

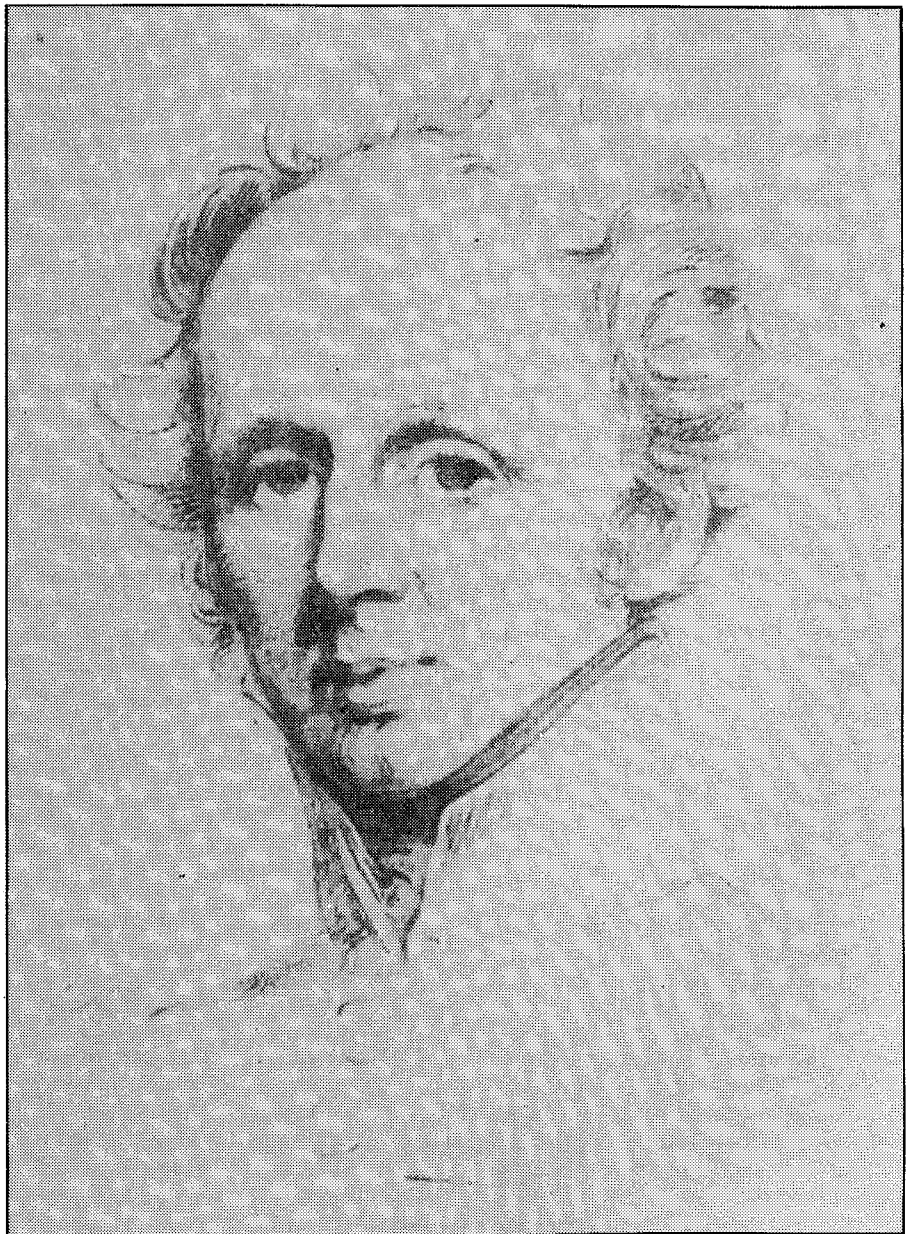
A. G. L. Shaw went against the tide when he questioned the tendency of historians to portray Ralph Darling, Governor of New South Wales, as an autocratic reactionary and his successor, Richard Bourke, as his opposite, the embodiment of all that is good and liberal.

# RICHARD BOURKE'S VIEWS ON CITIZENSHIP AND EDUCATION

BY JENNIFER RIDDEN

**T**ory-Whig divisions that were applicable if not comprehensive in British politics, tended to be used in almost caricature form in New South Wales in Australia, in a manner that naturally owed more to the mechanisms of internal political alignments and NSW perceptions of Britain than to British political reality. In the scramble to realign themselves around a new governor, contemporaries quickly pigeon-holed Richard Bourke as a Whig reformer and representative of the post-Reform Act Whig governments of the 1830s in Britain, which was accurate as far as it went. Less accurately, many assumed that this aligned him with those who had opposed the Tory Darling, and in fact all those who could be portrayed as Exclusives. Bourke's attempts to establish liberal reforms such as religious toleration, widespread elementary education, trial by jury, a partially elective Legislative Council, and so on, tended to be interpreted in the light of this assumption. It is necessary to more fully understand the basis of his outlook in order to assess how appropriate the assumptions made by colonists, and those made by later historians, actually were.

Hazel King's biography filled in much of the detail of Bourke's military and colonial careers, and documented his activities in the light of Colonial Office policy-making.<sup>(1)</sup> But his entire colonial career comprised about 10 years of a 78 year life, the vast majority of which was spent as a country gentleman at his home at Thornfield, Lisnagry, Co. Limerick. Her study did not attempt an assessment of the cultural and intellectual traditions from which he emerged, and to which he returned, because she was concerned with Bourke as a case study in the relationship between Colonial Office policy and practice. The absence of such an understanding has allowed historians either to accept contemporary assessments of Bourke or to attribute to him



*Sir Richard Bourke.*

the liberal ideals of a much later period. For example, though Richard Bourke should clearly be classed as a liberal, his

ideas were not at all representative of the Manchester School liberals that were so great an influence on many of NSW's



*Thornfield, Lisnagry, Co. Limerick.*

radical politicians of the latter half of the nineteenth century. This article examines some of the sources of Richard Bourke's ideas and makes a preliminary assessment of their relevance to NSW. I do not examine his army career, nor his period as Lt.-Governor of the Cape of Good Hope for space considerations.

