

DOCUMENT

Art Scammell's "The Shooting of the Bawks": Songs and Resources in Newfoundland

INTRODUCTION

IT IS SUNDAY MORNING AND I am sitting in my garden in St. John's. My neighbour is also sitting outside taking the sun and having a drink. He is in his 60s. He is listening to music which he is playing loud. So loud in fact that the tape of Newfoundland songs can be heard for some distance. Three of the songs stick in my memory — I have heard them before. They are the old anti-Confederation song, "Come Near at Your Peril, Canadian Wolf"; a nostalgic-romantic song, probably from the turn of the century, called "A Heart's Cry from the West"; and Art Scammell's song "The Shooting of the Bawks".

These are three songs we might well use to illustrate the kinds of propaganda used by the St. John's merchants against Confederation, to enquire into the relationship between outmigration, nostalgia and tourist promotion, or to look at popular protests against the game laws. But for my neighbour these songs are obviously not of historical or academic interest. The songs as part of his Sunday morning broadcast have a quite different meaning. I make the connection between the playing of these songs and the recent rise in nationalist and patriotic sentiment in Newfoundland. Each of the songs seems to capture particularly well one facet of this sentiment. There is an anti-Canadianism and a questioning of the value of Confederation. There is a romantic and sentimental nostalgia for the old Newfoundland, in particular the *real* Newfoundland of the outports, which many urban dwellers feel exiled from. Finally, there is a populist defence of the interests of the people, threatened by outside forces of change and disruption.

Art Scammell was born in 1913 at Change Islands on the northeast coast of Newfoundland. He taught school in rural Newfoundland before moving to Montreal where he lived and was a teacher for about 30 years. He then returned to Newfoundland where he still lives. In Montreal he was one of those exiled intellectuals with roots in rural Newfoundland who started the *Atlantic Guardian* in 1945, producing songs, poems and articles which were populist and patriotic, romantic and sentimental.¹ Art Scammell is well-known for his song-writing capabilities. His "Squid Jiggin' Grounds", written when he was 15 years old, gained him widespread popularity. It captured the public imagination and has remained so important that it is considered to be the unofficial anthem of Newfoundland. He has also written many other songs and verses, including a "Come Home Song" to aid the provincial government's tourism drive of 1966

1 Patrick O'Flaherty, *The Rock Observed: Studies in the Literature of Newfoundland* (Toronto, 1979), pp. 144-156.

and “A Sealers’ Song — 1977” which gave voice to the sealers’ counterprotest movement of more recent times.² One of the most interesting and longlasting of Scammell’s songs has been “The Shooting of the Bawks”.³

In 1934 responsible government was suspended in Newfoundland and government by Commission was instituted. The Department of Natural Resources became responsible for the conservation and protection of fish, game and other resources. The Department began to take a more active role in conservation than had previous administrations. By the late 1930s a national park and game reserves had been established and a variety of other measures to preserve animals, fish and birds had been undertaken. This included improved policing of regulations. In 1938 an extensive set of regulations governing wildlife was introduced. These regulations covered the killing of non-game sea-birds. The closed season for the killing of most sea-birds extended from 1 May until 31 August, while it was made illegal to sell, purchase or possess birds during the summer months.⁴ It was as a protest against these regulations that Art Scammell wrote “The Shooting of the Bawks”.

Scammell’s song, written while he was living on the northeast coast of Newfoundland, is a straightforward defence of the right of rural people to kill sea-birds for food during the summer months. The song states an intention to defy the law and a belief that judges will not condemn hungry men for this act. The song makes the point that this source of food is vital for poor people and that if the regulations have to be enforced then the government should be responsible for providing alternative food supplies. Several species of sea-bird are mentioned by their local name: Noddy — Atlantic Fulmar; Tinker — Razor Billed Auk; Turre — Murre; Tickleace — Kittiwake; Bawk—Greater Shearwater. In its reference to the idea that a judge would not convict a hungry man the song points towards the poor settler clause which existed in the game laws from the 19th century. This clause allowed the killing of game for food if it could be shown that the person killing the game was in dire need when brought before a magistrate.⁵ This song fits in a long tradition of songs protesting the game laws

2 “A Sealers’ Song — 1977” was published in *Decks Awash*, 6 (4), 1977, p. 6. Some of Scammell’s other work is included in his *My Newfoundland* (Montreal, 1966).

