BRITISH IMPERIALISM AND AUSTRALIA, 1783–1833

An Economic History of Australasia

Brian Fitzpatrick

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BRITISH IMPERIALISM AND AUSTRALIA

1783–1833

An Economic History of Australasia

by

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With an Introduction by

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Without a large proportion of poverty, there could be no riches, since riches are the offspring of labour, while labour can result only from a state of poverty. Poverty is that state and condition in society where the individual has no surplus labour in store, or, in other words, no property or means of subsistence but what is derived from the constant exercise of industry in the various occupations of life. Poverty is therefore a most necessary and indispensable ingredient in society, without which nations and communities could not exist in a state of civilization.

PATRICK COLQUHOUN

A Treatise on Indigence (1806)

INTRODUCTION

THE one hundred and fiftieth anniversary of the foundation by Captain Phillip of the penal settlement of New South Wales falls in 1938. Such occasions are commemorated in Australia, and many interpretations of the story of the "infant colony" are advanced. Some are interesting, but they are not all consistent. Words are reissued from the old Mint; we are told how a "great Imperial design" was conceived by such statesmen as Pitt and Dundas, and how the Government of England took pains to "lay the foundations of a great self-governing Dominion." The truth is otherwise. It is very fitting that at a time of commemoration it should be revealed so lucidly by Mr. Brian Fitzpatrick.

Though some of the story requires direct and almost brutal telling, it is all of absorbing interest. The picture has been somewhat blurred and distorted by a romanticism which curiously enough seems to infect most economic historians. Thus Professor Shann's treatment of the quarrels which led to the armed overthrow of Governor Bligh in 1808 by John Macarthur and the New South Wales Corps, interprets the contest as between, on the one hand, the principles of Communism or Socialism as administered by Bligh and, on the other hand, the principle of freedom of exchange and adolescent Capitalism as represented by Macarthur and Co.!

Mr. Brian Fitzpatrick has given an economic interpretation of Australia's early history the substantial truth of which I think he proves practically to demonstration. As is so often the case, the interpretation derives, not so much from the discovery of fresh evidence as from a brilliant use of material already available, but insufficiently appreciated. It is a profound mistake to regard the penal settlement of Australia as a closed economic system. At all material times, it was subject to the control of the English Government of the day. During the fifty years between 1783 and 1833 the character of that Govern-

ment altered a little, but it always sought to protect what it considered to be the economic interests of the governing classes of England. Of course, the pressure of Whitehall upon the economy of Australia was not uniform or constant. Attention was often diverted during the struggle against Napoleon, and particularly when there was a fear of revolution at home. But Mr. Fitzpatrick lucidly expounds the English policy of despatching "redundant poor" to Australia, so that the British Government might be supposed to have declared:

> And none can doubt but that *their* emigration
> Has proved most useful to the British nation.

Mr. Fitzpatrick brings out a point which has many implications, and is little understood. The so-called "colony" long remained little more than an extended prison farm. The absence of conscious Imperial design is sufficiently evidenced by the complete failure of the English Government to make clear legal provision for the civil government of the colony. As a result, many of the important orders and regulations of the early Governors were alleged to have been invalid. What is not sufficiently grasped is that, as was pointed out by the great English law reformer Jeremy Bentham, the colony, despite its already considerable area, was merely an "uninspectable Bastille." Upon that view, the Governor had all the powers of a head gaoler. The seven-years "transport", whose sentence had expired, had little hope of ever returning to England. Perforce, he became a permanent settler or labourer, and so he was doomed to accept all the directions of the gaoler. Indeed, it was nearly forty years *ab urbe condita* before the civil and constitutional law of the colony was placed upon a satisfactory footing. So much for the "grand Imperial design" of the English Government.

One aspect of Australia's history is of great importance. In the absence of a representative legislature, a free Press, or a general right of public meeting, the Courts became the only forum for ventilating grievances. The Criminal Court long

consisted of six military officers out of a tribunal of seven, a fact which often accentuated the struggles between the peasant proprietors and the Governors on the one hand and the opposing class of military officers, rum traffickers, and large proprietors. Thus the overthrow of Bligh was the culminating point to a bitter series of law suits.

A close analysis of all the legal contests between 1788 and 1820 has not yet been made. But, in my opinion, the result will be to corroborate the essential truth of Mr. Fitzpatrick's thesis.

The author does not make the error of regarding the economic interpretation as the sole solvent even of the greater incidents in the history of the colony. He remembers the warning of Engels that "history makes itself in such a way that the final result always arises from conflicts between many individual wills, of which each again has been made what it is by a host of particular conditions of life. Thus there are innumerable intersecting forces, an infinite series of parallelograms of forces which give rise to one resultant—the historical event." But the economic interpretation of Australian history is of fundamental importance, especially in relation to the use and appropriation of the lands of the colony, every acre of which originally belonged to the Crown. The partial adoption of the Wakefield scheme discouraged the poorer settler, shattered the labourer's hopes of land ownership, and deliberately manufactured a proletariat for the purpose of supporting and extending capitalist technique. This led to vital social and political changes which no doubt Mr. Fitzpatrick will expound in his next volume as brilliantly as he has done in this.

