our turn will come, and I hope it comes soon. (RGLP 3.01.020)

The League's executive felt they needed specific information on the operation of the federal system of government, especially Canadian taxation (which they hoped would frighten most Newfoundlanders into voting against confederation). The League formed an information committee, yet never closed the information gap between itself and Smallwood. This was due to both the League's inefficiency and the fact that the Canadian High Commission provided the confederates with any information they might need.<sup>6</sup>

The League's campaign was ineffective compared to Smallwood's speeches on the benefits of confederation that were broadcast from the National Convention. As the League's secretary reported at the end of 1947,

Our radio talks and pamphlets have been in the nature of academic discussion on our public affairs. However we know our weak points and are well prepared to put on a first class show in 1948. We have six months to go before the referendum, which is a long time to maintain an active political campaign. (RGLP 3.01.020)



In part, this ineffectiveness resulted from responsible government having fewer tangible benefits to offer, thus leaving the League with a much more difficult program to sell. For example, to counter the Canadian Family Allowance program, which offered a significant cash subsidy to many Newfoundland households, the League argued that the cost of Canadian taxation would be greater than the “baby bonus” and that the program was immoral. League member William Browne advised Peter Cashin and Malcolm Hollett to promise family allowances under responsible government, something which they refused to do (Browne 200-01). Cashin’s experience as finance minister between 1928 and 1932 had left him with a lasting fear of deficit budgets. He could not have supported any government expenditure which might have threatened the fragile financial stability of responsible government. The fear of taxation had been a favourite anti-confederate tactic since the 1860s (Hiller, “Confederation Defeated”). It remained a powerful weapon, but one that was outgunned by the appeal of Canadian social programs.

On January 27, 1948, the responsible government advocates in the National Convention, by a vote of 29 to 16, defeated a motion to place confederation on the ballot in the upcoming referendum. The League rejoiced, but once the Convention closed the British government reiterated that it had been only an advisory body and announced that since substantial public support for union with Canada existed, the ballot options would include Confederation. The responsible government advocates were angry, not only at the reversal of their victory in the Convention, but also because the move offended their sense of “British fair play.” The League responded by presenting a petition objecting to confederation appearing on the ballot. Signed by thirty-two St. John’s lawyers, it argued that when the former constitution had been suspended in 1934, the British government had pledged to restore responsible government once Newfoundland was self-supporting. Furthermore, since a majority in the democratically elected National Convention had requested responsible government, it had to be reinstated. Since the British government hoped that Newfoundlanders would choose confederation in the referendum, it refused to entertain this argument. Significantly, it was the British who had defined the other principal option on the ballot as “responsible government as it existed in 1933.” They felt this wording made clear that, even if responsible government were chosen in the referendum, “There would be no question at present of the adoption by Newfoundland of the Statute of Westminster or of it assuming full Dominion status on the Canadian model” (Bridle II, 809).

Having failed to prevent the confederation option by its petition and legal arguments, the League changed its strategy. Members belatedly began to campaign in rural Newfoundland and brought some prominent St. John’s labour leaders into the League to counter their Water Street image.<sup>7</sup> In

February they hired former Convention member Charles Bailey to campaign on the northeast coast. Yet when Bailey finished his tour three months later they dismissed him, saying they had no further plans for his services (RGLP 3.01.022-3).

The launching of the EUA on March 20, 1948, proved to be a major boost to the anti-confederate forces. This group was formed by a younger segment of the anti-confederates, who recognized that the RGL had not effectively countered the confederate campaign to that point. As EUA organizer Don Jamieson later commented,

We had no confidence in those who were, at the time, the only promoters of a return to self government. Their organization, the Responsible Government League, was an inefficient hodge-podge of reactionary businessmen and recycled politicians. Most were sincere enough in their own blinkered way, but their stale rhetoric and threadbare arguments sounded stodgy and self-serving. (*No Place for Fools* 90)

Furthermore, the EUA realized that the victors in the referendum campaign would form the next government.

Under the leadership of St. John's businessman and former National Convention member Chesley Crosbie, this small group offered customs union with the United States as an alternative to political union with Canada. The EUA campaigned for a return to the former constitution, arguing that once responsible government had been returned a free-trade deal could be negotiated. This appealed to the electorate in two ways. Ever since the aborted reciprocity treaty of the 1890s many Newfoundlanders believed that access to the American market held the promise of great prosperity. After fifty years this belief had grown to the point that many viewed reciprocity as a panacea. It was also widely believed that economic union with the U.S. offered a kind of financial security for responsible government. Unfortunately for the EUA, the American government was not interested in negotiating any special arrangement with Newfoundland.