3 First published in A. Scammell, *Songs of a Newfoundlander* (St. Jerome, Quebec, 1940), pp. 25-26. The song was later included in G.S. Doyle, *Old-Time Songs and Poetry of Newfoundland* (St. John’s, 1966). The song is reprinted here with the author’s permission. There are minor differences between the version published in 1940 and that found in Doyle’s songbook. In particular, the last two lines of verse four are different. In the 1940 version they read: “For men with children underfed, would rather far be sued,/Than keep this bloody law that stops a man from getting food”. In Doyle’s songbooks the lines are as follows: “For men with children underfed would not mind being sued,/And the judge will not condemn a man for getting food.”

4 R.B. Ewebank, “The Preservation of Game and Fish in Newfoundland” in R.B. Ewebank, *Public Affairs in Newfoundland* (Cardiff, 1939), pp. 87-97 and “Regulations as of Section 4 Act No. 28 of 1934, An Act Respecting Game, Fur-bearing Animals and Inland Fisheries”, *Newfoundland Gazette*, XV (43) 1938, pp. 3-4.

5 James Overton, “Tourism Development, Conservation and Conflict: Game Laws for Caribou

including the "Game Warden's Song" from Labrador and Dick Nolan's "Aunt Martha's Sheep".⁶ In an area of persistent and acute poverty there has been a constant and often bitter struggle between poor settlers and the law over wildlife, and poaching continues to be a major problem for wildlife officials.

Scammell's song took on importance again in the early 1950s when, after Confederation, attempts were made by the Canadian government to enforce the Migratory Birds Convention Act in Newfoundland. The Act had been signed by Canada and the United States in 1917. This international agreement marked a major turning point in the development of conservation in North America and of federal government responsibility in this area. The legislation came in the wake of the massive destruction of birdlife in North America in the late 19th century. Such migratory species as the passenger pigeon had become extinct and there was a growing awareness of the rate at which wildlife habitat was being destroyed. Both Canada and the United States responded to pressure for action by agreeing to legislation which would protect a wide variety of birds from hunting and commercial exploitation.⁷

Newfoundland and Labrador and St. Pierre and Miquelon did not become party to the 1917 agreement. This is a little surprising given William Wood's documentation of the acute problem of bird destruction in Newfoundland and Labrador and because the government of the country had sent a representative to the National Conservation Commission in Washington in 1909.⁸ Perhaps the main reason for the failure of the government to become party to the agreement was that sea birds were a vitally important source of food and eggs for those engaged in fishing. The Funk Islands were known as the meat and eggs larder for the Labrador fishery and Murres were salted and canned and sold locally in large numbers.⁹ Certainly the Migratory Birds Act was opposed in the Maritime Provinces because of the importance of birds as a source of food, though the protests were also based on the costs which would be incurred by the provinces in the policing of the new regulations. Many of the protests from the Maritimes and from other areas, such as the Yukon, pointed out the importance of birds for food and sport and objected in particular to the setting of open seasons which would make it virtually impossible to kill migrating birds lawfully in those areas. The new laws also covered non-migratory birds, including

Protection in Newfoundland", *Canadian Geographer*, 24 (1), 1980, pp. 40-49. The reference to the judge not condemning a man for getting food is only found in the later version of the song printed in Doyle's songbooks.

- 6 This theme is dealt with in R. Brunton, J. Overton and R.J. Sacouman, "Uneven Development and Song: Culture and Development in Atlantic Canada", in L. Salter, ed., *Communication Studies in Canada* (Toronto, 1981), pp. 105-32.
- 7 Janet Foster, *Working for Wildlife: The Beginnings of Preservation in Canada* (Toronto, 1978), especially pp. 120-48.
- 8 William Wood, *Animal Sanctuaries in Labrador* (Ottawa, 1911).
- 9 L.M. Tuck, *The Murres* (Ottawa, 1960), pp. 212-26.