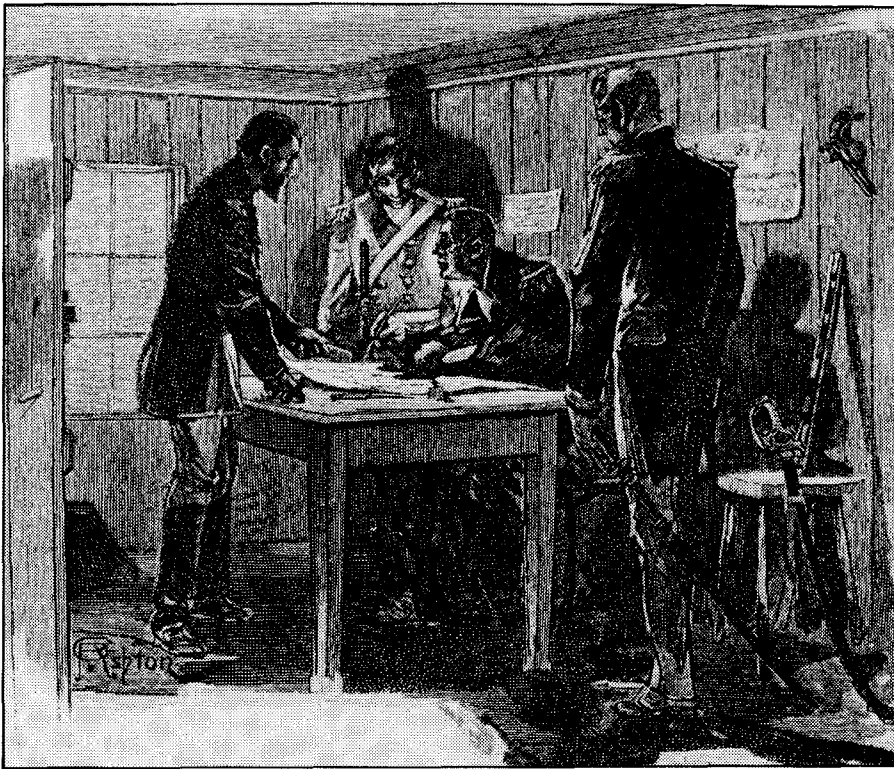
There are three discernable themes in his outlook: he was a Whig, he was liberal Anglican, and he was Anglo-Irish. Bourke was brought up mainly in England, attending Westminster School from the time he was about six, then Oxford, and he spent many of his holidays with Edmund Burke at Beaconsfield. It was from these sources that he made his basic Whig connections and basic Whig outlook. These contacts included Lord Lansdowne (a school fellow) and William Wyndham (a friend of Edmund Burke's), who both gave him substantial patronage. Certainly in later life, when he co-edited the correspondence of Edmund Burke, it was his avowed aim to reclaim Burke from the Whigs, and he saw him as the source of many of his beliefs.

But on his return to Ireland in 1812, Richard Bourke discovered that the realities of Irish life did not sit comfortably with the English model of society learnt during childhood, and he was forced to rethink his ideas. It was through his experience of Ireland in the

1820s, in particular, that Bourke brought the three fundamental axes of his outlook together into a coherent and consistent set of principles. Though his experience of Ireland did not persuade him to reformulate his view of the very basis of British social and political structure, it did give a particular, non-English cast to his understanding of that structure and persuaded him that far-reaching reform in both Ireland and England was necessary. In English eyes, Ireland in the nineteenth century was part of Britain by virtue of the Union, and therefore had access to the British constitution, civilization and religion. According to the British model of civilization, this access should have produced improvements that conformed to those previously achieved in Britain, but most observers agreed that Ireland did not conform to British social and economic norms, and had steadfastly refused to take on the Protestant religion. Ireland posed a problem for British government because, as part of the Union, the same provisions were supposed to apply to Ireland as to England. In English eyes, Irish backwardness made this patently absurd, and yet British government was loathe to apply different rules to Ireland in case they could be then taken to apply to England. The "Irish problem" became a test for British governments, particularly in the 1820s - 40s, and the Whig

governments of the 1830s, in particular, went in and out of office largely as a result of Irish issues.

Bourke maintained a strong attachment to the basic social and political structure and the Union, consistent with his Anglo-Irish cultural identity. Bourke's letters and activities in the 1820s demonstrate his conclusion that the safeguards of a British Constitution, on which the Union was based, had failed in preventing, or even arresting, the degradation and corruption of the Irish aristocracy and the escalation of legitimate grievances among the Gaelic, Catholic, poor. Even worse, British policy in Ireland was actively perpetuating the "abominable system of government" which Bourke and others saw as being characterized by jobbery and prejudice.<sup>(2)</sup> Bourke sought to reconcile these competing conclusions (that is, accepting the basic model but recognizing Ireland's ill-fit) by promoting a process of gradual, "rational" and paternalist reform which gave primacy to the moral reformation of both individuals and institutions, but also included programme of economic reform and of redressing specific grievances. The English model of civilization and Constitution compared with Irish reality helped him define the problem; his Anglo-Irishness refused to let him jettison the model; and his Whiggery prevented him accepting the



*Governor Bourke naming the streets of Melbourne.*

prevalent Tory assumption that long-term coercion and suppression of the Catholic Irish was the only possibility. His liberal Anglicanism provided the core of the solution, which was then filtered by his Whig and Anglo-Irish identity. His experience of Ireland did not persuade him to reject basic British social and political structures which would, for example, have been necessarily entailed in any proposal to fundamentally restructure the Irish land tenure system. But it did persuade him that far-reaching reform was necessary and desirable both at individual and institutional levels, in nearly every aspect of Irish society. And it was this reform that would allow Ireland to share in the benefits of British civilization. This dedication to moderate reform paradoxically earned him the support of more radical reformers in NSW but it is clear that Bourke was not radical. While he recognized that local conditions in non-English parts of the British Empire (whether in Ireland or the colonies) demanded modified policies, his plans for each context originated from his firm belief in the fundamentals (as he saw them) of an over-arching model of British civilization. Still, it is important to distinguish his interpretation of what those fundamentals were from the assumptions that surrounded him.

It seems that Richard Bourke experienced a period of religious doubt between about 1810 and 1815, though I have so far found insufficient material to fully appreciate this. Even so, we know that during this period he explored Unitarianism and the various strands of Anglican theology. By the early 1820s, he had come to define himself as a devout

Anglican whose beliefs drew upon the theology of liberal Anglicans such as Thomas Arnold, Richard Whately, Edward Coplestone, and H.D. Hampden. He believed that there was a core of basic Christian truths that were separable from dogma, and that traversed denominational boundaries. Liberal Anglicans were distinguished from other Anglican theologians of the period by their emphasis on the need for both rationality and faith in identifying Christian truths. For example, Hampden's *An Essay on the Philosophical Evidence of Christianity*, argued that the studies of nature and theology were allied, that (for example) doctrines on after-life and on retribution could be derived from a proper analysis of the natural world, when studied in tandem with the scriptures.<sup>(3)</sup> On the other hand, liberal Anglican theologians rejected the value of rationality without religious truth, of the unalloyed scientific principles of progress espoused by reformers such as Henry Brougham. Christian principles could be systematically taught, in a similar manner to scientific principles, and in fact the two branches of knowledge should be taught side-by-side. This would avoid the superstition and priestly control inherent in Catholicism, as well as the High Anglican emphasis on dogma that liberal Anglicans thought produced divergence from true religion. Hence liberal Anglicans usually combined interests in theology and with the sciences, particularly the natural sciences in a continuation of eighteenth century traditions. Bourke himself was a founder-member of the Limerick Philosophical Society which arranged lectures on

philosophic, scientific and archeological topics, and was actively interested in the natural sciences. He was also involved in the traffic in botanical samples between Ireland and the Cape of Good Hope and NSW, and in the early 1820s commissioned a dinner-set portraying all the local Limerick species of butterflies which were hand-painted in minute, scientifically-accurate detail. Bourke's promotion of non-denominational education, as we shall see later, was based on the assumption that rationality and Christian morality could, and should, be taught together.

Though Bourke attended Oriel College Oxford, he was probably there too early to be directly influenced by the major liberal Anglican theologians who revolved around the college in the 1820s and 30s. However, he may have come into contact with Edward Copleston, and the limited information available about his library shows that it included a number of the essays and books by members of this group, including Arnold, Whately, Hampden, and their forerunner Paley. Though I have not yet found documented evidence that Bourke knew this group personally, the cross-linkages are striking enough to suggest that he did. His close friend Thomas Spring-Rice (Lord Monteaule) seems to have included him in some of the dinners he held for a wide range of public figures, both at Mount Trenchard (his Co. Limerick estate) and in London. On one documented occasion, for example, Spring-Rice entertained his friend Baden-Powell, as well as Arnold, Whately and Hampden, though it is not recorded that Bourke was present at this dinner which was held soon after his return from the Cape.<sup>(4)</sup> It is also likely that Bourke had met Whately through his education activities (discussed below), through William Fitzgerald (Bishop of Bourke's diocese of Killaloe, and who was a close friend of Whately's), or through his son Dick (who seems to have met Whately at Trinity College). Hampden (who had taught at Oriel in the 30s) was later Bishop of Hereford at the time Bourke's son-in-law, John Jebb, was a canon there, and we know that Bourke spent a substantial amount of time there in his retirement.