I am permitted to incorporate in this Introduction the following opinion of the well-known American author, Mr. C. Hartley Grattan, who has read Mr. Fitzpatrick's manuscript:

"Glimpses of what early Australian history really means have been available in the works of such writers as Sir Timothy

Coghlan, Edward Shann, W. K. Hancock, and S. H. Roberts, but readers of them have necessarily itched to restate the significance of the data they presented, in more illuminating terms. Mr. Fitzpatrick has achieved in large measure the restatement that writers of a socio-economic bent would, in their individual ways, desire to make. He has shown how Australian development was conditioned by the trend of events in Great Britain, and has indicated how those events were in some measure patterned in accordance with happenings in the European-American world. He has shown in detail what other writers have hinted at: how Australia's beginnings were conditioned by three revolutions, the American, the French, and the Industrial, of which the last-named was unquestionably the most important. But he has not been misled into making Australia a blank tablet on which the Imperial authorities wrote what they pleased. He shows, indeed, how they lagged behind Australian developments, how they continued to try to force Australia into one pattern —peasant proprietorship, the peasants to be the convicts whose sentences had been completed or remitted—while Australia itself was moving towards a quite different system of exploitation. Unlike some of his predecessors, he avoids all *ex post facto* wisdom as to what that system was to be, and makes clear that the first distortion of the Imperial policy was simply a straight-out exploitative monopoly, engineered by a small group of military men, which made no dynamic contribution to Australia's development. Only gradually, and apparently in strictest accord with the evidence, does he show the opposition taking up a dynamic position to which it was inevitable that the Imperial authorities and the capitalists of Great Britain would alike conform: the exploitation of one of the most baffling of continents on a pastoral basis. Into this pattern he fits the story of convictism in a fashion which at long last makes that great Australian *bête noire* a phenomenon intelligible in economic and social terms, thus rescuing it once and for all from the hands of gloomy moralists who see

it as a 'birthstain' and insipid sentimentalists who try to make it a somewhat macabre romance.

To tease such a convincing and illuminating story out of the welter of conflicting evidence and interpretation in which it has so long been embedded is a fine accomplishment, and Mr. Fitzpatrick thoroughly deserves all the kudos it will unquestionably bring him."

H. V. EVATT

SYDNEY

April 1938

PREFACE

THIS book describes the early economic history of Australia, which towards the close of the period under review became an important field of British Imperial development. The original settlement was made at the instance of the British Government upon a base so simple that we may fail to notice it in the maze of events. Yet the base remained for at least thirty years the chief reason for the colony in the judgment of official England. In fact, every British Ministry, from Pitt's in 1787 to Castlereagh's (nominally Liverpool's) in 1820, regarded New South Wales as a convenient, because remote, territory to which "redundant poor," whether convicted or not, might be despatched—there, on arrival, or expiry of sentence, or pardon, to be settled on peasant plots; so they would remain, not again to overburden the newer, capitalist-farmer economy of Great Britain and Ireland.

The instructions which Whitehall gave to every Governor, from Phillip (1787–92) to Macquarie (1809–21), were arranged uniformly after this conception of a use for New South Wales, and the Governors themselves were all conscious of the function their administration was to execute. Phillip had been less than two years with his thousand in the utterly unknown land when, "in order to know in what time a man might be able to cultivate a sufficient quantity of ground to support himself, I . . . ordered a hut to be built in a good situation, an acre of ground to be cleared, and once turned up it was put into the possession of a very industrious convict, who was told that if he behaved well he should have thirty acres. This man had said the time for which he had been sentenced had expired, and wished to settle." This first expiree made a beginning, of the designed peasant Australia, in November 1789, three months after the terms had been elaborated upon which "the disposition of many people to emigrate" might be satisfied in New South Wales. Before the first free immigrants entered

the harbour of Port Jackson, James Ruse, the pioneer farmer, was independent of Government rations, and in March–August 1791 Phillip felt justified in establishing forty-four expirees at Parramatta, on plots of thirty to fifty acres apiece, with a guarantee of Government support for eighteen months. The Governor, instructed by the Secretary of State for Home Affairs, Lord Grenville, laid in this manner the foundations of what was intended to become, not a prison merely, but a community of peasant proprietors, a breed of men that enclosure and game laws were driving out of the home economy.

Further evidence that such a construction was the express intention of Government was forthcoming when a new Secretary of State, Henry Dundas, stepped into Grenville's shoes at Whitehall, and Major Francis Grose, as Lieutenant-Governor, into Phillip's at Sydney. "I take this opportunity of giving you directions upon such points as require more immediately to be attended to," Dundas wrote; Grose was to insert into all land grants the anchor-clause, "And it is hereby provided that the said (grantee) shall reside upon and cultivate the lands hereby granted for and during five years from the date hereof . . . and any sale or conveyance of the said lands before the expiration of the said five years shall be void. . . ." Similar assistance, upon similar conditions, had been available since 1789 to approved free emigrants, the earliest of whom, passages paid by Government, arrived at Port Jackson in January 1793.

The establishment of a peasant economy in New South Wales—or the establishment of the colony as a prison farm and a ground for small owners whom changed conditions at home had disinherited—was thus attempted with the utmost promptitude consistent with the difficulties of settlement on virgin soil half a world away from the imperial architects. Before Phillip left England he was empowered to settle ex-convicts; soon after his arrival he was empowered to settle poor freemen.