Murres and Terns.¹⁰

When Newfoundland joined Canada in 1949 it became the federal government's responsibility to extend the Migratory Birds Act to the new province. In October 1949, however, there was still some doubt in the province that this would be done. The St. John's *Daily News*, for example, argued that the annual kill of birds was so important to the inhabitants of the northeast coast that the government of Canada would not be able to enforce the regulations: "Only those persons thoroughly acquainted with the northeast coast of this island realize the important part the kill of seabirds in the fall figures in the food supply of the coast residents: "Turrs and Bullbirds — to give them their local names — fall in thousands to gunners Packed in snow, salted in barrels or canned, these birds often provide much of the winter's meat supply, while their feathers make downy pillows and beds".¹¹ At the time the federal government was apparently turning a blind eye to the problem of enforcing the new regulations being aware that they would meet with resistance and that any change in the regulations would be difficult because it would involve international agreement.

By early 1951, however, the federal government had begun to enforce the Act.¹² The killing of sea birds was prohibited in the south of the Island of Newfoundland. This brought immediate protest from residents of the south coast. From the Placentia area came a petition stating that Turrs were the only available meat and urging the government to change the regulations. Further plans to introduce the new regulations in the north of the Island in 1952 were outlined while Joseph Smallwood argued that he had no control over the new federal regulations.¹³ During 1951 a widespread protest movement was organized to make "an honest effort to rectify a great wrong that has been done to the people of Newfoundland".¹⁴ This was partly organized by politicians and soon some 13,000 names were put to petitions directed to the federal government. In April 1951 the *Daily News* again commented: "To deprive many of our fishermen of this source of food would not only upset the family budget, but also invite unrest among our people".¹⁵ It was as part of this popular movement of protest that Art Scammell's song "The Shooting of the Bawks" again became popular. According to Scammell it was even played in the House of Commons in Ottawa as part of the effort by Newfoundland politicians to get the regulations changed. In fact, the importance of the song as part of the protest against the Migratory Birds Act was so great that Scammell himself in a recent interview stated, before correcting himself, that he actually wrote the song to protest the Act.¹⁶ The

10. Foster, *Working for Wildlife*.

11. *Daily News*, (St. John's), 12 October 1949.

12. *Daily News*, 8 February 1951.

13. *Daily News*, 19 February 1951.

14. *Daily News*, 5 March 1951.

15. *Daily News*, 12 April 1951.

16. Personal Communication, August 1983. Part of the song was also included in "Newfoundland:

protests were successful in bringing about a change in the regulations. An amendment to the Migratory Birds Act allowed *rural residents* of Newfoundland to kill Murres for food between 1 September and 31 March if in need.¹⁷

Scammell's song is a simple statement of solidarity and sympathy with the plight of poor rural inhabitants. It is part of a protest against regulations which make survival a little more difficult for fishermen and their families. The song is intimate in style and full of local names for birds. It protests the fact that regulations are set by those who live in luxury and do not have to worry where the next meal is coming from. It is a simple defence in that it does not question the reason for the law which is being introduced, nor does it show a critical appreciation of the wider issues involved in the government's actions. In addition, it is not really an attack on the people responsible for the change so much as a defence of customary rights. If the song is patriotic it is because Scammell adopted the format and tune of the Irish rebel song "The Wearin' o' the Green" and in doing so was perhaps making the right to kill sea birds a national symbol against the actions of the London-appointed government.

