William Augustine Duncan, 1811-1885: a biography of a colonial reformer

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WILLIAM AUGUSTINE DUNCAN 1811-1885

A Biography of a Colonial Reformer

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WILLIAM AUGUSTINE DUNCAN 1811-1885

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ABBREVIATIONS.

A.C.	The *Australasian Chronicle.*
D.C.	Dixon Collection, Sydney.
F.J.	The *Freeman's Journal.*
H.S.A.N.Z.	Historical Studies, Australia and New Zealand.
L.A.	Leading Article.
M.B.C.	The *Moreton Bay Courier.*
M.C.	Mitchell Collection.
N.S.W. V. & P.	*Votes and Proceedings of the New South Wales Legislative Council or Assembly.*
W.R.	*Duncan's Weekly Register of Politics, Facts and General Literature.*

FOREWORD

TO WILLIAM AUGUSTINE DUNCAN, C.M.G.

(per favour of the Freeman's Journal)

Sir, - Though your name is now not very frequently heard mentioned save as that of a retired public servant - of a most zealous and faithful official emeritus - though hundreds of those who would fain pass for well-informed Australians only know of it as that of an ex-Collector of Customs, yet whenever I hear it spoken of or see it in print, I am reminded that it belongs to a statesmanlike publicist and philosophic politician, than whom no writer or actor on the stage of Australian history has been in his day and generation more positively influential. Your influence has been none the less that it was mainly exerted anonymously. Though silent it was essentially seminal. The role of blatant orator who dramatises every action was not the one you assumed. Yours was that of the honest teacher, who thoroughly knowing what he has to say, says it with conscientious earnestness, and with his might.

Yours, Sir, is a name that will not be forgotten when the history of New South Wales comes to be written. Your fruitful labours will then be credited to you, the veil of anonymity which you now modestly keep around you being lovingly drawn aside in order to let posterity distinctly know who in very truth was the Father of Municipal Government in this colony, and the most earnest thoughtful moulder of that liberal opinion which by being persistently and consistently exercised succeeded in wresting from Authority (inclined towards oligarchic conservatism of a rather corrupt character) the boon of Responsible Representative Institutions. Partaking in the labours of those who won Civil Liberty for New South Wales, you (in a certain sense like Zachary Macaulay) meekly endured the toil, resigning to others the more glittering reward. Yet not the less in the future will the discriminative historian point to William Augustine Duncan as the silent sagacious leader of the people of New South Wales in the gravest hour of her gravest political crisis, summoning, as he does so, to crown your memory, Fame,

- whose loud wings fan the ashes past
To signal fires, Oblivion's flight to scare.

For well nigh half a century you have been actively though not always prominently identified with every movement having for its object the advancement of your adopted land. But it was during one particular eventful period of that half century - a period of seven crisis-thronged

years - an epoch of the gravest moment in the fortunes of this country - that you were pre-eminently the leader of Liberal thought, a leader always trusty and true, when other, the so-called leaders occasionally went astray: a leader whose pen, trenchant as ever was chivalric hero's sword, fought for the real interests of the commonwealth against the maladministration of Governments, the selfish greed of Cliques, and the narrow bigotry of Sects. A democrat but of the noblest type - a Christian democrat - you waged successful war against the pretensions of the ostentatious orders whose real political object is almost invariably to be useful to themselves at the expense of others. If Emerson be right (as in this case I believe him to be right) that the "great man is the man most imbued with the spirit of the times...the impressionable man... whose mind is righter than others because it yields to a current so feeble as can be felt only by a needle delicately poised," then of the great men of the days in which Parliamentary Government and Municipal Institutions were won by the men of New South Wales, you par excellence were the great man "righter than the others," truer to the great objects contended for than either Wentworth or Bland.

The critical and eventful period to which I have referred was the seven years from '39 to '46 - the period of Gipps's proconsulship - a time of seeking socio-political questions, to each and all of which you addressed yourself with eminent ability and surpassing address. A reformer-journalist of first-rate calibre, you brought to the discussion of great arguments philosophical lucidity and homely pithiness.....Moreover, you possessed the art of renewing your brilliance by regular study. Yours was no glib parrot-like repetition - no Pitt-and-Hunter-street drivel. Besides, you ever had the courage of your opinions. When, pen in hand, you led the van from '38 to '46, your journalistic motto might in truth have been

> 'Unwarped by prejudice, unawed by wrong
> Friend to the weak, and fearless to the strong.'

From '39 to '42, your conduct of the AUSTRALASIAN CHRONICLE on Liberal Catholic lines made that journal a real power in the land. But it was mainly by means of the WEEKLY REGISTER (which you edited from '43 to '46) that you accomplished the education of an Australian Liberal Party .....

You combated the monstrous claims of the squatters to the fee simple of their runs, and came off victorious from many an encounter with such a keen and sprightly foeman as Robert Lowe. You agitated successfully for Insolvency Reform. You advocated an honest system of Public Education..... Against the farcical though strenuous

opposition of the talented but unscrupulous Wentworth whose Liberalism masked a selfish yearning for an oligarchy whereof he should be chief, you fought for and won the establishment of Municipal Institutions. And to you, Sir, belongs the high merit of having formed and directed that healthy opinion which backed up Wentworth when he struggled for the redress of Civil List and similar grievances, as well as for the priceless boon of Representative Responsible Government: and yet which was not to be seduced into endorsing the action of that turbulent genius when it came to be realized that all that he contemplated in his heart of hearts by the introduction of parliamentary institutions was the transferring of political power from a clique, in which Downing-street influence was paramount, to another in which his own and his party's interests would be supreme.

Unfortunately for the best interests of New South Wales, Lord Stanley, who, as a careful reader of the WEEKLY REGISTER, had recognized in its editor a man of keen intelligence and high character, offered you in 1846 the Collectorship of Customs at Moreton Bay. As the REGISTER financially had not been what it was politically, - a success - you accepted the appointment, unfortunately for New South Wales, as I have just said, since it is possible that had you been able to keep on with the REGISTER it would by this time have developed into what is now so much needed in Sydney, a fearless, independent, intelligent, opinion-leading "daily" - the exact mathematical converse of the Fairfaxian HERALD.

During your thirteen years of official service at Moreton Bay you did not neglect to nourish the flame of your elegant scholarship. In your celebrated Icolmkille letters to the FREEMAN you displayed the finished style of an able controversialist, demolishing the laboured arguments of the advocates of a despotic ecclesiastical administration; while in the field of historical and geographical research, your contributions to the general stock of knowledge evidenced both your exceptional literary skill and your singular aptitude for treating scientific subjects in a fascinating way. For example, your paper on De Quiros is a charming illustration of your power as a writer to be at once both severely accurate and intensely interesting.

When, on well-deserved promotion, you returned from Moreton Bay to Sydney, one of your first public acts - your refusal to benefit personally by Plunkett's wrongful dismissal - signally testified to your high sense of honour and independence. As the head of the Customs Department you performed for many years your onerous duties with an extreme scrupulousness, without fear, favour, or affection, - performed them, indeed, in such an above-board and

honourable way as in 1868 to bring you into collision with your immediate superior ..... Your superior condoned the attempt to defraud the State whose responsible Treasurer he was - ..... you were sacrificed by the Premier of the day, who (let us trust) has long ere this repented him of the least manly of the not few ignoble actions which sullied his career as a prominent statesman.

But why treat of the mere accidents of your public life? The anonymity of your honourable and distinguished journalistic career, no doubt, tended to keep your name as 'caviare to the general.' But what of that? To be is greater than to seem! To have the great poetic heart is more than all poetic fame - and you possess the great heart of an enthusiastic Reformer. The consciousness of duty done - of high duties thoroughly and loyally performed - should be yours .....

Disinterested, devoted, largely tolerant, affectionately loyal to your kind, watchful for their best and most vital interests, you bore the heat and burden of the day of crisis, with what a royal serenity of mind, with what a high capacity for useful telling work, I sincerely trust the coming historian of this land will record with simple literal truth, nothing extenuating. Dowered with the hate of hate and scorn of scorn, in the fulness of your strength you wrought for and fought for the Just and the Right: hence it is that, though the grand results of your toil are not so generally credited to you as they should be, and will be, your old age is accompanied (as such an honoured age ought to be) with honour, love, obedience, troops of friends.

That you may enjoy many more years of happiness on this side the blue ere you attain to your

- hard-earned, heart-won Home,
Where, Exile changed for Sanctuary,
Your lot shall fill indeed its sum,

is, honoured Sir, the sincere hope of your obedient servant,

CASSIUS."[1]

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[1] F.J. May 5, 1883. Fr. McNally, who has a considerable knowledge of the history of the Catholic Church in Australia suggests that Cassius was J.H. Curtis, previously Brother Anselm, who left the Benedictine Order during the troubled decade of the fifties.

INTRODUCTION

"Cassius" can hardly claim to be an unbiased biographer. However, I have allowed his somewhat extraordinary panegyric to stand as a foreword to this thesis for a number of reasons. Not least of these is that it embodies a promise to Duncan and a charge to me, hopefully the "discriminative historian" of "the future", to record Duncan's significance fully and to judge him rightly.