Then came the war with revolutionary France.

War broke out within a few weeks of the arrival at Port Jackson of five emigrant families in the *Bellona*, by which time about five thousand convicts had been removed to New South Wales from Britain. Few more assisted or other emigrants would make the long passage until the short spell of peace, in 1802–3, in a series of wars which engrossed the Secretaries of State from 1793 to 1815; and it would be twelve years from the outbreak of war before as many more convicts were landed in New South Wales as had been sent in half that time prior to 1793. So the war factor, accidental as far as the colonial scheme was concerned, made very early a serious modification of the scheme, and that unlooked-for circumstance of war was responsible for some developments, in the now neglected settlement, which altered the pattern from the original. For a small body of officers, holding little communication with Whitehall, and being scarcely subject to effective instruction from Ministers who were more concerned with coalitions than with convicts, was able to exploit Phillip's smallholders and persons under sentence so as to establish quickly a vested interest of large owners. Again, the intermittent flow of transported convicts in this war-time—in one year a single man, in the next year a thousand—made difficult the task of colonial administration after the set pattern, because the number of expirees due for land grants and other assistance, the number of convicts available for public undertakings, and the number of persons to be fed from the public store, alike varied widely from year to year, from Governor to Governor. In short, the administrative difficulty, coupled with the persistence of an officers' movement to "enclose" the new struggling peasantry, gave the colonial scene a character never contemplated when Pitt and Sydney, in thin times of peace, accepted New South Wales as an answer to the question, how to clear the British gaols and hulks of the thousands of "seven-years" men who had been sentenced under the most savage penal code in the civilized world, and how to clear the parishes of the poor.

The Imperial Government, however, ignored such complications as the war, and the peculiar twist it was giving to the line of development of New South Wales. When a Secretary of State or an under-secretary gave an hour's thought to the colony, he consulted the formula of 1787–89. An economy of monopoly was fashioned in New South Wales during the first years of war, later a beginning was made of a system of production with which a system of smallholding farmers would be incompatible; but Government clung to its original project, that must be resumed after the war. Accordingly Hunter, King, Bligh, or Macquarie, taking each his turn as Governor (respectively in 1795, 1799, 1806, 1809), would read a version of the instructions given Phillip long before, and find little inkling there of an appreciation that New South Wales might have changed in eight, twelve, twenty years of settlement. Brisbane's instructions of 1821 would still include the peasant formula. Whatever changes the wars had wrought in English society, the demand from England remained insistent that the colony should not cost much; should absorb shiploads of convicts sent as opportunity offered; be the scene of perfect administrative harmony, though the Governor have no executive assistants save those whose vested interest was opposed to Government's; create a public agriculture, though Whitehall omit to send ploughs or trained farm managers; settle effectively time-expired and pardoned convicts, though an officers' ring close to them the only colonial market, the store of the Commissary.

This strange insistence is the thread which joins Hunter's Administration, from 1795, and Macquarie's, until 1821. Officially nothing happened in New South Wales during the war: even the deposition of a Governor by his garrison made no great noise in Europe, where the guns spoke. A spasmodic irritability was almost all the Imperial Government vouchsafed in respect of the insignificant colony. It recalled Hunter for failure in his set task of establishing a peasantry while placating his rich officers who could not afford a peas-

antry; recalled King for accomplishing the establishment while alienating the officers; recalled Bligh for failure more spectacular than Hunter's; recalled Macquarie for repeating King's history on a grander scale after the war. Such an awful consistency, on the part of the British policy for New South Wales, during thirty-three years, is the lamp by which the economic as well as the political history of the times must be read. To examine the early period of New South Wales settlement—this first generation of Australian society—in the imagined light of "new economic policies," or in terms of this Governor who "favoured the emancipists," that Governor who "encouraged free settlers," can scarcely be more instructive than reading in the dark. What is really relevant is that every Governor was required to maintain a prison and plant a peasantry, and that this could not be done because of the development of a special local interest during the period of uncontrolled military rule 1793–95. There is the common economic contradiction of New South Wales administration from 1795 to 1821, when Governors with antediluvian commissions strove with a flood which was not provided for in the Estimates.

The creation of an officers' monopoly of trade and production was the principal internal factor of difficulty, as the uneven provision of transported convicts was the principal factor of difficulty from outside. Between four and five thousand transports were landed during Phillip's five years in office, only as many hundreds in nearly three years of officers' rule after him, between four and five thousand over Hunter's and King's terms totalling ten years, only a few more than a thousand during Bligh's administration and a second period of officers' rule: a total of four years. In sum, about ten thousand convicts survived the voyage, between 1787 and 1809. Then in Macquarie's dozen years nearly twenty-two thousand convicts were thrown upon a colony again unfitted for Whitehall's uses by two years of uncontrolled administration by the officer-monopolists. Of these

transports, nineteen thousand, at the rate of two thousand five hundred a year, were landed between 1814, when the first peace with the Emperor Napoleon was made, and 1821.