The League also attempted to foster the growth of rural branches of the organization, something they had declined to do earlier. In mid-April, 1948, they began contacting supporters in certain communities, asking them to form their own committees. "It is only in this way," the League reported, "that we will be able to build up and consolidate an island wide organization capable of dealing with the many jobs which will be necessary in this fight against Confederation and Commission of Government" (RGLP 3.01.022). By this point, however, the confederates had a substantial lead in rural Newfoundland, and the League's halfhearted attempts to foster rural branches were ineffective. A few committees were formed in some of the larger towns, including Gander, Grand Falls, and Corner Brook. Unfortunately, these groups suffered from the blight of many volunteer organizations, in that a handful of people had to do all the work. Remarkably, a week and a half before the first referendum the Grand Falls group turned

down the League's offer to provide public speakers. George Hicks responded to the offer by writing, on May 23, 1948, "I think that we are prepared to now rest the case. Anybody who has not made up his mind by now is hardly worth considering" (RGLP 3.01.027). As for the Gander committee, they held only one public meeting, in which League campaigners Jim Ryall and Frank Fogwill met an extremely hostile reception. After that, the League's Gander representative, Ted Henley, contented himself with distributing propaganda.

Though the League and the *EUA* initially operated independently of each other, they drew upon many of the same financial contributors and used similar campaign tactics. Despite the support of a portion of the St. John's business community, contributions from large donors only added up to \$26,000 for the League and an additional \$17,000 for the *EUA*. The League felt these funds were insufficient to enable it to campaign in northern Newfoundland. Despite curtailing its campaign, the League ran a deficit of \$3,000 on the first referendum (RGLP 3.01.027). After the indecisive results of the first referendum on June 3, finding donations for the second campaign — they estimated they needed about \$50,000 — was even more difficult (RGLP 3.01.025). This may have resulted from the realization that responsible government did not have sufficient support to win once the option of continued Commission Government was dropped from the ballot. (The results of the June 3 vote were: 44.5% for responsible government, 41.4% for confederation, and 14.3% for the Commission.) It might have been assumed that those who had supported the Commission were wary of a return to independence and would have been more likely to vote for confederation. The confederates, on the other hand, seem to have had few financial problems, owing in part to the Canadian Liberal Party, which provided them with a letter of introduction and a list of potential contributors. The Confederate Association insider Harold Horwood later estimated that the confederates spent about a quarter of a million dollars, a striking contrast with the roughly \$50,000 spent on the anti-confederate campaign (113).

Whatever the reason for the meager financial support, the lack of funds drove the two anti-confederate organizations together. As of June 9, 1948, they had joint executive meetings, pooled their fund raising efforts, and divided the island between them. However, tensions between the two organizations continued to exist, and they never achieved an effective coordinated campaign.

In February, 1948, the sectarian question had been triggered by an anti-confederate issue of the Roman Catholic newspaper, *The Monitor*. Archbishop Roche declared that the Church's position was that self-government should be returned before confederation should be considered. He might have been wary of the effect on the Church of joining a larger, predominantly Protestant country. Now that the first referendum was over, and the area in which most Catholics lived had largely supported

confederation, the militant Protestant Orange Lodge responded to the Archbishop's support for responsible government. The "Orange Letter," which may have been written by confederate Gordon Bradley (Hiller, "F. Gordon Bradley"), informed members that the Lodge

condemns such efforts at sectional domination, and warns orangemen . . . of the danger inherent in all such attempts to influence the result, and calls upon them to use every effort to bring such attempt to naught.

The resulting animosity made the campaign for the second referendum more bitter and nasty than the first had been. Since most Catholics lived on the Avalon, and most Protestants on the remainder of the island, sectarianism reinforced the geographic cleavage in voting patterns.