Elizabeth Bourke, Richard's wife, was also a devout Anglican, but was of a much more evangelical cast. She corresponded on religious topics with Alexander Knox over a period of several years in the 1820s, and with Limerick's evangelical bishop, John Jebb (whose nephew married Bourke's daughter).<sup>(5)</sup> (The Bourkes met Knox through Bishop Jebb, as well as his close friend, Sir H.D. Inglis, who was famous for his Tory defence of the unreformed parliament in 1831). Overlap between liberal Anglicans and Evangelicals was common in the 20s and 30s because of their shared concern for moral reformation, but liberal Anglicans generally placed much more emphasis on perfectibility and a belief

that people were basically good than did Evangelicals, and so saw social control as a limited and short-term need. Both Richard and Elizabeth Bourke were known in the district for their religious fervour and their concern with Christian morality. They believed that all individuals were responsible moral agents, whose choices had a cumulative effect on the moral quality of the society, and vice versa. Nearly all the issues with which Richard Bourke was concerned in Ireland during the 1820s were linked to this fundamental commitment to moral reformation, both at the individual and institutional levels. The most obvious was his concern with education.

In 1823 Bourke established boys and girls primary schools on his own County Limerick estate, Thornfield, Lisnagry. He maintained a high degree of control by choosing staff personally, providing most of the funding, and charging only a small fee which was waived whenever Bourke or the school's manager believed the family (usually his own tenants) could not afford it. He applied for, but was worried about accepting, funding from the London Hibernian Society because of their aggressive proselytizing which increasingly resulted in intense opposition from the Irish Catholic clergy. One of the main sources of the Hibernian Society's funds was the Association for Discountenancing Vice, which Bourke despised for its enthusiasm, intolerance, and active proselytizing, whose prejudices, he thought, tended to intensify rather than soften existing community divisions.<sup>(6)</sup> The society's second main source of funding, the Lord Lieutenant's school fund, also insisted that the Anglican clergy maintain active control of school (rather than its patron), and indeed insisted on retaining the title to the land.<sup>(7)</sup> Since the initiative and land was his, Bourke thought he should be able to maintain control of both. Eventually he refused these conditions and accepted funding from the Kildare Place Society instead which, despite its increasing domination by the Anglican clergy, still insisted that the scriptures would be read "without comment".<sup>(8)</sup> He believed that this would encourage religious education which was based on Christian truths rather than denominational dogma, and claimed that where reasonable relations between Catholic and Protestant clergy existed (as was the case in his district) Catholics would generally find this acceptable.<sup>(9)</sup> Significantly, Bourke's schools used the Douay version rather than the authorised version of the Bible, since the pupils were Catholic: a practice which shows how far-reaching his religious toleration was, even as early as 1822.

While he thought this limited religious instruction was insufficient, it was appropriate that this would be supplemented by the various clergy outside school hours. His school regulations insisted that clerical access to the children should be provided by

each family in the evenings and on Sundays.<sup>(10)</sup> The remainder of the curriculum was intended to teach children reasoning, morality and industrious habits, and it involved practical instruction in sewing and farm techniques, as well as basic academic subjects.<sup>(11)</sup> Perhaps, most importantly, Bourke saw these schools as models for ideal community life, as teaching all Christians and classes to live together in harmony and tolerance. By 1830, he had concluded that there was "no doubt that [education had] a direct tendency to improve the habits of the people, both morally and prudentially".<sup>(12)</sup>

Magistrates also had a role in the moral reformation of the people, by showing a "firm determination to enforce due obedience to the Laws of the Land and maintain the peace of the District". Fair and impartial justice in the distribution of punishment was to be allied with a commitment to use "their best exertions to prevent any abuse of Office or Authority". When Bourke's local district was withdrawn from the provisions of the Insurrection Act in 1824, he led the local magistrates in congratulating the residents on "resisting the contagion of evil example" and reminded them that "The Magistrates can not for a moment forget that they are bound to justice as far as in them lies to all description of Persons, and to exercise their jurisdiction for the protection and security of *all* the Inhabitants of their District".<sup>(13)</sup> The rule of the law would balance competing interests, provide equality of citizenship without regard to class or privilege, and so authority would gain the willing consent of the people.

Though it is unlikely that Irish or British justice could ever be totally free of vested interests, this was much more than empty rhetoric. It pointed to the core of Bourke's understanding of the nature of citizenship. The early nineteenth century saw a widespread belief that the Christian basis of the Constitution had enabled it to develop to a higher stage than any other. Bourke believed that the bestowal of civil rights on all British subjects provided access to the benefits of Christianity and civilization primarily because it made every individual a responsible moral agent, who performed a set of duties before God, according to his or her place in the community. The interdependence of social relations within the community gave each citizen the potential to effect the virtue of the whole society. Although all individuals would eventually be called to account before God, it was also necessary for them to answer for their actions in a fair and impartial system of justice. Thus the exercise of illegitimate influence or prejudice, especially in the legal system, undercut moral responsibility at all levels. Bourke concluded that the denial of British constitutional principles in Britain's Irish policy was one of the central reasons for Ireland's problems, and in particular for the

increasing degradation of the aristocracy. By refusing to grant such basic British civil rights as religious toleration or fair and impartial justice to the vast majority of the population, despite their constitutional status as British subjects under the Union, the government encouraged and rewarded corruption among the aristocracy and promoted social unrest among the poor. The benefits of Ireland's Union with England would be reciprocal if the Irish were granted civil rights as British citizen. But until then the Empire would be deprived of what Bourke called "that great accession of vital strength which might be derived from the attachment and affections of the Population of this Kingdom".<sup>(14)</sup> Bourke had no doubt that "the lowest orders of Roman Catholics in Ireland [were] aware that they labour[ed] under certain civil disabilities", and he was personally aware of many "instances of partiality in the administration of laws by the Justices; where favour has been shown to a Protestant, to the prejudice of the Catholic".<sup>(15)</sup> This made it unlikely that they would voluntarily consent to the existing political and social authority, which was such an essential part of the British model.