An unparalleled responsibility was thrust in this way upon the Governor, who had to cope with a large convict population and a mounting expiree class in an environment which had been developed in scarcely any respect, at any rate for public purposes, since 1805. This fact, together with the lately augmented largeholder interest and the British Government's continuance of its original policy for New South Wales, was the ruling circumstance of Macquarie's much misunderstood policies. His success at the expense of the largeholders was enough to win his recall. But after him Brisbane, who would take the first steps (again under English instructions) towards a different place for the colony in the imperial scheme, was assisted by Whitehall's prudential stoppage of convict transportation; only seventeen hundred convicts arrived in 1822–23, at a rate one-third of the annual average of the previous eight years of Macquarie's government, and it was not until 1833 that the convict arrivals in any year exceeded Macquarie's total in 1820 of more than three thousand five hundred.

Enquiry as to why the Imperial Government departed in the early eighteen-twenties from its traditional prison-and-peasant policy for New South Wales, and what the new policy was, must be directed to the changed condition of England. New impulses were agitating British economy now: an industrial proletariat was rioting, and wrecking machinery; peace had involved the reduction of the volume of employment in farming and industry, and had cut the entrepreneur's profit so that he was disinclined to continue paying the heavy poor rate demanded for the support of hundreds of thousands of unemployed workers; at the same time a war-time accumulation of capital for investment sought fields overseas—and New South Wales was envisaged as a profitable field, now that John Macarthur had proved the adaptability of the

country for sheep-raising with a view of producing fine wool. British statesmanship responded, with the advent of Canning, Huskisson, Peel, and Goderich to Liverpool's Ministry, to such radically altered needs of British and British Imperial economy; and policies for New South Wales of the emigration thither of persons of capital, the chartering of great enterprises for colonial development, and—in the colony—the sale in addition to the grant of land, and attempts to provide a stable currency, were some forms which the response took.

After that, the economic story of Australia for awhile gives an odd impression of the British Government's striving to preserve the old convenience of its "receptacle for offenders" simultaneously with the concession of colonial room for English capital and population expansion. Again the Governors were required to follow formulae; again local developments hindered the perfect performance of experiments in meeting English needs; and again Governors would in turn receive pained letters of recall—for overmuch zeal in the execution of their instructions.

The principal local development—the undeniability, by the eighteen-thirties, of the claim that great tracts in Australia were peculiarly valuable for pastoral use—displaced for a time in primacy immediate English needs as the determinant of the colonial economy, and led to further settlement in defiance of Government. Then, in the 'thirties and 'forties, English policy sought again, with a large measure of success, to assist the spontaneous colonial movement of expansion by providing at once the required capital, and, in the persons of tens of thousands of paupers, the necessary labour. Convict transportation to New South Wales was at length abandoned when, and only when, it had become clear that capital export and pauper emigration to Australia would be the most profitable form which English interest could take. (In after times, similarly, transportation was discontinued to all eastern Australia—and in England a Penal Servitude Act was passed to house felons at home—when, and only when, the discovery

of gold in large quantities made uneconomic the further penal use of even Tasmania.)

The governing factor must not be lost sight of, that an imperial theory discarded since the American reverse was again in acceptation: again men believed that colonies might yield dividends, and the more flexible British policy towards Australia is simply an instance of a common-sense determination to make colonization pay. The history of the period shows that the British Government was seldom dilatory in grasping an opportunity of using its colony. At most stages, Government was prompt in taking the cue of need. For example, Addington's Ministry decided within a few months of the conclusion of peace with France in 1802 to establish with convicts and free emigrants sent direct from England a settlement at Port Phillip; and the only large parties of assisted emigrants to leave Britain between the original outbreak of war in 1793 and the final settlement of peace in 1814–15 left about the time of armistice 1802–3. Similarly with Castlereagh. By 1817 he had a quarter of a million discharged sailors and soldiers on his hands—and neglected New South Wales was recalled again, when the Liverpool Government advised the Governor of its wish that land be granted, on stated terms, to retired officers and discharged non-commissioned officers and men, who in the sequel were shipped in numbers to Sydney. Again, post-war reaction and the riotous protest of the distressed masses was approaching a culmination in the Peterloo massacre when J. T. Bigge was commissioned to enquire into the capacity of New South Wales as a convict receptacle. The peace of 1814–15 had at some points the immediate effect of cancelling wartime gains. Thus most of the occupied Dutch colonial territories had to be returned (which involved a restriction of the East India Company's field), and so attempts were made in 1824–27 to win back the Indies trade by colonizing in North Australia. After the peace, the French were free again to examine Australia with a view of colonization, and this realization

spurred the British Government into sponsoring settlement of convicts and freemen on the southern and western coasts of the continent.

Such examples are not sifted from a mass of contrary evidence; it is safe to say that this epoch of British imperialism was distinguished no less than other imperial epochs by a constant effort to satisfy in the colonies domestic social and economic needs. At the beginning of November 1830, before Grey's Whig Ministry was formed, the Tory Secretary of State was instructing the New South Wales Government to make land grants to encourage the immigration of special classes of small freemen; but the Whigs, when they came to office later in the month, found the English agricultural counties in turmoil, and quickly, by the New Year, the incoming Secretary of State completed a plan for New South Wales by which masses of farm labourers would be received there as wage-earners bound by indenture or debt.