Several historians have already made a start on the task Cassius set. Duncan's role in the early labour movement and in the mid-colonial Catholic Church is considered in some detail in the theses of L. Thomas[1] and of T. Suttor.[2] Other scholars who have studied the history of thought and society in colonial Australia also give Duncan prominence as a man of exceptional perspicacity and intellectual ability[3] but as yet there is no full scale biography. Most of these studies have been concerned with the period 1840-1865. Duncan's life before and after this time is almost a blank in historical studies and this discussion which began as an attempt to fill in the blanks has led to some reassessment of Duncan's life as a whole.

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[1] The Development of the Labour Movement in the Sydney District of N.S.W.

[2] The Catholic Church in the Australian Colonies 1840-1865.

[3] M. Roe, Society and Thought in Eastern Australia 1835-51, p.133, Roe describes Duncan as "the most intelligent Catholic Layman in the community".
A.G. Austin, George William Rusden and National Education in Australia 1949-1862, p.22. (footnote) Duncan's pamphlet on National Education is described as "perhaps the best single pamphlet on the subject".

When W.A. Duncan, with his wife and family, migrated to N.S.W. in 1838, he was twenty seven, and his main formative years were behind him. In extending the perspective back into these early years, it has been possible, firstly, to gain greater insight into Duncan's personality and, secondly, to show that many of his responses to colonial affairs were conditioned by earlier experiences in Scotland.

The second section of the study deals with Duncan's activities in the 1840's as editor of the two colonial newspapers Cassius mentions. The point made by Cassius, and more recently by L. Thomas and M. Roe,[1] that Duncan was most significant as a source of "seminal" inspiration for certain movements generally radical in their outlook, over which he exerted little political control, has been granted. The discussion has concentrated on understanding the interconnectedness

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[1] Thomas, op. cit. p. 63. "He was to supply the form and substance of many of the popular positions..... (but)...he preferred to inspire rather than direct."
T.L. Suttor also highlights Duncan's perceptiveness of the themes of development in the Catholic Church. cf. Suttor, op, cit. p.29.Duncan saw that after 1843 the Irish problem and "the adjustment of the Church to life in a parliamentary democracy religiously indifferent" would be the major problems of the Church. See also ibid., p.279 "it is no mean tribute to Duncan's quality that he has forced us to name the two principal themes of the fifties for the Australian Church... its relations with... vague deism, and the role of the laity in church government". See also ibid., p.530. Re Duncan's part in the internal disputes of the late fifties Suttor writes: "he was the stone that released an avalanche".

of Duncan's activities in agitating for various reforms in the constitution, education, labour conditions, land and immigration policies etc. He has been viewed as a middle class radical with a very highly developed sense of social responsibility who is significant because he had a coherently articulated view of the kind of society N.S.W. should develop. It was to be a society free from privileged oligarchies (religious, social, political, or economic); one which held out the hope of peasant proprietorship to all thrifty immigrants; one which provided educational opportunities for all.

In the process of describing the details of this "social blueprint", Cassius' estimate of Duncan — one most acutely aware of colonial influences and a great "democrat" — has had to be cut severely down to size. On the one hand, Duncan was often naive about colonial forces, and many of his social and economic opinions savour of a rigid traditionalism quite opposed to the natural tendency of N.S.W. to develop a "big man's frontier" and a dispersed pastoral society. On the other hand, though Duncan has rightly been given prominence by Thomas and Roe as one of the most significant middle class leaders of the new lower class political forces in the 1840's, he never accepted the egalitarian assumptions of extreme democrats. His constitutional radicalism was opportunistic, and he eventually retired to conservative positions without difficulty.

Two questions which must have already bothered the reader

of Cassius' article have been taken as the essential biographical puzzles of Parts II and III (1846-85). They are: why did Duncan with his strong views on the good of the colony not become a politician as Wentworth, to whom Cassius compares him, and why did he retire from the forefront of public life when his journalistic career ended in 1846? The modest "veil of anonymity" which is Cassius' solution is too facile an explanation, and we must look further, both to the rigidities of Duncan's personality, and to the limits imposed on his hopes by colonial developments.

Part IV of the biography deals with Duncan's activities within the Catholic Church. As the editor of the earliest Catholic newspaper Duncan directed the first sustained popular challenge from Catholicism for its acceptance as an essential part of the pluralist society of N.S.W. However, within the church Duncan played the role of a critical reformer, obsessed by the vision of the potential greatness (and current weakness) of the Australian Catholic mission. His desire for a better informed, more virile and active laity, especially when it involved the demand that the laity should be given a greater share in church policy decisions, brought Duncan into conflict with many of the clergy. At times he was accused of being only half converted from Presbyterianism — of being anti-Irish, and anti-clerical — but I have argued that Duncan's activities are best seen as a colonial expression of certain Liberal Catholic concepts expressed

for example in the "Rambler" in England.

However, to return to Cassius, the final reason for allowing him "to write" the foreword is that, in his somewhat strained attempt to colour the whole of Duncan's existence with the vitality of the period 1839-1845, he captures perhaps unwittingly and with the biased eye of an admirer, the element of poignancy, perhaps tragedy, in Duncan's personal life. In fact, it was not so much anonymity, which Cassius suggests, as partial failure which prevented Duncan receiving recognition for his work. In both Church and State he saw only a limited fruition of his ideas. Tragically he played out most of his life in isolation from the centres of power. Yet when Cassius consoles Duncan with the accolade "to be, is greater than to seem ... and you possess the great heart of an enthusiastic reformer" he comes close to capturing the significance of Duncan's life. Duncan was a man of high intelligence, sterling integrity, and of considerable vision; and apart from the study of the way in which he had a tangible influence on our history, it has been worthwhile to try to understand the sources and nature of his vision — for its own sake, and for the light it sheds on a society which partly refused to live up to his expectations and on a man who, in his enthusiasm, failed to appreciate some of the fundamental limits imposed by his own historical and personal situation.

While the approach of the biographer is focused primarily on an individual, I have written this thesis in the hope that it may also contribute a little to understanding certain wider issues: the study of immigrant attitudes in the 1830s and 40s; the way in which ideas derived from the older British society were transported to, and modified in, the colonial milieu; the limits and strengths of a highly moralising brand of nineteenth century liberalism; and the dilemmas of a Catholic liberal intellectual in the time in which Duncan lived.

In apology for some of the limits of the thesis I must add that the source material on which it is based is not all that a biographer might have wished for. Apart from a Memoranda and Literary Journal kept spasmodically from 1845-1853, and a Diary which covers a period in 1856, there is a dearth of unguarded private material. Duncan's manuscript Autobiography which he ceased to write in 1854 has been a major source of information, but this is of course subject to the bias of Duncan's own editing. Of his correspondence, only a few in-letters survive among the small number of Duncan's private papers that I have found, whilst most of the out-letters used come from the Parkes' Correspondence or official sources.

Duncan produced a number of articles, pamphlets, and other works and these, both published and unpublished, have been of considerable value. The catalogue of Duncan's library has also been a guide to his personality, tastes and reading, but much of the thesis

has had to be based directly on Duncan's journalism. Luckily, his newspapers are very much a reflection of his own personality. He wrote all the leading articles in the Chronicle "with one or two trifling exceptions" and superintended "the filling up of every column".[1] The Weekly Register which he produced independently on a shoestring budget also bore the same personal character.

On the secondary sources used, I am most indebted to the thesis of T.L. Suttor The Catholic Church in the Australian Colonies, 1840-1865; for the background to Duncan's activities in the Catholic Church.

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[1] A.C., March 27, 1841.

PART I

Preparation. 1811 - 1838

INTRODUCTION

When William Augustine Duncan migrated to New South Wales in 1838, his major formative years were behind him. By the age of twenty seven his hard-headed independence and his rigid moral integrity had been tested in a series of personal crises and, as he himself claimed, the broad outlines of his political principles were already established.[1]

Thus the approach of these two chapters will be: to try to understand those aspects of Duncan's character which, arising from his early life, dominated his colonial career; to describe those experiences as a convert Catholic which influenced his later life; and to delineate that brand of political Liberalism, adopted in the Aberdeen period, which became part of his political yardstick in judging colonial affairs.

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[1] W.R., July 29, 1843.

CHAPTER 1.

Youth in Aberdeenshire

The fourth of six children, William Augustine Duncan was born to a Presbyterian farming family of Bluefield, the parish of Towie, Aberdeenshire, on March 12, 1811.[1] The family thus belonged to an agricultural society in which great extremes of wealth and poverty were rare. There were large estates in the area e.g. that of Sir Charles Forbes,[2] and there was an agricultural labouring class, but the typical holding of the region consisted of 120- 150 acres used for both husbandry and agriculture. Though hired labour might be employed, as it was in the case of the Duncan family, children were expected to help in the day-to-day work of the farm, which would form the framework of their future life. For the bright lad, however, the way to more spectacular achievement was not closed. The possibility of taking a degree at Aberdeen and of entering the professions, business or the church was well recognised. L.J. Saunders' describes the ethos of the area well -

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[1] W.A. Duncan, Autobiography, p.1.