Permanently disbarring Irish Catholics from full and active citizenship gave them a serious legitimate grievance, but it also gave them a status akin to slavery, as Bourke put it, a "proscribed and degraded class in their own country".<sup>(16)</sup> This view fitted in with the ideas of the anti-slavery movement, which opposed slavery on the grounds that it denied a whole cast access to moral improvement through active Christian citizenship and it also corrupted free citizens, thus endangering the moral and material progress of civilization itself. In Ireland, this logic had a special significance because it could be used to explain Ireland's woes. The Dublin Anti-Slavery Society, to which Bourke subscribed, explicitly linked slavery with lack of progress in the material improvement of Ireland. As one put it in 1829,

*It has been asserted by the philosopher, that every violation of the physical and moral law is visited back with due and measured punishment, and that the assessor is made inevitably to feel the weight of its infringement - and in no case is this more clearly exemplified than in the punishment of our ruined manufactures, and consequently the threatened starvation with which we are now surrounded - a consequence naturally resulting from the violation of justice, in robbing the slave of the price of his labour and detaining him in slavery.*

The speaker concluded that Ireland's problems could not be successfully solved, regardless of effort, until slavery had been abolished, and Bourke's equation of slavery with the denial of civil liberties in Ireland itself simply took this conclusion one step further.<sup>(17)</sup>

Yet, for Bourke, encouragement of



*The passing parade on Great Bourke Street, Melbourne.*

moral reformation and coercion were not incompatible. He believed that man was basically good, and capable of moral reformation, but that coercion may be necessary as a temporary expedient in extreme circumstances, and was justifiable if supported by measures to relieve distress and redress specific grievances. Coercion should not be relied upon for the maintenance of order in the long term because this encouraged the spread of corruption throughout society. Any withdrawal of civil rights must be temporary, to be re-established after a period of rehabilitation and/or punishment. This had direct implications for a wide range of issues, especially for the treatment of prisoners in Ireland and convicts in NSW, as will be seen later.

Prisons were one means of temporary punishment and rehabilitation for those whose moral degradation extended to crime. Bourke thought their main aim should be the moral reformation of the prisoner with a view to the re-establishment of the rights and duties of citizenship. He was active on the Board of Superintendents of the Limerick Gaol, and for at least two years during the 1820s was its chairman. He seems to have been largely responsible for the report on the gaol, written in 1822, which was initiated by the Grand Jury (and possibly by Bourke himself, who was a member of the Grand Jury throughout the period).<sup>(18)</sup> The recommendations of that report owed a great deal to the views publicized by the Society for the

Reformation of Prison Discipline set up in London by Elizabeth Fry, Thomas Fowell Buxton, and others, and the associated group in Dublin (which had been established as a result of Buxton's personal efforts and to which Bourke subscribed). In fact, the report notes that the Board's recommendations had been submitted to both societies for comment and approval. The Board believed they had

*neglected nothing to render the condition of the convicted Culpit such as may awaken him to a sense of his guilt, by the regular enforcement of an austere but wholesome discipline, and by instilling into his mind, whilst subdued by confinement, the salutary lessons of religion and morality.<sup>(19)</sup>*

They recommended the introduction of treadmills which would introduce a new and systematic level of severity through what Bourke called a "judicious system of labour". Significantly, the aim was not to enforce aimless repetitive and futile labour, but to introduce certainty of punishment and industrious habits. The treadmills would be used to grind corn which would, in turn, lower the cost of providing adequate food. Improvement in food, lodging and general conditions was necessary because this would ensure that consistent punishment, careful discipline and moral reformation would be the focal points of the sentence, rather than the unintentional and unpredictable punishments of illness and possible death. Habits of cleanliness and indus-

triousness would aid in the process of moral reformation and also reduce the need for medical staff and facilities, but Bourke was careful to downplay the fact that prisoners might well have better living conditions than many cottiers, especially in years of crop failure and famine.<sup>(20)</sup> Humanitarian reform in his mind, like others associated with the prison reform societies, was linked with an emphasis on moral character and reformability but was not usually allied with leniency. Extreme severity that was consistent and could be shown to aid in moral reformation could be justified as long as it was temporary, a means to an end. But the permanent suspension of basic civil rights was morally indefensible, and there was little chance that inconsistent, unpredictable severity or general leniency would produce moral reformation at all. Bourke's promotion of solitary confinement and later his support of extreme severity in the secondary punishment of NSW convicts was entirely consistent with his outlook and in fact made him fairly typical of other prison reformers of this period. Their liberality should not be judged by modern standards, but instead in comparison with the standards of the time. In this context, Bourke's ideas were clearly very advanced and his actions motivated by humanitarian ideals.

His concern for consistency and economy were in line with the usual Whig rhetoric and political requirements of the day, which were in turn heavily

influenced by Benthamism. Bourke took pains to demonstrate that the extensive capital expenditure of the Limerick Gaol scheme could be offset by reducing the number and salaries of prison staff and increasing the supervision and general duties of the chaplain in line with his important reformatory role. However, the salary of the governor would be increased because Bourke thought that it was "Upon his integrity and activity [that] the perfection of the System of Prison Discipline mainly depend[ed]".<sup>(21)</sup> Economy was thus supplementary to the central aim of moral reformation, but was important because of its role in gaining the support of a moral community and government by visibly reducing corruption and in making the gaol more financially viable.

In providing better conditions for prisoners, Bourke's primary concern was not in fact the humaneness of their treatment, but that they should be treated as temporarily institutionalized instead of subjects for permanent incarceration. Though the process could not be guaranteed, a period of severe punishment and moral reformation was the surest method of producing good citizens that could eventually regain full civil rights and re-enter the community. He assumed that the interdependent social relations of community life would continue the process of moral improvement that had been begun in goal. Although lunatic asylums were charitable institutions rather than places of punishment, they also involved the temporary suspension of civil rights, and Bourke tried to change the emphasis from permanent charity for "incurables" to places of rehabilitation. He insisted on the removal of the lunatic poor from the gaol and houses of industry, which he thought were "very ill-suited for their reception, or cure", and he instituted a system which would enable those defined as "harmless incurables" to be reinstated to the care of their friends and families.<sup>(22)</sup> The latter was justified on the grounds of economy, but also on the grounds that it was inexcusable to provide such care at the public expense to those who had sufficient means to obtain it privately.<sup>(23)</sup> Private subscriptions from the gentry and state aid should supplement the efforts of the individual inmates and their families, not replace them. He re-worked the system of admission to make sure that those who had the means contributed to their own care while in the asylum, and to force the next of kin to re-accept responsibility for inmates once they had achieved recovery or were deemed incurable but harmless.<sup>(24)</sup> The point was that the County Asylum was a charitable institution, aimed at helping those deserving poor who needed treatment, rather than a public institution that cared for the mentally deranged in general. By 1830, Bourke proudly asserted that the moral and medical control of the establishment was extremely good, a fact

proved by the "considerable number of those who have been brought in lunatic [and] have been sent out cured", or, as he failed to add, had been defined as harmless incurables.<sup>(25)</sup>

The English Whig model of social order with which Richard Bourke had been brought up was based on the understanding that individuals participated in an interdependent community where each individual had duties defined by property ownership and a place in the deference structure. Landlord-tenant relations were seen as a microcosm of social relations in which the tenant owed deference to the landlord and the landlord had a duty to lead and guide the tenant. By 1831, English Whigs were answering the accusation of corruption amongst the aristocracy in terms of a differentiation between legitimate and illegitimate influence. As Lord John Russell put it when he introduced the Reform Bill in 1831, the section of the aristocracy that resided on their estates, "receiving large incomes, performing important duties, relieving the poor by charity, and evincing private worth and public virtue" could be contrasted with those that did not "live among the people ... [knew] nothing of the people ... and care[d] nothing for them". He concluded that "It is not in human nature that [the former] should not possess a great influence upon public opinion", but "the sooner [the illegitimate influence of the latter was] carried away with the corruption on which it has thriven, the better for the country, in which it has repressed so long every wholesome and invigorating influence".<sup>(26)</sup>