When we look farther into the eighteen-thirties, and into the 'forties, we find imperialism slower to adapt itself to the shift of emphasis from need to need. But those were years of the parturition of an Australian pastoral economy, and it is not surprising that Ministers faltered now in their task of reconciling the diverse interests of England in Australia—termini of convict transportation as some of the colonial settlements were; termini of emigration as they were becoming; fields for large investment as they were increasingly because of the rapid development of their industry of wool production.

Much of the economic history of Australia during the Crown Colonial period is however an account of sudden rapid adjustments of Australian economy attempted at Whitehall with scant or secondary reference to the colonies themselves. That persistent factor once understood, there need be little difficulty in following the details of this history of the first half-century of Australian economic evolution. What may be inferred easily from the sketch given is a necessity of taking stock periodically of contemporary conditions in

Great Britain, as an integral part of an economic assessment of Great Britain's Crown Colonies in Australia. For the British Isles were the starting-point of almost all of those who, voluntarily or involuntarily, reached an Australian destination at this period; few spontaneous local developments of economic significance went far without capital encouragement from Great Britain: step by step, far into the nineteenth century, British needs of expansion marched towards satisfaction with the advance of Australian economy—which in general they promoted.

Hence an arrangement of topics which may seem unusual, is made in the present study. Australia's Crown Colonial story, as indeed all its history, is utterly unintelligible in isolation, and no Australian history contemplates its fundamental subject-matter until the originating circumstances are well understood. It will be realized, then, that the present history of the interrelation of British and Australian economy took shape from researches into sources that, in many instances, had not been investigated by authors dealing with Australian economic history. Because of this, it seemed desirable to make numerous references, in footnotes to the text. However, the mass of material before the serious student of Australia is classifiable in simple terms. Two accomplished historians have, fortunately, made intelligible the situations in which the processes of Australian economic evolution were originated. The translated parts of the late Professor Élie Halévy's great work on nineteenth century society, *A History of the English People*, and *Histoire du peuple anglais au XIX^e siècle*, iii, *de la crise du Reform Bill à l'avènement de Sir Robert Peel* (*1830–41*) (Paris, Hachette, 1923), and Professor D. G. Barnes's *A History of the English Corn Laws, 1660–1846* (London, Routledge, 1930) are scholarly analyses of the motives of British expansion. Much Australian history is a series of incidents of the imperial development to which those motives led; so that the task of the Australian historian is the less onerous for the guidance which Halévy and Barnes afford

through the highways and byways of English society in the late eighteenth and early nineteenth centuries. The most valuable sources of information in the field itself are:

1. The *Annual Register* for the years 1783–1832, giving a panorama and some detailed descriptions of English life as seen by contemporary observers.
2. Hansard's *Parliamentary History* and the several series of *Parliamentary Debates* which succeeded it, over the same period.
3. *Sessional Papers of the House of Lords* and *Miscellaneous Parliamentary Papers*, containing reports from parliamentary select comittees and minutes of evidence given before them.
4. *Statutes of the United Kingdom of Great Britain and Ireland*, especially 1770–1834.
5. *Edinburgh Review* (published quarterly) for the period 1802–32: a useful guide to contemporary writings on social, political, and economic matters, and itself a well-reasoned commentary from a Whig point of view.
6. *Gentleman's Magazine* (published monthly) for 1783–1832: a useful record, with commentary from a Tory point of view.
7. *Weekly Political Register* of William Cobbett: comprising in 88 volumes from January 1802 to June 1835 a Radical criticism of "Condition of England" phenomena.

There is no such introduction to the Australian sources as Halévy and Barnes provide for the English sources. The indispensable material is to be found in:

8. *Historical Records of Australia*, series I, vol. i–xvi.
9. *Historical Records of Australia*, series III, vols. i–vi.
10. *Sydney Gazette*, 1803–32.
11. *Public Statutes of New South Wales*, 1824–37.
12. *The Acts of the Lieutenant-Governor and Council of Van Diemen's Land* (1840).

The introductory essays provided by the editor of the *Historical Records of Australia*, Frederick Watson, in each

volume, are not as a rule concerned with documents that are likely to interest the student of economic history. But the two volumes of the *History of New South Wales from the Records*, especially Volume I by G. B. Barton (Sydney, Government Printer, 1889), are in general a reliable introduction to the first half dozen years of settlement. Dr. Eris O'Brien's interesting views in *The Foundations of Australia* (London, Sheed and Ward, 1937) could not be studied for the purposes of the present volume, which was completed before Dr. O'Brien's book appeared.

BRIAN FITZPATRICK

MELBOURNE
April 1938

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THE writer acknowledges a heavy debt to his friends for their help in his researches and revision. Kathleen Fitzpatrick, M.A. (Oxon), lecturer in modern history in the University of Melbourne, made available notes upon her research into questions of emigration to Australia. (After the completion of this work Dr. R. B. Madgwick's *Immigration into Eastern Australia, 1788–1851*, appeared.) The lecturer and tutor in economic history in the University of Melbourne, Herbert Burton, M.A. (Oxon), and Dorothy Davies, B.A., made many valuable suggestions when the MS. was being prepared and revised. Substantial changes were made in the treatment after Miss Davies had given the draft close critical examination. Patrick Martin Stanley drew attention to much of the fundamental stuff of this history, and the writer is appreciative of the various services generously given by C. Hartley Grattan, Mr. Justice Evatt, Professor R. M. Crawford, and Miss T. Lucas, B.A.