The referendum on July 22 resulted in a narrow majority of 52.3% for confederation (78,323); 47.6% supported responsible government (71,344). This result was a blow to the members of the League, many of whom resigned. Even F.M. O'Leary, in a letter to Wickford Collins on August 13, 1948, said he was "convinced that further action . . . would not be in the best interest of the League or the country," and left the League (RGLP 3.01.018). But others refused to accept defeat by what P.E. Outerbridge termed the "ignorant and avaricious outporters [who] handed over [Newfoundland] to Canada as a free gift on July 22nd" (RGLP 3.01.026). The fact that most of the support for the union came from outside the Avalon Peninsula did not make defeat any easier for them. John Higgins reflected this patronizing view when he wrote that

The story of the Union of Newfoundland with Canada is a sordid one, a contemptible act of political chicanery perpetrated on a simple people by men holding high positions who have forgotten the primary tenets of public morality and natural justice. The people should never have been asked to vote on a matter which was so complicated and so abstruse as confederation. That is a matter for experts. (RGLP 3.01.027)

These attitudes are also illustrative of RGL members' view of democracy, which rested on a strict constitutionalism, not on accepting the will of the majority in a referendum. They believed that sovereignty rested with the legitimate representative institutions, not with the people. So in their view, the people did not have the power to vote away their right to have responsible government. More significantly, they felt that the will of the representative National Convention should supersede the will of the people themselves, as expressed in referenda. As one supporter wrote to the *Daily News* (9 Sept. 1948),

If we . . . can have annulled the recent referendum and other unconstitutional proceedings and ratified the democratically-reached decision of the National Convention to restore self-government before considering Confederation, then we will have won a great victory for our democratic institutions.

The remaining League members had to decide upon new tactics to prevent union. They might have engaged in a campaign of civil disobedience or participated in a petition that was being circulated that asked for the

Avalon Peninsula to be partitioned off and allowed to remain independent. Both were suggested (RGLP 3.01.026-7). Instead they attempted to use legal technicalities to overcome the expressed democratic will. The legal appeal was the kind of battleground that would seem most natural to the lawyers on the League's executive. It also reflected the middle class hesitancy to take the fight outside the channels of "legitimate" authority.

Initially, the League hoped to block union on the grounds that the act which had created the Commission Government had promised that responsible government would be restored. The League's London lawyer, however, insisted that no such legally binding promise existed (RGLP 3.01.027). On November 13, the League began proceedings for an injunction against the Commission Government, claiming that under the Statute of Westminster the British Parliament could not legislate with regard to Newfoundland except at the request of a parliament elected by the people of Newfoundland (Gilmore). On December 13, 1948, this case was dismissed by Justice Brian Dunfield of the Newfoundland Supreme Court, and it was again dismissed by the Newfoundland Court of Appeal on January 22, 1949. The League then appealed to the Judicial Committee of the Privy Council. But by this point the League had a new problem. Despite their counsel's willingness to forgo legal fees, the League had difficulty finding contributors willing to help with the \$25,000 bond necessary to proceed with their case (RGLP 3.01.028).

After the bill to effect union had passed third reading in the British House of Commons, the League's counsel, on March 10, 1949, informed them that "the political battle must, I fear, be regarded as lost," and that "not only is the Appeal unlikely to succeed, but that really the case is now unarguable." He now felt the case should be withdrawn to save face. Higgins's reply, a scant nine days before union, was that they had gathered \$9,000-\$10,000, and were determined to have their case heard. This represents two attitudes on the part of the League members. Firstly, they shared an overly legalistic view of Newfoundland's constitutional position and wanted to have their reasoning tested by the highest court. Secondly, they felt a loyalty to Newfoundland that ensured they would not give up the fight, no matter how futile. Throughout Newfoundland's first month as a province of Canada, the League's counsel repeatedly advised that the case be withdrawn, and on May 4, 1949, the League relented (RGLP 3.01.028).

The legal appeal was just one of several strategies followed by the League in its final days. They also attempted to gather the evidence of voting irregularities necessary to enable them to demand a recount. No witnesses of wrongdoing came forward, and despite the narrow margin of the confederate victory no recount was held. A petition demanding the immediate return of responsible government was launched on September 2, and gathered about 50,000 names, but in light of the outcome of the referendum, along with the British and Canadian resolve, it was futile (Neary 337). Yet another

futile gesture was A.P. Herbert's sponsorship of the Newfoundland Liberation Bill in the British Parliament. Herbert had been fond of Newfoundland ever since his visit as part of the Goodwill Mission in 1943. He hoped to get Tory support for the Liberation Bill, not because the Conservatives cared about events in Newfoundland, but as a stalling tactic to delay passing an anti-fox hunting bill. (Ironically, Herbert had introduced the idea of a National Convention to the Dominion's Office, an idea that had likely originated with R.B. Job, thus helping to create the situation in which support for confederation grew.) Meanwhile, Peter Cashin was equally unsuccessful in his attempt to convince the Canadian Opposition Leader, George Drew, to oppose confederation. Cashin now felt that sponsoring public demonstrations in St. John's offered the only hope to "save the country," but few League members were willing to follow him.