This essentially rural ideal should have been well suited to Irish society which was almost wholly agricultural. However, the practical reality in Ireland was quite different from that in England because of the high incidence of absenteeism among Irish landlords, the financial difficulties of many of those who remained resident, and the different legal obligations and customs of Irish tenants and landlords. For example, the contractual obligations and customs in southern Ireland placed the responsibility for housing and other improvements of the land on the tenant rather than the landlord, even though these improvements reverted to the landlord at the expiry of the lease.<sup>(27)</sup> There were, too, conflicting understandings of property rights because Irish tenants assumed they had a moral right to uninterrupted use of the land, provided they paid their rent, whereas most landlords (whose position was supported by the British Law) asserted that they could do with the land what they wished, including the eviction of tenants and non-renewal of leases. This was supported by the shared view of the classical economists that farm consolidation should replace the practice of subdivision, as this was deemed the only way to make Irish agriculture

profitable. There was a clash between vested interests that was reinforced by conflicting cultural expectations in England and Ireland. As an Anglo-Irish landlord, Bourke was clearly a member of the landlord group which drew its justifications from the English model and British law. Like most landlords, his estate was allied with his roles as JP, magistrate, grand jurist, and so on. However, his Whig and liberal Anglican ideology and his recognition of the differences between the Irish and English contexts made him atypical of the Irish gentry in general. For Bourke, the conflicts between landlords and tenants were exacerbated by a denial by many landlords to acknowledge their duties toward their tenants, which he attributed to the fact that the Irish aristocracy had been artificially imposed and had succumbed to corruption. He contrasted them with the English aristocracy which in general was a natural and generally virtuous class. It is difficult to judge whether Spring-Rice was right in judging that Bourke did more than any other he knew in reforming the Irish aristocracy, but this was certainly what Bourke thought was necessary and what he sought through his involvement in Limerick affairs.

For Bourke it was necessary to encourage a recognition of moral duty toward tenants, both in the form of education and moral guidance, and material assistance to those in need. He and his wife were very active in providing poor relief in their district. Bourke was chairman of both the Limerick Agricultural Association and the Limerick Relief Committee and Elizabeth was the secretary of the Limerick branch of the British and Irish Ladies Society for Relief of the Irish Peasantry as well as the District Association of Castleconnell and Killinagarriff.

For Richard Bourke, civil rights were one of the ways British subjects could gain access to the benefits of British civilization, but political rights were a privilege which had to be attained through the demonstration of intellectual and moral capacity. Property ownership, with its associated community duties, was one avenue for the demonstration of this capacity. But, as we have seen, Bourke believed that there was a reciprocal relationship between individual and institutional virtue. This applied as much to political as to social institutions, so that, as public morality improved, "intelligence" was demonstrated and society progressed; at some point it was inevitable that a greater proportion of the population would acquire political rights and duties. Change was not only necessary, it was desirable: the Constitution and political structure must be seen to keep pace with what Bourke called the "spirit of the Age" in order to maintain the confidence of the people, and therefore legitimacy. However, it was necessary to protect



*Bourke Street, Melbourne, looking east.*

society from retrogressive change or revolution through the checks and balances of a mixed Constitution. The reciprocal relationship between the moral virtue of individual citizens and the body politic meant that political reform, provided it was both rational and gradual, was both proof of, and encouragement for, moral improvement.

Bourke's liberal-Whig ideas stemmed from his emphasis on the individual as a responsible moral agent and his view of the role of government in promoting that moral reformation. But he also participated in the public debate in England and Ireland during the 1820s and 30s on the relevance of classical political economy to Irish problems, and his Limerick activities and evidence to the State of Ireland inquiry in 1831 showed his awareness and agreement with the prevalent views of the classical economists on farm consolidation, establishment of manufacturing, establishment of an efficient labour force. He saw emigration and public works (especially bog reclamation) as ways of alleviating the distress associated with the former reforms, and he actively

pursued these relief measures on his own estate. Still, however much the moral duty of the gentry demanded individual and voluntary effort, Bourke concluded that Ireland's problems could not be solved without measures that would effect the whole of Ireland. Laissez-faire was important in its effect on public morality, as far as it went, but the severity and intransigence of Irish economic and social problems was proof that government intervention was not only desirable, but necessary. As Bourke's resolution at a meeting of Limerick Magistrates, in 1823, read,

*That whilst we earnestly recommend those steps necessary for the alleviation of moderate distress ... we feel their incompetency to affect any permanent improvement in the condition of the Labouring Poor. To the wisdom of the Legislature we must look for some comprehensive measures which shall gradually raise the condition of the labouring classes of Ireland, and strike at the root of discontent and turbulence by ensuring to the Poor the comforts and decencies of life.<sup>(28)</sup>*

Economic theory was a means to an end

for Bourke. His ideal was a positive program of government activity that would promote the operation of market forces but would harness them for moral, social and political ends. Most classical economists agreed that Ireland's want of capital and want of "Industry" (that is, an economically efficient labour force) could only be solved if there was security in Ireland. Ricardo wrote that

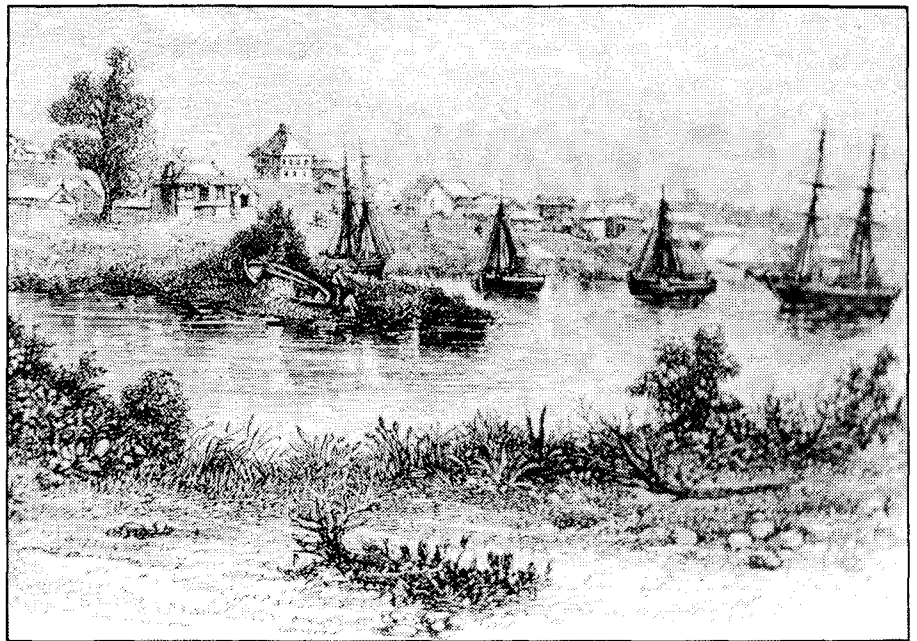
*If Ireland had a good system of law - if property was secure - if an Englishman lending money to an Irishman could by some easy process oblige him to fulfil his contract, and not be set at defiance by the chicanery of sheriffs agents in Ireland, capital would flow into Ireland, and an accumulation of capital would lead to all the beneficial results which everywhere follows from it. The most economical processes would be adopted - small farms would be laid into large - there would be an abundant demand for labour, and thus would Ireland take her just rank among nations.<sup>(29)</sup>*

Bourke had concluded that the achievement of this security was impossible without moral reformation. Where the aristocracy was largely absentee and had

neglected their moral responsibilities, and where the poor had little access to the "intelligence" and the moral virtue that could be gained from full civil participation, education and so on, economic reform could have only limited success. Both the aristocracy and the poor had to relearn their respective duties and rights, their proper relationship to each other, and British civil rights had to be granted to all citizens, regardless of their religion.