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CONTENTS

Chapter 1

THE GENESIS OF AUSTRALIAN SETTLEMENT

(*a*) *Australia and the American Revolution*
(*b*) *The British Parliamentary System*
(*c*) *The Agricultural Revolution in England*
(*d*) *English Methods of Poor Relief*
(*e*) *Early Social Consequences of the Industrial Revolution. First Period of "Impaired Liberty"*
(*f*) *The English Population*
Conclusion

AUSTRALIAN settlement began when Captain Arthur Phillip, Royal Navy, landed on the coast of New South Wales or New Holland, in January 1788, to establish a penal colony comprising, at first, more than 700 British male and female convicts and 200 marines. William Pitt led the Tory Government which gave Phillip his instructions under George III's commission, and Lord Sydney, as Home Secretary, was the minister immediately responsible for the trial of New South Wales, then inhabited by sparse nomad tribes, as a repository of British felons.

The venture was made at this particular time because the necessity had become urgent of disposing of a great accumulation of long-term prisoners (Edmund Burke said in 1785 that 100,000 lay in British gaols and prison-hulks under sentence of transportation). Until lately the disposal of these people would have presented no difficulty; but recently most of the British colonies in North America, including those which had received transported felons, had set up an independent United States Government. Of the neighbouring colonies which retained the British connection Quebec and desolate Nova Scotia were proved unsuitable by trial. Gambia in West Africa was surveyed for the purpose of the transportation system,

but though the expenses of the voyage thither were less than those entailed by six or eight months' voyage to New South Wales, a humanitarian opinion abhorred the horrors of the African terminus and the Crown's investigators advised against its use. New South Wales, claimed for England by Captain James Cook in 1770 in the course of a voyage of discovery, was at last decided upon in the alternative to the Gambia jungle.

At the time of Phillip's initial settlement in Australia, the population of Great Britain was scarcely nine millions, and that of Ireland between four and five millions, and these small communities were already undergoing their early experience of a vast economic and social change. For the reign of George III, which had begun in 1760 and would persist until 1820, saw a transformation of English life. During his sixty years' reign the English peasantry was eliminated by enclosure of common lands and the application of large-farming; then much of the rural mass thus proletarianized was absorbed into machine industry made practicable by recent mechanical inventions. For example, in the England that Phillip left the first steampower cotton mill had lately been built (1785); within twenty years past the inventions of Richard Arkwright and Samuel Crompton had heralded the supersession of domestic manufacture by factory processes, and Arkwright had introduced on his own account the practice of employing child labour in quantity; Benjamin Huntsman and Henry Cort had elaborated during the last generation their formulae for casting and puddling iron.

Even without such means as these events portended, Britain was already great among European States. At this epoch those nations were most powerful which commanded the richest colonial fruits of native cultivation, or which controlled major territories in Europe; and Great Britain and France were settled competitors for leadership in the maritime race of the first group. Portugal, Spain, and Holland had been subordinated during the seventeenth and eighteenth centuries by the

widely ranging colonizing and merchandising of these two. The chief Powers of the second group were Austria above all, Prussia, the most powerful and populous of the other German States, and the huge Russian Empire. The Ottoman Empire of the Turks was already losing grip on its great dominions in Europe under pressure from the Central Powers and Russia. Indeed, in these years immediately preceding the French Revolution of 1789–91 their rivalry for Eastern European prizes was the typical stamp of the contemporary international system—"if that can be called a system," writes the English historian of the French Revolution,[1] "which rested on no principle of action and set no limits to aggression on the weak except those dictated by the fears or jealousies of neighbours and rivals." The maritime Powers, for the rest, competed for the right to exploit backward areas beyond Europe—the West Indies and the East, America and India—continuing it seemed incessantly their struggle of more than two centuries' duration. But British power had set back the French in America and India. The old mercantile society of England was at the zenith of its wealth and influence, on the eve of the several revolutions which were going on while Australian settlement was projected or made.

Several revolutions, for additional changes, quite other than these readjustments within the domestic and imperial constitutions of England, were in train in Captain Phillip's world; and indeed not two revolutions—the American and Industrial Revolutions—but at least three, took place immediately before or during the colonization of Australia. The French Revolution is the third which we have to remark. "You, who have not exactly lived during the times of the French Revolution," a Scottish professor[2] would say to his students forty years later, "cannot imagine how long and how deeply it affected

[1] *The Revolutionary and Napoleonic Era, 1789-1815*, by J. H. Rose, p. 16; Cambridge University Press, 1894.

[2] *Cit. Essays on the Administration of Great Britain from 1783 to 1830*, by Sir George Lewis, p. 419; London, Longmans, 1864.

the thoughts, the feelings, and the interests of every human being, without any exception, that then existed in the civilized world." For while Phillip's convicts felled eucalyptus trees, far away in New Holland, heterodox claims were being propounded in France, where, as in England, landed property maintained the State for its protection. The French State was divesting itself of its ancient character, and radical philosophers of the mass were asserting:[1] "Every man has a right to the land . . . he gains it by labour, and his share ought to be limited by the rights of his equals. . . . All should have something, none too much."