[2] ibid., p. 10

> In its intellectual as well as its material pursuits, this rural society exhibited an intense energy and a marked individualism related to its base of initial equality and range of opportunity; it kept its faith in open competition and hard work, and success was expected as the reward of an efficient virtue.[1]

Sociological descriptions make poor teleology. However, I do want to argue descriptively that Duncan did come to exemplify, in a marked degree, the traits of energy, independence and industry thought to be typical of his background, and further, that many of the assumptions he made about the radical cause in the Colony relate directly to this relatively homogeneous, middle-class, literate, agricultural society which formed the background of his early life.

As to the particular influences which shaped his character during the sixteen years he spent in Bluefield, there is only sparce material. Duncan's Autobiography is selective. His account can be filled out only a little by later, less guarded reminiscences, and its bias can be modified only in some areas by reference to other sources. However, while limited, this material does provide some illuminating pointers to Duncan's personality and early experience.

Peter Duncan, William's father, clearly exerted a considerable influence on his son who in the Autobiography appears patently proud of his social success and reputation with the men of higher rank- a reputation achieved through "social qualities" and an extraordinary

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[1] L.J. Saunders, Scottish Democracy, 1815-1840, p. 69

skill with the "rod and gun".[1] This status, coupled with habits of reading and reflection, Duncan explains, made his father something of a "literary and political oracle among his neighbour agriculturalists".[2] Duncan highlights this role of his father and does not mention until later in the Autobiography the price of Peter Duncan's success. Then Duncan points out that when his father died in 1821, though he had been considered as a man in "easy circumstances", he left his family deeply in debt. The cost of living beyond his means with more wealthy neighbours had taken its toll. Duncan's mother, with "many sacrifices", including the regular education of her son, William, was left to pay off the debt.[3]

Duncan may have idealised the stature of this parent who died, after all, when his fourth son was only ten. Certainly he seems to have emphasised in his parent, those qualities which he himself wished to attain. Indeed, it became one of the keystones of Duncan's self-image that he also was intended and fitted to be a guide and mentor to the communities in which he lived.

This conviction must have been bolstered by other factors in the family situation. Duncan's mother, a woman of rare tenacity, if one can judge from her determination to pay her dead husband's

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1 Autobiography, op. cit., p.1.

2 ibid., p.2.

3 ibid., p.8.

debts, was later described by Duncan as one who

> 'doted on us with more than maternal fondness, and look(ed) forward to our future career as her greatest hope and comfort' [1]

Conversion to Catholicism was to produce a major rift between mother and son, yet it is probable that Duncan owed much of his ambition and tenacity to this strong-willed woman who singled him out among her children as the one marked for a brilliant future.

Of Duncan's brother and sisters we know little. His brother is mentioned briefly in the Autobiography as one who received the education suitable for a "respectable farmer". [2] Since Duncan himself received a different education, presumably the whole family accepted the fact that he was the outstanding child of the marriage. Family friends also would have reinforced Duncan's conviction that he was specially marked out for an important future career, for they too regarded him, not unjustly, as something of an infant "prodigy". [3]

These elements in Duncan's childhood illuminate the nature of the emotional investment he was later to make in the image of himself as one who was fitted by more than usual gifts to be an intellectual leader and moral mentor in the lives of others. Since the

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1 A.C., April 21, 1840

2 Autobiography, op.cit., p. 4.

3 ibid.

role to which he became so heavily committed involved certain paternalistic assumptions, there were to be tensions later when these assumptions clashed with other more egalitarian attitudes demanded by the radical cause - attitudes which Duncan also carried partly as the vestige of his Scottish environment.

The second aspect of his family background which Duncan selected for comment in the Autobiography is the respectability of his progenitors. On page 1 he introduced this prominent theme:

> During their long residence in that part of the country, my ancestors had by their sterling integrity and conduct commanded to an unusual degree, the esteem and respect of their neighbours of all ranks.

His father's family included such lights as Professor William Duncan, the translator of Caesar's Commentaries and Cicero's Orations, and the author of a treatise on logic. A closer relative, Danby Duncan, Duncan noted, "still figur(ed) respectably among the literati" of Aberdeen.[1] On his mother's side, though there were no such obvious lights, Duncan was anxious to point out that her family, though fallen to "honourable obscurity", were descended from a long line of rebellious highlanders (MacDougals)[2] who had carried "regal honours".[3] To drive home the point he concluded:-

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1 ibid., p.3.

2 Death Certificate of W.A. Duncan

3 Autobiography, op. cit., p.3.

> If therefore I derive little lustre from my parentage, I inherit at least a fair name, which was transmitted to me spotless, and which amid great difficulties I have endeavoured to transmit to my descendants equally untarnished. [1]

Such emphasis confirms a point that might have been made in reference to Duncan's attitude to his father. William Augustine Duncan was strongly committed to the need to achieve respectable social status. Any suggestion that he was not a gentleman produced an angry reaction,[2] and he was sensitive to any questioning of his well-earned reputation as a man of sterling integrity and scrupulous uprightness.[3] In its very intensity this preoccupation is an indication of one of the major limits of Duncan's personality - the fact that he judged others on a rigid and limited scale of values and was emotionally incapable of a balanced or diplomatic attitude to those who offended against his moral code. This was to become a serious limitation in his chosen role in N.S.W.

The second aspect of his childhood which Duncan selected for comment in his Autobiography was his education. We have already noticed that he was regarded as something of a prodigy, and this opinion seems to have been justified by the account Duncan gives of his scholastic progress.

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1 ibid., p.2. A similar statement is in A.C., Aug. 31, 1841.

2 Correspondence between the Rev. Mr. Stack and W.A. Duncan, pp. 3-5. See also, A.C., Jan. 16, 1841.

3 See Part III, pp. 251, 274

> At six years of age I was a good English scholar, at eight I had got by heart the whole of Ruddiman's Latin Grammar and was reading the Dialogues of Corderius and Cornelius Nepos, De Vita Imperatorum...(At ten) ...I was pursuing my mathematical studies with great eclat.[1]

Duncan was, at this stage, the product of the Scottish parish school system. These schools, closely associated with the local kirk, preserved in the country areas the ideal of offering to all, regardless of class, an elementary education; and to the brighter children gave the basis for university entrance.

We know little of the particular school Duncan attended except that to attend cost a long walk in all weathers[2] and that it used the monitorial system.[3] He recognised no particular debt to his teachers and it is clear that even as a child his own inner drive for learning was well developed.[4] On his father's death the young William's education was interrupted by the need to contribute to the family income by teaching, by acting as overseer to planters on the nearby state of Sir Charles Forbes, or by taking a hand in the ploughing or other work on the family farm. Duncan stresses that

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1 Autobiography, op.cit., p.7.

2 A.C., Nov. 18, 1841.

3 Autobiography, op.cit., pp. 7-8.

4 ibid. Duncan disliked having his learning skills unjustly criticised by another child.

although "much interrupted" his later studies were "not neglected". He wrote:

> I endeavoured to make up by general reading what was deficient in my academical course. Indeed, when I recollect the wretched state into which our Scottish Universities had fallen...I feel that I have little to regret that circumstances prevented me taking my degree at "Auld Aberdeen", the height of my ambition at that time.[1]

This inner drive for knowledge remained with Duncan throughout his life, and earned him a reputation for scholarship in the colony.

Though thus critical of Scots education and though largely self-instructed, Duncan still owed much to the ideology of this system, and transferred elements of it to the colonial scene. Saunder's work describes the ethos of the Scottish parochial system in terms which pinpoint the transfer -

> A general education was valued as something more than a preparation for employment. It was an end in itself, and associated with Sabbath exercises, the ministerial catechisings and family training and discipline, it helped define the worth and duty of the individual in terms that were relatively independent of class and circumstance.[2]

In the colony Duncan argued that a general system of education similarly integrated with ministerial catechising was essential to give expression to the egalitarian nature of the new society,

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1 ibid., p. 10.

2 Saunders, op. cit., p. 242.

and to provide moral fibre in a fairly democratic constitution. As the Scots found a source of national pride in their self-image as a most educated nation[1], so Duncan in N.S.W. joined the early band who saw the promise of a similar consciousness of national unity and destiny arising from the proud possession of an educated colonial population. Duncan commented with satisfaction on the fact that education was available to all classes in the Scots' parochial system, and used this as a precedent to point out the practicality of his scheme for universal compulsory elementary education in N.S.W.[2] In more detailed ways, also, Duncan drew on his Scottish background to form his ideas on colonial education; e.g. to the Catholic clergy he quoted the example of lay catechists in Scots' schools; to educational reformers he pointed out the advantages of the intellectual system as introduced by Sheriff Wood into the schools in Scotland.[3]

The event which cut across the planned development of Duncan's career to university in Aberdeen and to the Presbyterian ministry, and which must be our last focus of concern in this chapter, was his conversion to Catholicism at the age of fifteen. There are several aspects of this unexpected turn of events which need emphasis.

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1 ibid., pp. 246 & 280. This pride remained long after the fact became a myth, and the breakdown of the local system became evident to all.