What is striking about the central ideas that shaped Richard Bourke's actions is that he shared the basic ideas of the liberal Anglican Whig politicians identified by Richard Brent as central to the political and social reforms of the 1830s. This group included Lord John Russell, Lord Morpeth, Lord Howick, Lord Monteagle and Henry Cam Hobhouse. Brent identifies the important influence of liberal Anglican theology and links the group with theologians such as Arnold, Whately, Hampden and Coplestone, and he also identifies important links with political economists such as Ricardo, Mill, Nassau Senior, McCullough and Thomas Chalmers. Bourke was part of this social and political network, most obviously through Thomas Spring-Rice (Lord Monteagle) who, as Whig MP for Limerick and then Cambridge, was central to the group. Through him, Bourke had the opportunity of meeting nearly all the liberal Anglican theologians, many of the politicians and also the economists. It is difficult to know whether this was supplemented by prior connections or not, since there is little evidence relating to the period before the 1820s, except to his army career. His religious beliefs seemed to have been formed independently and he had independent, prior Whig links (Edmund Burke, Lansdowne etc.), and independent evangelical links (most importantly, John Jebb). He was already interested in bogs, education, and so on, but it was during the 1820s in Limerick, and that the appropriate connections in the wider political world (and the influence on his ideas) were made through Spring-Rice.

Some examples of his connections: He subscribed to the *Edinburgh Review* and he seems to have attended Political Economy Club dinners as Spring-Rice's guest and so probably knew some of the major economic theorists of the time including Nassau Senior, J.T. McCullough, and possibly Malthus and Ricardo. He also gave evidence at the Select Committees on the State of Ireland in 1825 and on the State of the Poor in Ireland in 1830 (which Spring-Rice chaired) and which may have provided opportunities to meet Richard Whately and Thomas Chalmers, who were both well known to Spring Rice and had been invited to give evidence by him. By 1833, Richard Bourke had acquired Chalmers' *On Political Economy* (which provided a popular extension of Whately's work on Christian political economy) and was



A view of Melbourne, 1840.

sufficiently aware of its basic content to discuss the principles with Henry Carmichael (who had met Chalmers in London), though he had not yet read it.

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Bourke had been opposed to transportation even before his time in NSW, in fact he accepted the governorship on the basis that it was to cease, and was consistent in opposing the system throughout the 1830s. He doubted the effectiveness of transportation in producing "any real reformation of the heart and disposition", as against merely promoting external orderliness (though this was desirable in itself), which he attributed to the uncertainty and variable nature of punishment throughout the system, especially in the assignment system, and to the long-term state of quasi-slavery that was involved. As he wrote to the committed abolitionist Lord Howick, the assignment system produced moral degradation among the settlers, many of whom did not recognise *the injurious effect upon the disposition and character of many of them and their Children arising from the employment of Men and Women virtually their slaves on their Estates and in their Houses.*

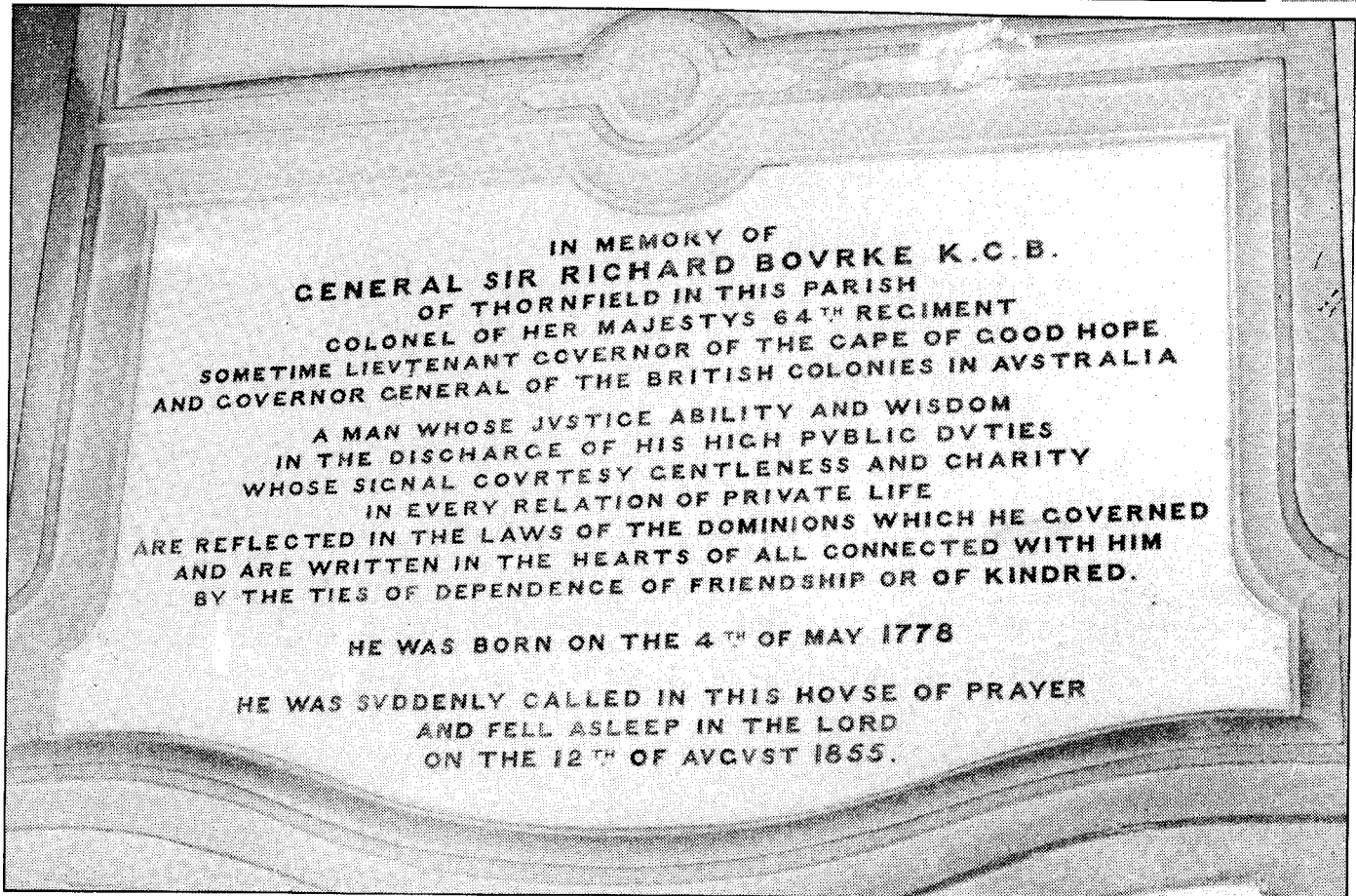
He concluded that

*the vices of Slave Colonies, modified indeed by the State of the Law, prevail in NSW and it is with a view to the improvement of the Settlers of all ranks and classes in habits and morals, and to the final extinction of separate Castes in Australia, that as a friend to the colony, I advocated the discontinuance of transportation to that Country.<sup>(30)</sup>*

Still, the assumption that Bourke's liberalism implied leniency was misleading, in NSW as in Limerick, despite the accusations of Mudie and others. For example, while he opposed the extension of chain gangs as a long-term punish-

ment of ordinary convicts on the grounds that this induced "a state of despair ... utterly at variance with reformation" (and also because he doubted its legality), he was also responsible for introducing measures that led to a significant deterioration of convict conditions in chain gangs. The immediate justification was to prevent the number of bushrangers being augmented by escapees from the road gangs, and Bourke tightened supervision by the use of military guards, introduced small iron boxes for confinement and extended the hours during which irons were worn. But behind Bourke's bushranging explanation (which was undeniably of public concern at the time) was the belief that this increase in severity was justifiable in the short-term. These chain gangs were a form of secondary punishment with limited duration, and Bourke hoped to eradicate the hope of escaping which he believed pre-empted the need to embrace moral reformation. As a short-term expedient, such conditions were acceptable in order to increase certainty and severity of punishment, as treadmills had been in Limerick. But in the long-term, Bourke believed that evidence of limited moral reformation among ordinary convicts proved that the transportation itself and, in particular, the assignment system, was flawed.