In fact three far-reaching sets of circumstances, having origin or repercussion in England, might bring influence to bear upon the society of British outcasts which was being made in Australia: revolution in America, revolution in France, in England an agricultural and an industrial revolution.

The established power in England opposed all three. But all three would prove irresistible, and we may find that the truth of their incidence upon Australia is that settlement was only made there because of the success of the American Revolution, only perpetuated because of the accomplishment of a change of British economy, and only transmuted, at last, into a democratic society because the success of the French Revolution promoted eagerness among all European peoples for the institutions of a political philosophy which the British State rejected.

But first we need to consider those early circumstances which made an Australian community upon which those potent influences, the Agricultural-Industrial and French Revolutions, could operate: a community whose economy would be adapted to the requirements of the one, and whose political forms would be derived, if only in part and indirectly, from the inspiration of the other.

[1] *Cit. Select Documents Illustrative of the History of the French Revolution*, ed. L. G. Wickham Legg, vol. i, pp. 282, 283; Oxford, Clarendon Press, 1905.

(a) Australia and the American Revolution

Before the British Government found serviceable Cook's survey of the eastern coast of the Australian continent, Britain's old colonial empire comprised India for economic exploitation and world trade, and North America for similar purposes and for the putting away of dissident minorities, political, religious, and criminal. The State had rarely founded a colony; most colonizing had been promoted by merchant adventurers. The Crown however had used the southern colonies of North America as a resort for transported criminals; felons had been shipped there for most of the period 1678–1775.[1] On the eve of the American Declaration of Independence five hundred "transports" a year were being sent.[2]

Now the system of expatriating convicted offenders had already the sanction of a considerable history. Portugal had used its colony of Brazil for the purpose from early in the sixteenth century; Jacques Cartier had taken French convicts to Canada in 1540; in 1638 the Swedish Government had colonized Delaware in North America with felons; late in the eighteenth century the dying power of Spain still troubled its dependencies in South America with offenders against the law; and England had sent scores of thousands and perhaps hundreds of thousands to the New World in prison-ships since a seventeenth century Act (18 Charles II, cap. 3) had "empowered the judges to exile for life the moss-troopers of Cumberland and Northumberland to any of His Majesty's possessions in America."[3] But though England had practised

[1] *Report of the Select Committee of the House of Commons on Transportation*, 1838, p. iii; *Sessional Papers of the House of Lords*, 1837–38, vol. xxxvi.

[2] *Vide A Short History of British Colonial Policy, 1606–1909*, by H. E. Egerton, p. 226; London, Methuen, 9th ed., revised by A. P. Newton, 1932. But parliamentary statistics of the period give a figure nearly double—an average of nine hundred and sixty transports a year, 1769–76; *House of Commons List, cit. Account of the Principal Lazarettos in Europe*, by John Howard, pp. 220, 246; London, Johnson, Dilly & Cadell, 1791.

[3] *Report of the Transportation Committee*, p. iii.

the system on a grand scale she had not practised it in freedom from criticism. In Elizabeth's time—an Act of 1597 made "exile" a punishment—Francis Bacon had written in his *Essay on Plantation*: "It is a shameful and unblessed thing to take the scum of people, and wicked, condemned men, to be the people with whom you plant." Nearly two centuries later a protest came from the convicts' wide gaolyard in America. A free colonist wrote in the *Independent Reflector*, a New York periodical:[1] "These very (transportation) laws, though otherwise designed, have turned out in the end the most effectual expedients which the art of man could have contrived, to prevent the settlement of these remote parts of the King's dominions. They have actually taken away almost every encouragment to so laudable a design."

As concerned America, however, questions of the morality or expediency of tranportation were emptied of content when the colonies there, except Canada, made war against the Crown from 1775 to 1783, to secure recognition as the independent United States of America, under the Treaty of Versailles 1783. At this date and for some time after, we are told, a general disillusionment repelled effective English opinion from all forms of colonial experiment. This disillusionment was deeper seated than any single objection to convict-colonization as immoral or impolitic or uneconomic; it gathered strength from such arguments and a wounded pride. India and the Spice Islands, administered by a great company, should continue to render profit to British shipowners and traders; the West Indian planters might by all means continue to use slaves for profitable sugar-production; but "in most Englishmen's minds the result of the (American) Revolution had produced a complex of ideas antagonistic to further colonial enterprise. Adam Smith and Lord Sheffield, from their different platforms, proclaimed that colonies did not pay. What then, asked the business man, could be the use of them? . . . Scarcely anybody

[1] *Cit. History of New South Wales from the Records*, by G. B. Barton, vol. i, pp. 556 *et seq.*; New South Wales Government Printer, 1889.

dreamed that new British colonies would ever replace the old."[1] And perhaps a distaste for further colonization was not confined to England, among the maritime Powers, during the generation of imperial standstill after the American Revolutionary War. For instance, a society founded in France in 1800 to promote exploitation of the natural riches of Africa soon broke up, though Denys de Montfort could paint in the *Philosophical Magazine* an attractive picture of Africa's accessible wealth and an eagerness in the natives to cull it for the European. "There exists," he wrote,[2] "no country in the world so susceptible of general cultivation. . . . The plants of India, Europe, America, and Australasia, or the fifth portion of the globe, will flower there in perpetual spring. . . . The Negroes, whose respect for the Whites is extreme, notwithstanding what they have suffered from them, will cheerfully give up their fields to be cultivated by us."