These desperate attempts to forestall the inevitable soon collapsed. The benefits of union were readily apparent to all but the most die-hard anti-confederates, and the League was a spent force. Soon the demands of the Progressive Conservative Party of Canada took up the political energies of many former members of the League. This party label was assumed largely out of convenience, since the confederates had already appropriated the Liberal label. The Tory party was also the most comfortable for the former League members, most of whom were conservative. Vestiges of the League continued into 1951, as a handful of friends whose only purpose was to send Christmas parcels of rationed items to A.P. Herbert and the British lawyers who had helped their cause.

The League, consisting of a part of the professional and business establishment and enjoying the support of the Roman Catholic church, should have been able to put forward an excellent campaign. They also had a substantial organizational head start on the Confederate Association, which was not formed until after the announcement that confederation would be on the ballot. Don Jamieson, an *EUA* member, has suggested that the lack of a single effective leader was responsible for the *RGL*'s inability to compete with Smallwood ("I Saw the Fight for Confederation"). But with the resources available, the League should have been able to push forward a leader capable of creating a popular movement.

It could be argued that their problem was a function of their membership. These middle class men ran the organization as if it were a service club. Few members were willing to take a significant amount of time away from their businesses, something that was necessary in this major political battle. Furthermore, they devoted far too much of their part-time efforts to drafting and amending their constitution and debating who should be allowed to join. When they did begin the struggle to restore responsible government, they were not willing to fight the kind of political battle that was necessary. While Smallwood met Newfoundlanders and told them in

specific terms what confederation would do for them, the League believed that the people should not be allowed to decide anything as important as confederation. The kind of fight they chose, appealing to the British government and the courts, was the kind of battle they felt most comfortable fighting. But since the British wanted confederation, that was a fight the League could not win. All it did was take the League's attention away from the popular battle in which the real issue was being decided.

Every Newfoundlander decided how to vote in the referendum for personal reasons. Some of these reasons, like greater economic and social ties to Canada in some areas, can, in part, help to explain the geographic split in support for confederation. Sectarianism has borne much of the weight of explaining this cleavage. Yet as indicated above, there are reasons to think that this has been overstated. Another approach to this problem would be to ask: why did the people on the Avalon accept the nationalist message and reject the economic benefits of confederation? And why did the reverse occur throughout the rest of the island? The answer may lie in rural resentment of exploitation by the metropole. This rural resentment was exacerbated by the League's inability to present Newfoundlanders with a vision of a new political system. Instead, people saw a Water Street and professional elite attempting to recreate the political system of the 1930s, complete with all its economic uncertainties and exploitation.

One might speculate that there were also geographic differences in how people viewed themselves, differences which influenced their susceptibility to nationalist rhetoric. Benedict Anderson suggests that political elites had a crucial role in creating "National" consciousness among the people of administrative units in the new world. Keith Matthews saw the small but increasingly important St. John's middle class in early nineteenth century Newfoundland as being the island's first "Nationalists." Matthews believed this group used a nationalist appeal to gain further control over social and political power in the form of representative government. He went on to suggest that these men created a political system in which Newfoundlanders outside of the Avalon Peninsula did not participate. Geoff Budden examined an outbreak of "Nativism" in the 1840s, and found it to be a middle class movement using a nationalist appeal. They were, in his view, attempting to protect their interests from an imported Tory oligarchy and a vocal and active Irish plebian population. In the face of the increasing political radicalization of the Irish, Philip McCann has suggested that the Newfoundland state in the middle decades of the nineteenth century invented political "traditions" to create loyalty to the new political regime.