From his arrival, Bourke was committed to the introduction of across-the-board primary education that was non-denominational and controlled by the state. His proposals of 1833 stemmed directly from his experience from liberal Anglican Whig ideology and the Irish national schools system. The Irish system, introduced in 1831, was ostensibly created by Lord Stanley, who was Chief Secretary for Ireland at the time. But it was also the result of a series of inquiries into education, the most influential chaired by Spring-Rice in the



*The plaque to Bourke's memory at the Church of Ireland, Stradbally, Castleconnell. He was born on the 4th of May 1778. He was suddenly called in this house of prayer and fell asleep in the Lord on the 12th of August 1855. The date of Bourke's birth was, in fact, a year earlier than that given on this memorial.*

mid-1820s, in which liberal Anglican Whig ideology shaped the central premises. In fact, credit was claimed in later years by at least three others, including Spring-Rice, and Richard Bourke himself claimed to be involved through his contact with Spring-Rice. Certainly the emphasis on teaching morality through shared Christian truths, which was expounded in Spring-Rice's pamphlets and articles in the *Edinburgh Review* during the 1820s was a late addition to Stanley's plan. It had originally involved common "literary" education and separate religious instruction for the different denominations. And yet by the time the letter of instruction was sent to the chairman of the new board, this had been changed to "common literary and moral instruction", which was to be based on a collection of scriptural and religious readings acceptable to all the major denominations, and separate religious or denominational instruction. This was a purely liberal Anglican perspective which bears a striking resemblance to the practices of both Bourke's and Spring-Rice's schools in the 1820s, but does not reflect Stanley's High Church views. Significantly, it was a Whig government, dominated by liberal Anglicans such as Russell, Morpeth and Spring-Rice, that pushed through the legislation and accepted contributions by liberal Catholic prelates and laymen such as Dr.

Murray (Archbishop of Dublin), Bishop Doyle, and Thomas Wyse (radical, O Connellite MP for Waterford). It was Richard Whately (Anglican Archbishop of Dublin and political economist) who was asked to edit the collection of religious extracts which was so vital to the working of the system. The Board of Education, which was dominated by clerics, would choose the other texts for instruction, making sure that they would be acceptable to all the religious denominations represented.

Allied with the system of education, was the debate over the liberal Anglican Whig proposal which would allow the State to appropriate Church of Ireland funds for general uses such as education, in an attempt to give some of the benefits obtained through tithes back to the non-Anglican population. Its intention was to soften the resentment that Catholics felt against the Church of Ireland, which was brought to a fever pitch by the legal requirement that they pay tithes to a Church which they opposed, and from which they gained no benefit. Together with education, this was a major part of Whig Irish policy in the early 1830s, because its acceptance would prove that the Irish problem could be solved by a combination of conciliation and judicious coercion rather than by coercion alone.

The liberal Anglican Whigs and Bourke promoted the Irish system precisely because it embodied the

fundamentals of their outlook: governments could influence public morality through an education system that combined intellectual and moral education, and that taught people of all classes and creeds to live co-operatively. As Spring-Rice put it, "We can teach them in our schools if we cannot teach them in the Churches" through "One common system for all". It was this ideology that Bourke sought to promote in his NSW education proposals, which he identified as the most important issue of his governorship. As, he wrote to Stanley in 1833, general education and religious toleration would mean that:

*the people of these different persuasions will be united together in one bond of peace, and taught to look up to the Government as their common protector and friend, and that thus there will be secured to the State good subjects and to Society good men.*

The level of proposed state involvement in NSW - both in funding and supervision - was greater than had been the case in the Irish national system, which had been controlled by a largely clerical board. It was also in advance of the English proposals of 1839, which introduced the notion that schools should be inspected and teachers trained by the state. To some extent, NSW was to provide a test case for the debate on the case for greater state involvement, which Bourke assumed was possible in NSW

because of the much greater scope for governmental activity in areas that were in England much more locally and voluntarily controlled. *Laissez-faire* and voluntarism had never been dominant in a general sense in NSW, and they had been largely unsuccessful in providing education. This was partly because of the difficulties of funding through voluntary subscription in a colony with a dispersed population but with only a small pool of potential contributors. Secondly, the convict origins of the colony produced general agreement that the state should have a significant role in improving community morality, to an extent not generally accepted in either England or Ireland. And thirdly, the administrative and political structure of what was still deemed an immature society was much more centralized than in Britain, providing more opportunity for widespread impact in areas of social policy. It was generally agreed in NSW that education should be funded at least partially by the state, a conclusion which was a natural follow-up to Bourke's Church Act which provided funding for each of the major religions on the basis of their population. The points of disagreement, then, came on the issues of how this funding should be distributed (to denominational or more broadly-based bodies), who should control the supervision and educational content of schools, and to what extent the content of moral education differed between denominations.

By 1836, the Irish system had been in place long enough to be judged a success by the Whigs, though it was facing criticism from other sources, including High Anglican prelates. It was viewed as vital by the liberal Anglican Whigs, not only for its own sake, but because it was a test case which would determine the feasibility of introducing a similar system into England. By this time, Spring-Rice had been instrumental in providing state funding for the various denominational systems, and in practice this had favoured broadly-based educational organisations, such as the British and Foreign Schools Society and the Central Society for Education, rather than the more narrowly denominational groups.

The BFSS was more representative of Orthodox Protestant Dissent than of non-denominational Christianity *per se*, and placed a heavy emphasis on the centrality of the Bible in all intellectual, moral and religious instruction. As Dunn, its secretary, put it, the Bible was not only a work of revelation, but "the basis for all practical virtue", and so all secular books were excluded from the classroom. This approach also excluded Catholics, since the Church was concerned about the haphazard and unguarded use of the Bible by small children, and placed much heavier emphasis on clerical interpretation rather than biblical study. In 1835, the Australian Schools Society was established in NSW, as an arm of the

BFSS, and it was the members of this organisation that combined with Broughton to present combined Protestant opposition to Bourke's advocacy of common schooling on the liberal Anglican model. By 1840, it was clear that Broughton also opposed a system based on the BFSS model, because it also denied the Anglican Church the status, duties and rights of a state Church, which included control over education.

The Central Society for Education, founded by Thomas Wyse, was intended to leave any specifically doctrinal teaching to the clergy, outside school hours. But, by 1836, it became associated with wholly secular education, due to the dominance of the editors of CSE publications, James Simpson and B.F. Duppa. Its intention was now identified as the introduction of a secular version of religion-based morality, in order to achieve common schooling. Its opponents, including the liberal Anglicans, by 1839, concluded that morality not based on religious truth was falsehood. And those who opposed both schemes concluded that faith and doctrine were inseparable, and that any attempt to divide them would result in a partisan or secular system.