After the American loss the impulse of the old imperialism seemed dead, in England at any rate. It was only the urgency of the question of convict-accommodation which now induced a renewal of old-system imperialism, in the case of Australia, as the nineteenth century's new wind rose. Very soon after the convict-traffic with America was closed by the revolt of the colonies, an Act of 1776 (16 George III, cap. 43) empowered the British Government to confine sentenced persons in hulks. But humanitarians like Howard deplored the conditions of prisoners rotting experimentally in the marshes, and his *State of the Prisons in England and Wales*, which was published in 1777, the year after the enactment of the Hulks Act, had much to do with the preparation of a Penitentary Act (19 George III, cap. 74) requiring serious offenders to be confined in large institutions, in Great Britain itself, there to be kept at useful employment for their own redemption and society's gain. John Howard was one of the supervisors appointed to put the

[1] *The American Revolution and the British Empire*, by R. Coupland, pp. 251, 252; London, Longmans, 1930.

[2] *Cit. Annual Register*, 1815, pp. 539 *et seq.*

Act into effect; but no progress was made. In the event, English criminals would wait two-thirds of a century longer for their penitentiaries. For the time being, the old gaols and the hulks continued to receive sentenced persons—and liberal indignation mounted higher as the consequences became evident. "There is a house in London," Burke said terribly in the Commons,[1] "which consists at this time of just five hundred and fifty-eight members. I do not mean the House of Commons, though the number is alike in both, but the gaol of Newgate."

And if Newgate[2] was intolerably overcrowded, in that year of 1785, the alternative which threatened the inmates was no less fearful. Burke said (no doubt hyperbolically) that 100,000 persons awaited transportation to Gambia. "The gates of hell are there open day and night to receive the victims of the law." A Commons committee had enquired into the prison situation, and a man-o'-war's captain had been sent to the African coast, to seek a means of disposing of the condemned percentage of the British peoples. Two Orders in Council of December 6, 1786, announced the answer, and next year an Act (27 George III, c. 2) appointed "the eastern coast of New South Wales to be 'the place to which certain offenders . . . should be transported.' "

It came about in this wise that England's penal problem was solved tentatively (*vide* Chapter 2 (*a*) *infra*) after the despatch

[1] *Parliamentary History*, 1785, vol. xxv, col. 391.

[2] Newgate Gaol had a history of nearly seven hundred years before its demolition in 1902. The pressure on it and British gaols generally, after the American loss, was baldly stated in the King's Speech at the opening of Parliament in 1787 (*Parliamentary History*, xxvi, col. 211): "A plan has been formed by my directions for the transporting of a number of convicts, in order to remove the inconvenience which arose from the crowded state of the gaols in different parts of the kingdom." Professor Ernest Scott administers (*Cambridge History of the British Empire*, p. 91; Cambridge University Press, 1933) a sufficient rebuke to writers who "have expressed regret that some worthier motive did not inspire the settlement of Australia." He points out that, probably, only the actual motive could have transformed into "acquisitive desire " two centuries' indifference to Australia.

to New South Wales of Captain Phillip's first fleet, which sailed from Portsmouth in the spring of 1787. New South Wales would be another, larger Newgate.[1] Or, abuses which had troubled the conscience of 1785 would be removed along half the earth's circumference to a point too remote for the English imagination easily to compass. (It is not without interest that among those few members of the House of Commons who drew attention to the plight of prisoners in the hulks was Lord Beauchamp[2], for more than a century later another Lord Beauchamp, arriving in New South Wales as Governor, would affront contemporary Colonial opinion by reference to the community's "birthstain"—which that earlier nobleman had helped to impose.)

A cognate subject which agitated the Commons at this time was the policing of London, and in the debates[3] on the London and Westminster Police Bill which was introduced by the Solicitor-General, Archibald Macdonald, on June 23, 1785, we are given alike a vivid picture of the England in which the theft of five shillings from a till was punishable by death and, inferentially, a clear indication that many of those whose capital sentences were commuted (to life transportation) during the next few years were indeed "victims of the law" rather than "the scum of people." The judges themselves were generally reluctant to use their full powers under an excessively ferocious penal code which denominated two hundred capital offences.

[1] *Cf.* R. C. Mills's Introduction to the Everyman edition of Wakefield's *Letter from Sydney*, p. viii.

[2] *Parliamentary History*, XXV, cols. 430 *et seq.*

[3] *Ibid.*, cols. 888 *et seq.* Macdonald "drew the attention of the House to the crowds that every two or three months fell a sacrifice to the justice of their country"—in spite of which larceny was increasing. On the character of the convicts, note that Lieut.-Col. Collins, Judge-Advocate (*An Account of the English Colonies in New South Wales*, p. 26), Phillip, the Governor (to Dundas, October 2, 1792, *Historical Records of Australia*, 1, i, p. 273), and Tench, Captain-Lieutenant of the Royal Marine garrison (*A Narrative of the Expedition to Botany Bay*, p. 133), all gave favourable accounts, 1789–1792, of the behaviour of the first convicts even in the arduous, wretched conditions of the early settlement.