2 A.C., Nov. 18, 1841.

3 Saunders, op. cit., p. 273 ff. for an account of these reforms.

The first of these is the unusual precocity and independence of thought displayed by Duncan in this decision - characteristics which were to be lifelong traits. According to his own account, his conviction arose during a period of several months in which an "oppressive lowness of spirits" had made him unfit for regular work. He had filled his time by reading theological controversy and, having been already "surprised at the rancour with which our Protestant divines attack the Doctrines and Practices of the Roman Church", found, in "accidental perusal of the works of such Catholic writers as Gother" that Catholic beliefs had been misrepresented to provide a suitable basis for attack.[1] The rest of the process may be described in Duncan's own words:

> My reading was extensive to the history of the Reformation, and to the writings of the Fathers, and after much reflection - considering my youth - I was led at once by sincere conviction, and by an invincible impulse, which I then conceived to be, and still believe to have been, the motion of Divine Grace, to pronounce myself a Catholic.[2]

All this, it must be remembered, took place in an intensely Protestant household without Duncan having ever discussed the matter with a Catholic.

Some time later during a convalescence from scarlet fever, Duncan visited relations at Glengairn, where there was a Catholic

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[1] Autobiography, op. cit., p. 11.

[2] ibid., p. 12.

church. Here he heard Mass without telling the family, and met the incumbent, the Reverend Lachlan Macintosh. In August 1826, when Duncan was sixteen, he was received into the Church.[1] He was never to revoke this decision. Indeed, it was to colour the course of his whole life. It was to set him on the path which eventually brought him to Australia, and it was largely to decide the role he should play there.

The second aspect of Duncan's conversion that deserves comment is his tenacious integrity and independence in facing the personal consequences of the decision.

In late March 1827,[2] when Duncan was sixteen, he was expelled from his father's house accompanied with "the curse" of his mother, to quote one of his descriptions of the event.[3] In the Autobiography the account is more measured. His mother tried "successively, persuasions, threats and tears" to induce him to return to the Kirk, but, to quote:

> I soon found it would be impossible to live quietly with my family which was now full of the rancour of religious hate. I accordingly left it early in the following year without a shilling in my pocket and without any visible means of future subsistence, being unable to work and ashamed to beg, but full of confidence that Providence would succour me.[4]

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1 ibid., p. 13.

2 A.C., April 21, 1840.

3 Autobiography, op. cit., p. 14. The date is deduced from a letter to Rev. Macintosh, April 1, 1827.

4 ibid., p. 13.

The singlemindedness with which Duncan had pursued his quest for religious conviction, must have been well tested during the next few difficult months. His first few days were spent without food or water and sleeping in the fields, before he obtained his first job as tradesman's "drudge".[1] During this time and the time when he quarrelled with the Catholic priest in Aberdeen, several attempts were made to induce him to return to his former life and "the possession of wealth and a pulpit"[2] - all to no avail, for he remained firmly attached to his new conviction.

Duncan's Catholicism was to maintain a good deal of the independence which had brought him to it, and the clashes with various Catholic priests which were to disturb his life, in both Aberdeen, whence he went in 1827, and in the Colony, must be interpreted in the light of the value he put on personal intellectual integrity in discussing contentious religious issues.

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1 A.C., April 21, 1840.

2 Autobiography, op. cit., p. 16. Duncan does not give the date of these offers, but they probably occurred before 1830 when he married.

CHAPTER 2

Vocational Adjustment 1827 - 1829

The formation of a Colonial Reformer. Successes and failures of young manhood.

Once in Aberdeen, Duncan's first solution to the problem of vocation was simply to substitute the Catholic priesthood for the Presbyterian ministry as his goal. Several of the short biographies of Duncan state that he spent some time at the Scots' Benedictine College at Ratisbon on the Danube,[1] and one goes so far as to claim that his knowledge of Patristic writers and of contemporary continental figures such as DeMaistre, Bonald, Stolberg, Goerres, Mobler and Brenlaws, as well as his command of French, German, Italian and Spanish, was the result of his education in Bavaria at this time.[2]

Heaton,[3] plagiarising the account given in the Empire,[4]

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1 B. Doyle, The Advocate, Jan. 13, 1958. Obituary Notice, F.J., June 27, 1885.

2 P.S. Cleary, The Catholic Press, Dec. 10, 1908. The addition of Spanish is an error in any case - Duncan had no knowledge of this language at this time according to his own statement in W.A. Duncan, Letters to the Reverend Mr. Shanks, 1835, p. 9.

3 J.K. Heaton, Australian Dictionary of Dates and Men of the Time - Duncan, William Augustine.

4 Empire, Oct. 20, 1874.

insists that Duncan

> was accepted as a student at the Scots Benedictine College, Ratisbone; but having been induced to exchange that college for the new college at Blairs in Kincardinshire, and having there incurred the anger of the authoritives by the critique of a sermon, he renounced his ecclesiastical vocation.

Duncan's manuscript biography does not allow us to solve the problem of conflicting accounts with ease, for it merely describes his numerous attempts to be accepted for seminary training. The pages which describe the final outcome of these attempts have been torn out.

However, it appears that he was twice offered the chance to go to Ratisbon; once in 1827, when the Reverend Charles Gordon of Aberdeen persuaded him to wait for admission to the proposed college at Blairs,[1] and once in 1829, when Bishop Paterson, the Vicar Apostolic of the new Eastern District of the recently reorganised Scottish hierarchy, mooted the suggestion.[2] These two promises, as well as Duncan's attempts to gain admittance to a Scottish seminary, had come to nothing when, after walking a hundred miles, he applied to Bishop Kyle, the new Vicar Apostolic of the Northern District, Duncan's own diocese. Twelve months passed, and then Duncan experienced "a fit of disgust at what I conceived to be unworthy treatment and being in..." Here four pages have been torn

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1 Autobiography, op. cit., p. 16.

2 ibid., p. 17.

out.[1]

Provided again that the account is as consistently chronological here, where Duncan may have been confused,[2] as elsewhere, this fit of disgust must have occurred some time in the first half of 1830. If this is so, it practically rules out the possibility of Duncan ever having been to a seminary, for in August 1831, the Rev. Mr. Macintosh wrote to Duncan, saying "I hope you and consort with the young issue are well and happy".[3] Although Duncan's death certificate states that he was married when he was twenty, i.e. after March 12, 1831, which would imply that this child was conceived out of wedlock, it seems more likely that he was married late in 1830. Thus only six months could have elapsed between Duncan's last known attempt to enter a seminary and his marriage. It is then extremely unlikely that he ever went to Ratisbon, and if he went to Blairs, it could have only been for a short time. In all probability the criticism of the sermon which Heaton thought was responsible for Duncan's leaving

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1 ibid., p. 20.

2 ibid., p. 20. Duncan appears confused about the problem of dating a letter from the Rev. Macintosh facilitating his approach to Bishop Kyle which mentioned a period of four years since Duncan had left home. Duncan dates it as 1829 but says apart from this mention of four years he would have thought it was 1828. In either case it makes the period since he left home less than four years.

3 ibid., p. 25.

the seminary is an inaccurate account of a similar episode which produced a quarrel between Duncan and the Reverend Gordon in Aberdeen, when Duncan was still an aspirant.[1] If this is so, Duncan most likely renounced his vocation quite independently at the time when he registered the fit of disgust just described.

Even so, one must ask the reason for the abortiveness of Duncan's long battle to be accepted for the priesthood. Three bishops and a priest had prevaricated with his request. Does their dilatoriness imply the judgment that Duncan was unsuitable - perhaps that his faith was considered insecure, or his character too rash and insubordinate?

With the Bishops a number of factors, not all to the discredit of Duncan could explain their hesitation. Duncan, a penniless and isolated young convert, had no particular influence with them. The Rev. Macintosh, whose warm recommendation he carried, had already misjudged a candidate he sent to the ageing Bishop Cameron and his sponsorship may have even been detrimental to Duncan in this case. Duncan's failure to be received well by the other Bishops may also be explained by the state of flux in the Catholic Hierarchy at this time. In 1827 a third Vicariate had been carved out of the two existing ones, necessitating considerable reorganisation. Bishop Cameron had died in 1828 and to further confuse the issue, the future of the seminaries

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[1] ibid., p. 19.

was in doubt during this whole period until Bishop Paterson amalgamated the colleges of Lismore and Aquihorties at the site of Blairs on Deeside in 1829[1] - two years or more after Duncan's first request for admission. In addition, normal ecclesiastical prudence would counsel caution in any application involving a young convert.

The case with the Rev. Charles Gordon is somewhat different. He knew Duncan well, but their relationship had begun badly by his having aroused Duncan's easily wounded pride by an invitation to breakfast - in the kitchen ![2] The Autobiography records a further series of aggravating experiences at the hands of this priest. Though apparently Duncan's sponsor in his scheme to enter a seminary, the Rev. Gordon refused to talk of the subject for two years, except for the occasion on which he pursuaded Duncan not to go to Ratisbon. Duncan was put to a severe test by this silence which was broken only when, after having engaged in an "innocent" celebration of the New Year, Duncan omitted to go to Mass, and was thus told he was unsuitable for the priesthood.[3] With some difficulty Duncan persuaded his unwilling patron not to act on this judgment, but again incurred his ire by criticising one of this priest's sermons in the company of a group of Catholics who reported it. The Reverend Gordon then wrote to

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1 P.F. Anson, The Catholic Church in Modern Scotland, 1560-1939 p.114.

2 Autobiography, op.cit., p. 16

3 ibid., p. 17.