In the current political and economic situation in Newfoundland older songs like "The Shooting of the Bawks" continue to live on and even take on a new significance. This song continues to be sung and recorded, most recently by Ray Johnston for his 400th anniversary of Newfoundland souvenir album.¹⁸ The defence of the right of poor people to control and use resources continues to be important in Newfoundland, while resource issues have become central to the nationalist/regionalist movement. Economic and political themes are to be found in much popular music, in poetry, the theatre and other art produced in the province.¹⁹ Strong links are established between the themes of control of resources and cultural survival. Popular culture cannot be ignored if we want to understand the basis of support for Brian Peckford and the Progressive Conservative government. Peckford appears to be out there with the people fighting for their rights against the central state, and the defence of customary rights to use resources takes on a new meaning in this context. At the present time culture seems to be politically very important in Newfoundland, and it is unfortunate that so little critical, analytical work has been produced on popular culture in Newfoundland.

JAMES OVERTON

"Squid Jiggin' Ground", *Time*, 55 (2), 1950, p. 12.

17 L. M. Tuck, "Migratory Game Birds—Newfoundland Tomorrow", unpublished paper, 1965, pp. 11-12. A copy of this is deposited in the Centre for Newfoundland Studies, Queen Elizabeth II Library, Memorial University of Newfoundland, St. John's.

18 Ray Johnston, *A Breath of Newfoundland* (Pigeon Inlet Productions, 1 Storyhouse Street, St. John's, 1983).

19 For some analysis of these developments, see Cynthia Lamson, "*Bloody Decks and a Bumper Crop*": *The Rhetoric of the Sealing Counter Protest* (St. John's, 1979), Janice Drodge, "A

The Shooting of the Bawks
Tune — *The Wearin' o' the Green.*

O Mary dear and did you hear the news I heard today?
We're only 'lowed to kill a bird up to the middle o' May.
Now isn't it a cruel shame, this thing that they have done!
And so says Tom, and so says Bill, and so says everyone.
I met with Skipper Neddy, and he took me by the hand,
And he said: "Now what's the news, my boy, and how's poor Newfoundland?"
Says I. "Next summer, Neddy, we'll have to live on hawks,
For there's a bloody law agin the killin' of the bawks."

I bought a muzzleloader, a month or two ago,
And up to now I've only killed a dozen birds or so,
But by and by in May month I thought that I would shine,
And get her off at bigger lots, and knock down eight or nine.
But as I'm a law-abiding man, as you may understand,
I'll have to fire beach-rocks at the King-birds from the land.
They're tryin' to starve an honest man who has the nerve and pluck—
For there's a bloody law agin the killin' of the duck.

Now where's the gravy comin' from, will some one tell to me,
In summer when there's nought to eat but bread and fish and tea?
The ones who made this law can sit, eat chicken, drink port wine,
But what about the poor old ghost who hauls a fishing line?
He has to watch the bawks flock 'round, upon a foggy day
And watch them rob his trawls of bait, and watch them fly away.
He's not allowed to shoot them or some one sure will squawk;
For there's a bloody law agin the killin' of a bawk.

No doubt our wise Commissioners will formulate a plan
To furnish fresh for every one who lives in Newfoundland.
They've got a million pounds, I hear, from over 'cross the sea,
They'll want it all to feed the men who in the pen will be.
For Mary dear, I like a bird in August, June or May,
And if they put me in the pen, why there I'll have to stay,
For men with children underfed would not mind being sued,
And the judge will not condemn a man for getting food.

Now when the bawks stop flying, and the noddies stay at home,
And the bosun and the puffin, no longer do they roam,
Then I will give up shooting in the good old summer time,
I'll take the breadbox, kettle, pot, and leave the gun behind.
But till that day shall come, my boys, I'm sure you will agree
That birds that fly in summer time should nourish you and me.
Now bawks have got a fishy taste, as everybody knows,
But they make a better diet, boys, than either hawks or crows.

There's many men in summer time who cannot buy salt meat.
They have to trust to seabirds for something fresh to eat.
But if they keep this law that's passed, they will not get a taste
Of bawk or noddy, tinker, tur, and not a tickleace.
So you who made this law prepare and send us all a meal
From time to time of good fresh beef, or mutton, pork or veal.
And don't forget, my bully boys, a chicken now an' then.
As yet there's neither law agin the killin' of a hen.