It was into these debates, in 1835 and 1836, that Broughton stepped, when he arrived in England, and while he was there, the Annual Report of the Irish Board provided the evidence of partisanship that he sought. The Irish national system was overwhelmingly dominated by the Catholic clergy. This evidence reinforced his High Anglican theological position that focused on the importance of the Anglican Church as a state Church. He saw the Irish system as "antisciptural" and believed that it operated under the "pretext of being impartial" but actually "required the Protestant to surrender the very groundwork of his faith, and prepared the way for the ultimate reestablishment of Popery".

The debates on Irish and English education provided the basic arguments used by Broughton, the ASS, and Richard Bourke in the NSW context, arguments which were only adapted by the need to find some grounds for agreement with people such as James Macarthur.

What is striking about Richard Bourke before his arrival in NSW is the consistency with which he pursued a set of fundamental themes across a wide range of policy areas. He was sure of the goals and basic reforms needed but flexible (at least in theory) about the timing and style of implementation. This stemmed from his conclusion that Ireland had been mismanaged because of the British government's lack of awareness, even refusal, to take local conditions into account. In this sense, Bourke saw Ireland as a negative model, a lesson in how the blind application of abstract principles could produce unintentional and even disastrous effects. But the very certainty of his principles

made it difficult for him to remain flexible in practice. In addition, the assumption that his role as governor was one of managing colonists, regardless of their social or political standing, antagonized those who should have been his political allies. James Macarthur was a good example. From the early days of Bourke's governorship the Macarthurs concluded that Bourke shared many of their ideas. In particular, James and Richard Bourke agreed on the vital role of moral reformation in the colony's social and political structure, and the importance of Christianity in interpreting the relationship between civil rights and duties, though they disagreed in their degrees of confidence in this being achieved among the convict and ex-convict populations. They both emphasized a hierarchical community, with interdependent moral and social duties and deference. James Macarthur also largely shared Bourke's hopes for moderate, rational reform, though he disagreed with Bourke's view that such reform could contribute to the process of moral improvement, believing instead that "In order to enjoy free Institutions to their full extent, the majority of a community should [already] be moral and well-conducted".<sup>(31)</sup>

Conversely, Bourke thought that increased civil and political responsibility would improve the public sense of moral duty. For example, he told the Legislative Council that the duty and privilege of serving as a juror would foster a sense of civil responsibility in the community, with the implication that this could be encouraged across the board.<sup>(32)</sup> His recommendation for a one-third elective Legislative Council was, he thought, a first taste political responsibility, which would be developed into a settlement similar to the 1832 Reform Act in Britain, as the elite developed their sense of moral duty toward the rest of the community.<sup>(33)</sup> By 1842, when a 2/3 elective legislature was agreed, Bourke thought that a much greater proportion was now necessary: it was too little, too late.

The British Liberal-Tory ties of the Macarthurs serve as a reminder of the ideological overlap and generally cooperative political relationship between the liberal Anglican Whigs and the Liberal-Tories. The major area where the two differed was in their estimation of their respective political roles. Macarthur was a leading member of what he believed was the developing NSW ruling class, and he saw it as his duty to exercise legitimate social and political influence, as Alan Atkinson has demonstrated, particularly in his work on Camden. Bourke actively tried to restrict the influence of this elite, at least in the foreseeable future, and concentrated instead on what he saw as an attempt to balance the various vested interests in NSW. This was based on his determination to prevent the development of an aristocracy that would have paralleled the Irish ascendancy, whose artificial

imposition had encouraged and perpetuated moral corruption. However, morally upright Macarthur was as an individual, he represented a group that in Bourke's view showed little awareness of their moral duty, a conclusion backed up, for example, by the behaviour of many magistrates, who exhibited blatant corruption, especially when presiding alone. Not surprisingly, many landowners were resentful that he saw their moral virtue as equally problematic as that of the convicts and ex-convicts. But Bourke saw himself in an almost judgemental role as governor: he had the responsibility of guiding and shaping the colony, in opposition to the colonists if necessary, toward a higher goal.

It is clear that the Macarthurs and Bourke had quite different vested interests which became increasingly focused on the opposition between British and native Australian aims. Bourke was a professional colonialist who sought to achieve whatever was politically possible in each of his postings, in accordance with a pre-determined liberal Anglican Whig model and with the knowledge that he would eventually return home to Ireland. This encouraged a view of transportable British rights that incorporated both Ireland and the colonies. It was a view filtered through and reinforced by his Anglo-Irish cultural identity, and which reflected a mixture of professional and aristocratic perspectives. Conversely, Macarthur was Australian for good or ill, and sought a strong influence in the society in which he and his descendants would remain. He thus had a vested interest in promoting both himself as a wielder of legitimate influence, and a ruling elite that would promote the kind of social and political structures that reflected his own outlook and circumstances. Bourke's feeling of betrayal at Macarthur's opposition to his education proposals underlines the fact that their differences were not so much in their ideas on morality, citizenship and education, but in their divergent views of their respective political and social roles, and in their interpretation of how English and Irish models should be applied. It is significant that the petition, headed by Macarthur and followed by many of the members of the APA, put their opposition to Bourke's proposals in terms of a denial that the Irish model was appropriate, but also in terms of the argument that any solution should gain the consent of the community, in order to be legitimate.

The development of the education debate in NSW, in blatantly English and Irish terms, combined with Bourke's moral certainty and essentially imperial outlook, made it at once easy and convenient for him to be portrayed as the voice of an overbearing imperial government that sought to impose an ill-fitting model on an unwilling NSW population, against its better interests. The rhetoric had been previously

rehearsed and would be often repeated, and thus formed a familiar ground upon which a wide range of competing groups were able to meet, against Richard Bourke. But it would be simplistic and misleading to assume that the education debate should be taken as conclusive evidence for a battle over the imposition of English ideas on NSW society. First by the relationship between English, Irish and Australian contexts was not one-dimensional. The liberal Anglican Whig model itself was affected in crucial respects by Irish considerations, and Bourke and Therry specifically both promoted a model that was adapted by an Anglo-Irish perspective. Further more, the NSW context and indeed those of other colonies (e.g. Canada) were generally seen in Britain as social laboratories, which implies at least a reciprocal relationship. Secondly, the major opposing arguments of Bourke and Broughton were not put in terms of how relevant English models were in general, but in terms of *which* model was most appropriate. In crucial ways the ideas of Wentworth and Macarthur were also shaped (though not wholly determined) by English political ideals. Thirdly, the existence of a native Australian argument was harnessed with the Broughton side of the debate, but never came to dominate their own arguments. Indeed, the APA was politically unstable because its shared native interests only temporarily hid its divergent views of social and political structure, and class interests. James Macarthur was already finding it increasingly difficult to present his views in terms acceptable to the other members and, over the next decade, the large landowners and those who came to be identified as liberals withdrew.

In conclusion, we must ask if Bourke was a liberal at all. What becomes obvious in this research is that the liberalism that Bourke represented was specifically related to the liberal Anglicanism that was prevalent in the Whig governments of the 1830s in Britain. In an important sense he *was* a representative of post-Reform Whiggism; Bourke can and should be termed a liberal Anglican Whig. But it is clear that the liberalism he represented in NSW, and indeed that which was represented by his network in England and Ireland, did not imply an acceptance of the democratic and secular values that historians have come to associate with the development of liberalism in the 1850s, and that has often been cast back to the 1820s and 30s.

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