Bishop Paterson, who had taken Bishop Cameron's place, stating that Duncan was not a fit subject for Holy Orders. He would also have excluded Duncan from Confirmation had not Duncan threatened to complain to Bishop Kyle. Duncan's apology while prostrate on the floor did not assuage the priest's wrath since Duncan refused, in conscience, to retract his criticism publically.[1]

Although Duncan's account must wear the bias of one who was severely disappointed, it seems clear that the Rev. Gordon carried his belief in clerical immunity from criticism to extraordinary lengths. His proposal to exclude Duncan from the sacrament may also reflect the rigor of a Catholicism still fettered by Jansenism, for Scottish Catholicism had been heavily tainted with this element in the seventeenth and eighteenth centuries. Although Irish influence had gradually been providing a warmer piety in the south, the north, especially Aberdeenshire, was still a stronghold of the old rigidities even in the nineteenth century.[2]

Even outside the rigors of any Manichean perversion, however, there is a tension in religious experience between the affirmation of the good of creation and the detachment of the pilgrim from the "world and flesh and the devil" - between the immanence and transcendence of man's religious role. If Duncan put his emphasis on

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[1] ibid., p. 19

[2] Anson, op. cit., p. 78.

one side of the scale, it was on the side of immanence. The fact that he regarded the Rev. Gordon's disapproval of innocent revels, and his assumption that his teaching was above criticism, as ridiculous posturing, foreshadows certain of Duncan's attitudes to the clergy in the colony. There he was to stand aside from the Total Abstinence Movement, regarding this as an extreme remedy, for Duncan was always ready to take pleasure in a good glass.[1] More significantly, his developed Liberal Catholic principles there made him reject the paternalism of the Hierarchy who feared open discussion of the problems in the Catholic Mission, and who feared the association of Catholic school children with the non-denominational school system which Duncan favoured. Duncan rejected these "fears of weak minds" on the grounds that religion was not endangered by contact with the mind freely enquiring after truth, and on the ground that laymen as well as clerics should be heard on such issues.[2]

The personal roots of these attitudes are clearly to be found in the lay assumptions Duncan must have carried from his Presbyterian background, and in the experience of conversion itself. For Duncan, it was his critical attitude to religious truth that had

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1 A.C., July 20, 1841.

2 See Part IV, pp. 315, 322, 364-366.

brought him to Catholicism, and for a man so closely bound to his own intellectual integrity, it must have been extreme provocation to be asked to surrender this integrity as the price of reception into the "true fold". Nevertheless, many of the clergy in the Colony might have agreed in hindsight with the Rev. Gordon, for Duncan's independence was there to lead to his dismissal from the editorship of the Catholic newspaper and later to nearly involve him in the threat of excommunication issued to his associates. In any case, it is interesting to see the issues of these later conflicts defined in Duncan's first clash with clerical authority in Aberdeen.

Having, for whatever reason, given up an ecclesiastical vocation, Duncan now had to reorientate his views on the matter of a career. Unfortunately the four pages of the Autobiography dealing with the period 1830-31 are missing. No doubt they dealt with Duncan's thoughts on this matter, his courtship, and marriage. This is a considerable loss, for Duncan does not mention his wife in any of the material I have seen. Her name was Mary Yates.[1] She came from a "highly respectable family from the north of Scotland", "and with her to the marriage she brought some fortune".[2] On her death in

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[1] Death Certificate of W.A. Duncan.

[2] F.J., June 27, 1885.

1880 she is reported in the conventional language of obituaries to have been "endeared to many families...by her kindness of heart and cheery, genial disposition".[1] Such are the few details we possess of the woman who was to be Duncan's partner for fifty years and who bore him seven children. It is possible that meeting Mary Yates was the precipitating factor in Duncan's change of vocation.

He still, however, saw his life as closely involved with apostolic work for Catholicism, and after a visit to Ireland and London, where he formed a connection with several publishers, he set up as a bookseller and publisher in Aberdeen.[2] Here he published a number of general works, e.g. Smith's dialogues and Carruthers Life of Queen Mary, and a number of books designed to fill the needs of the Catholic community, such as The Life of Bishop Hay, The Protestants' Trial, The Douay Catechism and, in co-operation with others, The Catholic Magazine and Review.[3] After five years the financial state of the venture forced Duncan to wind it up. As in the colony, where he also attempted similar work as a sideline to his journalism, Duncan attributed his failure largely to clerical obstruction.

There were only two resident priests in Aberdeen, the Rev.

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1 F.J., Dec. 25, 1880.

2 This is mentioned in a number of short accounts, e.g. Cleary, op.cit. Heaton, op. cit., p. 59.

3 Autobiography, op. cit., p. 26.

Gordon we have already met. Duncan's new quarrel with him involved a dispute about the catechism he had published. Bishop Kyle had, according to Duncan, given permission to publish the Douay Catechism in February 1831, but Mr. Gordon publically warned Catholics not to buy it. Duncan felt that this action proceeded from simple malice.[1]

By this time Duncan had also aroused the enmity of the other priest in Aberdeen, the Reverend Frazer, whose enmity, according to Duncan, "pursued me unceasingly until my business was ruined".[2] Duncan's description of all the details of the feud are lost from the Autobiography in which another group of pages, dealing with his activities up to the point where he accepted the editorship of the Australasian Chronicle in 1839, are torn out. Frazer had a reputation as a man of learning, good humour and popularity with both Catholics and Protestants in Aberdeen, - a reputation which, incidentally, Duncan contributed to by writing the introduction to the public version of his funeral oration in 1835.[3] Duncan's conventional account of this

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1 ibid., p. 28. This opinion seems borne out by the fact that when Duncan's business was wound up, the edition was bought and sold by "Mr. Gordon's private bookdealer whose occupation was gone while my public establishment existed". The condemnation was also reversed once Duncan had ceased to be a bookseller.

2 ibid., p. 26.

3 Funeral Oration and Sermon on the Death of the Reverend Charles Frazer. Introduction.

priest contrasts markedly with the reason given in the Autobiography for his antagonism - that Duncan innocently commented on a minor error made by Frazer in quoting an authority at a public religious disputation. The Protestant clergyman who indirectly heard of this information made much of it, and half a dozen angry pamphlets issued from both sides; Frazer refused to admit that he had quoted from a slightly erroneous secondary source.[1]

To accept Duncan's account at face value implies that both the Catholic priests and the Catholic laity of Aberdeen were excessively pettifogging in their attitude to the young convert. This may have been true, though Duncan was never one to stop to evaluate the motives of those who clashed with him, and his account must first of all be read against this personal bias.

In many ways the situation of the Catholic community in Aberdeen may have been parallel to that in Sydney, where not dissimilar clashes occurred. Duncan described Aberdeen in 1835 as "the most Protestant city of its extent, with few exceptions perhaps in Europe", a description which is borne out by modern historians.[2] There was a good deal of acrimonious dispute with Protestants, and the Catholic community seems to have experienced that "ghetto mentality" which

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[1] Autobiography, op. cit., p. 25.

[2] G.S. Pryde, Scotland, p. 187. Its growing population, despite the influx of Irish in the 20's and 30's, was still mainly drawn from the immediate hinterland, i.e. Protestant Scots.

often arises in such situations.[1] Duncan had offended against the stature of the two clergy, while still a neophyte. If he was distrusted by both the resident priests, whatever the basis of their judgment, it is not surprising that the laity also failed to support the apostolic efforts of one who disturbed the harmony and apparent unity of the minority group. Possibly Frazer was threatened by Duncan's intellectual precocity and outspokenness, and felt that his reputation as the Catholic apologist of the city suffered. Perhaps he also felt that Duncan was rash and imprudent and wanted to teach him a lesson.

But it was not only Duncan's opponents who thought that he was rash. In August 1831 his old friend the Reverend Mr. Macintosh wrote to him:

> Is your religious war yet terminated? You are very bitter and furious on both sides....I never saw any good come from such angry conflicts; on the contrary much harm.[2]

The warning referred to the polemics in which Duncan was then engaged, of which we have no record in Australia. However, two

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1 Anson, op. cit., p. 114-5 & 139. Bishop Kyle, Vicar Apostolic of the Northern District, was consecrated at Aberdeen in September 1828. He is described as disliking "Wranglings, Contentions and Polemical Disputations, as tending to widen still further the breaches already existing among Christians". To avoid clashing with Protestant sensibilities he lived, not at his seat, but at Presholme in Banffshire.

2 Autobiography, op. cit., p. 25.

groups of pamphlets from 1835 [1] do survive.

These pamphlets indicate that the years spent in Aberdeen were years of intellectual development for Duncan, and help substantiate the claim he made in 1841, to the effect that he had

> read almost incessantly for twenty five years or more... travelled much... studied the languages of at least five countries and seen society at its highest and lowest grade".[2]

In Aberdeen a rapidly expanding regional centre, market and university city, with a disproportionately large number of divines, lawyers, doctors and teachers, not to mention the members of its two universities (King's and Marishal Colleges) Duncan must have found the intellectual stimulus he needed.

The letters to the Reverend Mr. Shanks give evidence that Duncan was competent in at least French and Italian, and that at the age of twenty four he had read widely, if not deeply, in history. He must have also been confident of his abilities for at the same age he

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1 W.A. Duncan: Letter to the Rev. Dr. Patrick Forbes... containing Strictures upon his Speech delivered in the Synod of Aberdeen, 19 Oct. 1835.