If one accepts McCann's argument, then, given the small size of the Newfoundland state and the dispersal of the population, arguably these new political traditions did not penetrate far beyond the seat of government in St. John's. The historical record indicates that outside the most populous

area of the island, people had little contact with the state. Thus to rural Newfoundlanders St. John's would be the centre of economic exploitation, but it would not be the psychological centre of national symbols. That is not to say that the people of the northeast coast would be less nationalistic than those of the Avalon, but that their sense of community would be different. For them, the political traditions and institutions in St. John's would not be the shaping influence in how they defined themselves. The population of the Avalon Peninsula, on the other hand, had experienced a century and a half of having the legitimacy of the Newfoundland state reinforced in times of crisis. People on the Avalon, though often resenting their own exploitation by Water Street, could at the same time identify themselves with the political centre. The same was not true outside the Avalon Peninsula, making these people less susceptible to a nationalist appeal for responsible government. For them, giving up responsible government to join Canada evidently did not diminish their sense of themselves as Newfoundlanders.

If this reading of events is correct, the climactic struggles of 1948 do not represent the first rural attempt to break the St. John's domination of the state. The growth of the Fishermen's Protective Union early in the century was an effort both to lessen the harshness of economic exploitation and to wrest a measure of political power from St. John's. That movement failed to achieve lasting reform, and the resentment of political and economic exploitation continued. The object of this earlier resentment had a focus — Water Street. This resentment may have been exacerbated by the growth of a small economic elite in rural Newfoundland that was independent of St. John's and saw Water Street as harming its interests. When the RGL offered a return to "responsible government as it existed in 1933," it was offering a return to economic uncertainty and the St. John's dominated political system. It was probably with a sense of having defeated the St. John's establishment that a merchant on the west coast wrote to F.M. O'Leary:

Enclosed find cheque for \$91.76 full amount due you and you can close the account for ever, now that we have Confederation we can buy goods from our good Canadian friends. I will be in St. John's next August to cut grass off Water Street for my horse next winter. (RGLP 3.10.025)

## Notes

<sup>1</sup>The executive of the League consisted of: F.M. O'Leary (President), J.T. Cheeseman (v.p.), Jos. O'Driscoll (Treasurer). Three committees were formed to begin the work of putting together an effective organization; they consisted of: Constitutional Committee, R.C.B. Mercer, J.S. Maddigan, W.R. Dawe, and R. Furlong; Policy Committee, A.B. Perlin, R. Furlong, A. Fraser, and J.S. Currie; Membership Committee, J. Tucker, B. Norris and F.G. Bemister. RGL Papers 3.01.002. These papers are in the Centre for Newfoundland Studies, Memorial University of Newfoundland (CNS). Hereafter referred to as RGLP. For background on this period see MacKenzie, *Inside the Atlantic Triangle*, and Neary.



<sup>2</sup>This conclusion was reached from "Approximate amounts received for the first referendum by both parties," in RGLP 3.01.015. Many of these firms were diversified to the point that they defy simple classification. This categorization represents a somewhat arbitrary judgement as to the principal activity of firms.

<sup>3</sup>Convention member Malcolm Hollett drafted "Some Thoughts on a plan of action relative to a campaign for responsible government." This formed the basis of the League's policy platform, but few of his campaign tactics were put into effect. RGLP 3.10.004.

<sup>4</sup>At one point the League asked lawyers Charles Hunt, C.C. Pratt, Raymond Gushue, and the businessmen Leonard Outerbridge and Eric Hickman to announce that they would be willing to lead a political party under responsible government. Executive Minutes 16 Dec. 1947, RGLP 3.10.002.

<sup>5</sup>One of the few measures of public opinion available to the historian are the reports of the Newfoundland Ranger force. This rural police force was instructed to provide the Commission with assessments of the level of support for various forms of government. See Provincial Archives of Newfoundland and Labrador (PANL) GN 38/ s-2-5-2.

<sup>6</sup>I am grateful to Dr. Valerie Summers for pointing this out to me.

<sup>7</sup>For example: R.J. Fahey, President of the Newfoundland Federation of Labour; J. Ryall, Chairman, St. John's Trades and Labour Council; W. Finn, President of the Bakery Workers Protective Union; William Gillies, President of the Newfoundland Shop and Office Workers Association, and others (Executive Minutes 9 March 1948, RGLP, 3.01.002). On the Labour movement's role in the confederation debate see Gillespie 93-7.

<sup>8</sup>Compiled from "Approximate amounts received for the first referendum by both parties," RGLP 3.01.015.

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