Letter to the Rev. Mr. Shanks of the Reformation Society on the Connection between Protestantism and Infidelity, 5 May, 1835.

Second Letter to the Rev. R. Shanks, A.M. upon the Rule of Faith The Sacrifice of the Mass, and Offering it for the Dead 9 May, 1835.

Third letter to the Rev. R. Shanks,... On Sin and the Means of Pardon, 18 May 1835.

2 A.C., Jan. 16, 1841.

was prepared to engage in public debate Dr. Patrick Forbes, the Professor of Humanity and Chemistry at King's College.

No doubt it was through this and more informal contact with university people that Duncan came to bear the marks typical of the Scottish intellectual of the time before the pressures of the reformers and the Anglophiles forced the Scottish universities to capitulate to the English pattern.[1]

The distinctive character of Scottish intellectual formation is well analysed in G.E. Davie's work, The Democratic Intellect. Four years of general education involving a

> perhaps premature concentration on a broadly philosophical and historical approach to the sciences and the languages, to the postponement of, even sometimes to the exclusion of, a thorough-going immersion in their factual details[2]

preceded any specialist course in the Scottish system. At the centre of the general course was philosophy. Students would thus be proficient in this while still receiving rather elementary instruction in mathematics, classics and the natural sciences. These disciplines responded in turn by stressing the broadly humanist first principles of their fields - a mathematics course might, for example

> concentrate on the philosophy and the history of the branches of mathematics in question, and ....

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1 This happened finally in 1890.

2 Davie, op. cit., p. 14.

> treat the mathematics class as a cultural course, concerned with the relations of the subject to social life and to the plain man.[1]

As George Jardine, Professor of Logic at Glasgow pointed out in his book, Outline of a Philosophical Education (1818 & 1825) which was an apology for the system, it was necessary, first of all, to provide "satisfactory mental training" i.e. to produce men who could reason well about the basic elements of human experience before proceeding to more esoteric fields.[2] As Davie points out, this system, while it may have sacrificed the standards of scholarly exactitude, considered important in English universities,

> gave a new lease of life, in a bourgeois mercantile age, to the cultural values of learning associated chiefly with the Greeks and the medievals.[3]

We will return to the significance of this intellectual background when we come to consider Duncan's opinions on the cultural views appropriate for the new society which was to be formed in N.S.W. The point to be made at the moment is that we have evidence to show that Duncan's early intellectual development was proceeding along the lines described as typical of the Scottish university student. His interests were wide, though unified by an historical perspective.

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[1] ibid., p. 13.

[2] ibid., p. 11.

[3] ibid., p. 14.

He was familiar with the approach which used broad categories to establish sweeping generalisations,[1] and he believed there was a need to relate historical judgments to the issues of his own times.

Shanks had argued that Catholicism and many of its practises such as the Mass, prayers for the dead, Confession, etc., were perverted forms of true Christianity. Duncan's answer proceeded on broad general principles and ranged from a critique of the Protestant position on Biblical self-vindication, to a consideration of the Enlightenment as the source of impiety. Arguing that infidelity was based on scepticism, Duncan insisted that the Protestant Reformation, which brought in its train Socinianism, Rationalism, and Neologism, was the true source of modern impiety. The argument is full of such broad sweeping assertions; other examples are: "Impiety was born in England"; "There is no such thing as infidel principles in the literature of Italy"! Later Duncan annotated the last remark "in 1835. It is different now"[2] but he did not question the principles on which this kind of sweeping generalisation rested.

Apart from these pamphlets, the material on this period of Duncan's life is meagre. We know that after he wound up his

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1 Letters to the Rev. Mr. Shanks, op. cit. Letter 1.

2 The annotation, in Duncan's handwriting, is on p. 9 of the copy of this pamphlet in the Library of Riverview College, Sydney.

publishing business he supported himself by teaching and journalism[1] both in Aberdeen and elsewhere[2] - probably London. We also know that the circles he moved in were actively interested in the affairs of the time.

Duncan was caught up in the political excitement which preceded the passage of the 1832 Reform Bill,[3] and put a great deal of energy into the campaign of one Parliamentary candidate.[4]

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1 Heaton, op.cit., p. 59. Also Cleary, op. cit., and F.J. June 27, 1885 - Obituary of W.A. Duncan (which gives Edinburgh as the seat of Duncan's activities).

2 Autobiography op. cit. Duncan states that he spent nine of the twelve years covered in this chapter in Aberdeen. He may have spent some of the remaining three years travelling around Scotland for he claimed that he was familiar with "nearly every mile" (See W.R., July 20, 1844).

3 Cleary, op. cit. Cleary states that Duncan wrote, in London, his first political essay - a plea for the Reform Bill. Cleary's article is, however, inaccurate in other details and can only be accepted with reservations.

4 A.C., Dec. 16, 1840. Duncan spoke, perhaps with some exaggeration, of the time when "by a series of labouriously studied appeals to the constituency and by extraordinary personal exertions ... (he had) sent a proud aristocrat into the House of Commons despite the exertions of a most powerful faction". Comparing the operatives' gratitude to that of this man, Duncan continued; "The great man was all courtesy, condescension, and flattery 'till the election was secure. He even went so far as to acknowledge the extent of his obligations while they were still fresh in his mind. He proceeded to London, and not many months after almost CUT his benefactor in the lobby of the House of Commons."

His journalism probably also brought him in touch with the problems of municipal reform[1] and the status of working men - live issues in Aberdeen[2] especially after the Whig victory in 1832 so altered Scottish politics.[3] In any case Duncan was able to claim that his journalistic experience was extensive, and that it was in Scotland that he had formed his basic political principle, opposition to class legislation.[4]

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[1] G.S. Pryde, Scotland, p. 190-197. Municipal reform and the extension of the £10 leasehold franchise to this sphere followed the 1832 Reform Bill in Scotland. This was a particular boon for Aberdeen where corruption in the city corporation was notorious. Duncan's interest in, and knowledge of, Municipal government are apparent in his colonial career.

[2] Saunders, op. cit., p. 135. In Aberdeen there was a large group of "skilled artisans, mechanics and shipwrights who supported the Mechanics' Institute and imbibed radical and even 'infidel' views from the Aberdeen Chronicle and the Aberdeen Herald. These northern craftsmen had a recognised status; they were proud of their skill and accustomed to joint action." The Aberdeen Herald published Duncan's Letters to the Rev. Mr. Shanks in 1835. Is it just a coincidence that Duncan reflected the Herald's penchant for skilled artisans when he arrived in N.S.W.?

[3] Pryde, op. cit., pp. 190-197. The Reform Bill occasioned great excitement in Scotland. Tories had dominated Scottish representation to 1831. In that year Whigs won slightly more than half the 45 seats. After the Reform Bill, drawing their strength from the newly enfranchised urban middle class, the Whigs never failed to carry Scotland. On occasions this Scottish Liberal strength reversed the verdict of England in the Commons.

[4] W.R., July 29, 1843. "Having been constantly before the public as a writer for the last twelve years, four of which have been spent in New South Wales, my politics....(are) generally known ... I have uniformly opposed CLASS LEGISLATION of every kind; believing it to have been in all ages one of the greatest evils that has afflicted society"
See also W.R., Feb. 22, 1845. When the Atlas tried to discredit Duncan's political opinions, he claimed that his publications, some to the third or fourth editions, were scattered throughout Scotland.

In Catholic circles Duncan was in contact with a number of prominent laymen: editors of Catholic magazines, Catholic apologists, and the London founders of the British Catholic Institute.[1] It was whilst in London in 1837 or 1838, that Duncan met[2] Ullathorne,[3] the Catholic Vicar General from Sydney, who was lecturing to Catholic groups on the Australian Mission. It was Ullathorne who persuaded Duncan to migrate to Australia.

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1 A.C., Sept. 12, 1840. Duncan wrote that he was on "terms of intimacy" with James Smith, the "talented secretary" of the British Catholic Institute, and with "other choice Catholic spirits of the great metropolis" - London. Smith, also a Scot, had edited the Edinburgh Catholic Magazine at a time when Duncan was associated with it. Later he edited Wiseman's Dublin Review. He had been prominent in Catholic controversy and in agitation for emancipation. (See T. Gillow, Biographical Dictionary of English Catholics, pp. 510-11).
Duncan also maintained correspondence with other friends in Great Britain who shared his religious and political interests. One of them was the Hon. and Rev. Mr. G. Spencer, a well-known Catholic polemicist, who had once been an Anglican minister. (See A.C., May 5, 1840; Nov. 9, 1841 and Gillow, op. cit., p. 519.)

2 Thomas, op. cit., p. 52. Miss Thomas suggests that Duncan met Ullathorne through Lady Lovat and a Mr. Jermingham, and that Lady Lovat was connected with the "aristocrat" who had "cut" Duncan after his election campaign.

3 Heaton, op. cit. W.B. Ullathorne, a Benedictine, was appointed Vicar General of the Australian Mission in 1832. Apart from his voyage to Europe (1836-8) he remained in N.S.W. until 1840. He subsequently became Bishop of Birmingham and played a significant part in the re-establishment of the Catholic Hierarchy in England.

What led Duncan to this decision? We must mainly speculate. In the first place it was a reasonable decision for a young man with talent and energy but without money and strong connections to seek advancement in the colonies. New South Wales was currently attracting more attention as a destination for assisted immigrants, and the Wakefield controversies and the Molesworth Committee gave credence to the view that Australia was capable of being more than a mere penal colony. Ullathorne's lectures and publications[1] made all this and the needs of the Catholic Mission a live topic of discussion in the group with which Duncan mixed in London.[2]

Most of the short biographies state that Duncan was attracted to N.S.W. because of Bourke's Church and School measures; he felt that a system of education similar to the National System in Ireland, which he supported "opened a field of usefulness which was not to be despised".[3] Probably this pioneer element did appeal to Duncan. Certainly Ullathorne's recruiting would

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1 Heaton, op. cit., p. 59.

2 W.B. Ullathorne, From Cabin Boy to Archbishop, p. 99. His pamphlet The Catholic Mission in Australia ran through several editions and produced quite a sensation. The Society for the Propagation of the Faith in England voted funds for the Australian Mission after Ullathorne delivered a paper to them.

3 Heaton, op. cit., p. 59.

have stressed this aspect,[1] but it is also likely that, having failed in his first independent venture in Aberdeen, Duncan was uncertain about his future career; the prospect of rising to some prominence in the colony may have seemed a providential opportunity.

If Duncan was impressed by Ullathorne, Ullathorne, in turn, was also impressed; "shrewd and clever",[2] was his description of Duncan years later. Thus, when Ullathorne secured financial assistance for his group of recruits[3] from the Colonial Office, Duncan, his wife and family, set sail on what turned out to be an uncomfortable voyage,[4] in July 1838.[5]

Behind him Duncan had a deal of experience that would prove useful in the colony. His vocation as an active and forthright Catholic layman had been established. The basic outlines of his

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1 Ullathorne, op. cit., p. 100. "My invariable plan was to put all the difficulties and labours of the Mission before those who offered themselves, and none of the advantages. By this means I secured volunteers who were animated by the spirit of self-sacrifice".

2 ibid., p. 143.

3 ibid., p. 100. The party included: fifteen priests, five student priests, five Sisters of Charity and two or three schoolmasters - one of them Duncan, "the able editor of the first Catholic newspaper in Sydney".

4 A.C., Dec. 24, 1939.

5 Heaton, op. cit., p. 59.

political principles were fixed. He had learnt the techniques of journalism and schoolteaching - both fields which would feel his impact in the colony. His mind had been fitted into the basic mould of a nineteenth-century Scottish intellectual; his character formed into one of unusual self-reliance and independence.

PART II

"A Reformer Journalist"

INTRODUCTION

The Radical Programme

Duncan's Viewpoint

When Duncan first arrived in Australia he was appointed Catholic schoolmaster in Maitland on the mid-north coast of New South Wales. Although he would have preferred schoolmastering to any other occupation, the appalling conditions in which Colonial schools languished at the time, made him highly dissatisfied with his situation,[1] and at the prompting of Archbishop Polding[2] he agreed to take up the editorship of the first Catholic newspaper, the Australasian Chronicle in August 1839. This paper, which had been formed by a group of wealthy Catholic emancipists in co-operation with the hierarchy, was established with the dual purpose of defending Catholicism against the sectarianism which was particularly rampant at the time, and of defending the emancipist claim to political and civil equality with free settlers.

The society in which Duncan now suddenly found himself as a journalist was a society in which momentous changes were at hand.

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1 V.P.N.S.W. Leg. Council, Select Committee on Education, 1844. Duncan's evidence, p. 59.

2 Autobiography, op. cit., p. 53.

The large influx of free immigrants in the late thirties had already upset the balance of a penal plantation colony, and although the old elite, the wealthy landowners and their associates in military and government circles, wanted to maintain their exclusive dominance the British Government had already decided that New South Wales would serve them best as a depository for surplus poor rather than surplus felons, and that therefore transportation must go. The rationale for a dominant exclusive class was fast disappearing and responsible government which came (as a corollary to the end of transportation) during the Gipps regime, with which Duncan's journalism coincided, was to be the decisive blow to their pretensions.

Duncan was aware of the impact of the new immigration policy on the penal ethos and described its impact when he wrote:

> Free immigration was pursued with such vigor during the first three years of his (Gipps') administration (1837-1840) that the entire face of colonial society became at once changed and those who had been for some time established in the colony were amazed to find themselves suddenly surrounded by a population totally different in manners and habits to that to which they had been accustomed. It almost seemed as if they had gone to bed in Botany Bay and awakened in England.[1]

Slight exaggeration was permissible. During Duncan's first period in the colony (1838-1846) the population nearly doubled. (97,912 - 189,609). The increment in 1839 and 1840 alone was 31,551.

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[1] Duncan, Notes on Ten Years Residence in N.S.W., p. 132.

Even allowing for natural increase, about one in three of the population must have been an immigrant who had arrived in the preceding two years.[1] When Transportation stopped in 1840 the number of convicts in the population fell rapidly, but even before this, the flood of immigrants had reduced their relative importance.[2] The new immigrants thus altered the composition of the working and middle classes making both substantially free-born.

Duncan decided that it was among this group, the working and middle classes, that the challenge to define the lines of the new free society must be taken up, and undertook to provide them with a programme that would oppose the aims of the exclusives to develop a plantation class structure. The claims of oligarchy would be foiled and, instead, the good of the whole people and the possibility that each might achieve a life of "comfortable independence"[3] would guide the infant society in Duncan's programme! His initial belief that the interests of all non-exclusive groups, including those of the free immigrant operatives and the emancipists, to whom the Chronicle particularly appealed, could be united in the concept of "the people" and the belief that he had inaugurated a new political approach are

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1 Manning Clark, Select Documents in Australian History, 1788-1850. Population figures p. 405.

2 ibid. p. 405. The convict population fell from 38,305 in 1840 to 6,664 in 1847.

3 A.C., Jan. 16, 1841.

conveyed in such statements as the following:

> Unfortunately the press of this colony has for the most part, mistaken the true source of its own, as well as all legitimate power - it has seldom identified itself with the people; and hence it has never made itself sufficiently respected.[1]

> There is in this country no PEOPLE recognised as a portion of the body politic. We hear of the interests of the merchants, of the landholders, of the church etc., but no one hears of the existence of a PEOPLE in Australia. We know, however, that something of the kind does exist, and we hope to be able to produce such a people, well instructed in their duties and rights, on that day when constitutional government shall be extended to us by our gracious Queen.[2]

The possibility that he would be able to fasten his own views on a politically inarticulate majority was something that appeared to mesmerise Duncan. He was fully aware of the power of the press which, in the days before fully responsible government, was the main vehicle, apart from cumbersome petitions and meetings, for free expression of the affairs of the colony. Indeed, sometimes he appears to be suffering from a definite power complex.[3]

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1 A.C., April, 28, 1840.

2 A.C., Aug. 4, 1840. - article on the Chronicle's first anniversary. cf. similar statements A.C., April 3, 1840, W.R., Nov. 15, 1845.

3 Autobiography, op. cit., p. 59. In reference to the exclusion of the emancipists from the franchise in the Bill to incorporate Sydney - Duncan wrote: "It is almost beyond a doubt that but for my opposition to those clauses, the Bill would have passed in its original shape and that no emancipist in the colony would have had a vote at an election." (Compare with the situation as described in ch. 5.) See also ibid. p. 60 re. the Census Bill...."I once more launched the thunders of the press." Ibid. p. 70. The Chronicle was "almost omnipotent" at the height of its prosperity (in 1841-2).

One might have thought that Duncan's personal desire to achieve social respectability[1] would have inclined him to the support of the exclusives rather than less respectable groups such as operatives and emancipists. However, although Duncan always insisted that in private life a man could keep the company he chose,[2] (not emancipists in Duncan's case) and although he clearly felt the pinch when on occasions his political opinions aligned him against "respectable" people,[3] he was not a man to swallow the petty values of colonial "cliquishness" without question. In his view a certain egalitarianism was established by the newness of the colony. The land-owning clique had no grounds on which to assume the status of the English gentry. In fact, Duncan felt that there was little to distinguish the "parvenue aristocracy" from many of the successful emancipists[4] and that many of the free immigrants and operatives were "superior in intelligence and every other respect save wealth to the bulk of their

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1 See Part I, Chapter 1, pp. 4, 5.

2 A.C., Mar. 31, 1842. "We hold...., that every man has a right to select his own society; that men of refined character have a right to repel any intrusion that vulgar assumption may make upon them". Autobiography, op. cit., p. 53. Duncan refused to mix socially with the wealthy emancipist proprietors of the Chronicle.

3 E.g. A.C., Oct. 27, 1842. W.R., April 13, 1844.

4 A.C., Dec. 30, 1841.

employers".[1] Perhaps Duncan was also re-acting to what he later described as "the almost ludicrous degree of exclusiveness towards newly arrived persons of their own rank" practiced by the old elite, as a complement to their attitude to emancipists and working immigrants.[2] He was sensitive, we have already seen, to social slights!

In addition, his Scotish background had presented him with certain egalitarian assumptions, as well as deeply rooted opinions about the nature of a good life for the average man, and this also inclined him against the colonial elite. It will be one of the themes of this thesis to show that Duncan drew on these preconceived opinions more heavily than he perhaps realised.

It is clear also that Duncan's path was partly dictated by the undertaking to conduct the first Catholic newspaper. A social conscience derived from convict days together with the fact that most Catholics were of Irish origin and therefore belonged to the poorer classes almost inevitably directed the Catholic organ towards some form of radical policy. Opposition to re-establishment of Anglicanism and the fact that Duncan had been given a brief by the financiers of his paper to support emancipists against the pretensions of the exclusives

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1 Autobiography, op cit., p. 64.

2 Duncan Notes on Ten Years Residence op. cit., p. 133.

also indicated an alignment against the old Colonial social norm.

However, Duncan's great achievement as an editor was that he was able to take over these issues and build on them a widely based programme which raised the hope that in peace and relative affluence success in building the new social fabric, free from many of the decaying elements of the old world, would form the focus of future patriotic achievement in Australia - the sort of ideal expressed in A Song for Australia, the Wide and the Free, which Duncan wrote to celebrate the foundation of Sydney Municipal Government in 1842:

> I sing not of wars, for our fields are unstained
> With the blood of our patriot men;
> 'Tis in peace, and by commerce our honours were gained,
> Which in peace, or by war, we'll maintain.
>
> We boast not indeed of antiquity's badge,
> Nor our ancestral deeds loud proclaim,
> But of cities and empires, in history's page,
> Can the founders be buried to fame? [1]

The following chapters are concerned with various aspects of this radical programme as put forward in Duncan's journalism. They are organised thematically rather than chronologically, in order to emphasise the nature of Duncan's vision of the potential of the new society rather than his specific achievements which were limited in

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[1] A.C., Dec. 22, 1842. The conclusion to Duncan's Notes on Ten Years Residence op. cit. has a similar theme.

the immediate sphere. With the exception of the following chapter which deals with Duncan's defence of Catholicism, the discussion ranges over the whole field of Duncan's journalism, for although he lost the editorship of the Chronicle in 1843 and began his own independent newspaper, Duncan's Weekly Register of Politics, Facts and General Literature, later in the year, the independence of his thought was such, that the change of vehicle made little difference to the development of his views.

CHAPTER 3

The Radical Programme: Church and State 1839-43.

(i) The Liberal Viewpoint.

"We vow," Duncan wrote in an early editorial,

> "that no attempt to disturb...(religious) equality shall ever succeed. Civil and religious liberty form the cardinal points of all sound policy. Preserve these and no radical error can be perpetuated; destroy these, and measures otherwise good lose their charm and interest.....These truths cannot be denied; they are innate principles which find a response in the breast of every right thinking man."[1]

Duncan's defence of the principle of religious equality, which was a major feature of the Australasian Chronicle, cannot be dismissed simply as special pleading for Catholics. Admittedly, Catholics had gained much from emanicipation. They feared a return to any form of discrimination and, in New South Wales, they had a special axe to grind. Governor Bourke's extension of the principles of emancipation to a policy of equality of state aid for the major denominations[2] had been of special significance to the Church, for it had been succeeded by a rapid burgeoning of the new Catholic

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1 A.C., Oct. 29, 1839. See also A.C., Aug. 2, 1839, May 5, 1840, April 29, 1841.

2 The Church Act (July 29, 1836) granted a £1 for £1 subsidy up to £1000 for Church building to Christian denominations. It also provided for ministers' salaries and for outfitting and passage money for ministers and denominational school teachers.

Mission.[1] However, since Duncan himself advocated Voluntarism, the complete severance of state aid to religion, he was precluded from this form of economic opportunism. Thus when he insisted that the defence of religious equality was based on "innate principles", he was not merely invoking journalistic jargon. He believed that the separation of Church and State would produce both the advance of truth and social harmony.[2] Firm support for the principle of religious equality was a step on the way.

Duncan was able to maintain these views in an ostensibly Catholic newspaper because of his special viewpoint on the Church, He believed that Catholicism was not only compatible with, but positively supported, the ideal of religious tolerance in a plural society. He shored up his ideal of a liberal Catholicism[3] by historical and philosophical arguments. Historically, he insisted that Catholicism had always been weighted towards affirming freedom. Articles on the connection between civil liberty and Catholicism constantly appeared

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1 J.G. Murtagh, Australia, The Catholic, Chapter. P. 51. In 1835, the year before Bourke's measures, there had been one church, three priests and ten schools in N.S.W. By 1840 there were twenty five churches, 24 priests and 31 primary schools. Ullathorne's recruiting in Europe, which had brought Duncan himself to Australia was mainly responsible for this rapid expansion, and this was carried out in the knowledge that the state would contribute to the fares and support of these recruits.

2 A.C., May 5, 1840. "Truth would gain by this arrangement". See also A.C. March 20, 1841. At this stage Duncan merely stated his belief in Voluntarism. He did not propound it as a matter of practical politics. See Part IV pp. 357-9.

3 This term begs a question. It will be dealt with in Part IV.

in the Chronicle.[1] Philosophically, he argued on the unstated premise that since reason led to truth, and Catholicism was true, the Church had nothing to fear from the tolerance of other points of view. His faith in truth triumphing through the unfettered working of the intellect, a trait noticed in his Scottish career and common to liberal optimism about human nature, sustained his view. The Syllabus of Errors and the Vatican Council I were later to attack this kind of optimism as a basic "modern error" but for the moment Duncan could confidently assert in his Catholic journal the philosophic connection between this liberalism and the triumph of religious truth.

In several ways the idea of religious equality was an integral part of Duncan's whole radical programme. Since the main opposition came from the Anglican elite, he was able to argue that

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1 A.C., Oct. 15, 1839. This was the first of a series of articles on the History of English Liberties - the Catholic Church "ever a friend of the people"; Protestantism "the constant and bitter enemy of everything patriotic and popular." A.C., Oct. 28, 1841, "Do we owe our Civil Liberty to Protestantism", from the Dublin Review. A.C., Oct. 18, 1839. The argument, based on Lingard and Lord Brougham, links the Reformation to the centralization of power in the monarchy. The motives of Henry VIII, Cranmer, Somerset and Elizabeth I were political rather than religious. They used the Reformation as a lever to usurp the liberties of the "ancient happy Catholic people of England." These articles, of course, had a dual function and were also intended to combat Protestant attacks on Catholicism derived from 16th and 17th century polemics.

support for religious equality was an inherent part of the general campaign against oligarchy and exclusiveness.[1] He also invoked the nascent patriotism which underlay the radical hopes for a better life in the antipodes when he insisted that in this matter N.S.W. could become "an example to all nations of the blessings that flow from just and equal laws, justly and equitably administered."[2] Indeed this hope in the new society was sufficiently strong to encourage Duncan to imprudently antagonise his Irish readers by opposing Repeal for Ireland - on the grounds that Irish members in the House of Commons provided a guarantee for the continuance of religious equality legislation.[3]

It was one of Duncan's main aims to persuade "liberal Protestants" to support his view that religious equality was an important part of the whole programme for a better life. He pointed out to them that he was simply an "advocate of freedom of opinion, opposed to sectarian monopoly,"[4] and constantly publicised the Protestant support he did gain for his newspaper.[5] However, his task

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1 A.C., Oct. 31, 1840. "The complete annihilation of exclusiveness in business and society on religious and party grounds, is one of the great objects of the Chronicle's existence."

2 A.C. Aug. 6, 1839. See also W.A. Duncan, Notes on Ten Years Residence in N.S.W. p. 150-1.

3 A.C., April 29, May 4, May 13, 1841.

4 A.C., Aug. 4, 1840. See also A.C., March 20, 1840. A Letter from a Protestant affirming this was published.

5 A.C., Jan. 3, March 20, 1840. March 27, 1841. One third of the Chronicle's subscribers were Protestant in March, 1841.

was complicated by several factors.

The sudden burgeoning of the Catholic Mission after 1835 had helped produce a sectarian reaction in the colony.[1] It was this that had persuaded Polding and Ullathorne to sponsor Duncan's editorship of the first Catholic newspaper in Australia - an ambitious undertaking in the sixth year of the new vicariate. Duncan was as anxious as other Catholics that Catholicism should be relieved from attack and suspicion, and it was not possible for him to avoid all the dilemmas involved in his dual role as a defender of Catholicism and an advocate of tolerance. His attempted solution to the problem was to state that in taking a stand on the preservation of the values of a plural society, he would oppose firstly, any attempt to misrepresent Catholicism in a way which would cause prejudice or bigotry and secondly, any attempt at discrimination on religious grounds. However, in deference to the values of a plenal society he would avoid polemical attacks on the beliefs of other religious groups,[2] and would cease to be a special advocate of the Catholic community as such,

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1 E.g. The Colonist, April 17, 1839.
See also Cleary, op. cit., and Doyle, op. cit. Ullathorne had aroused much opposition by his attacks on Transportation. The Australian which had previously favoured Catholics joined the attack on Polding and Ullathorne. Hence their desire for a Catholic newspaper.

2 A.C., April 1, 1841.

when Protestant intolerance disappeared.[1] Duncan maintained firmly that Catholics should not have secular interests "separate from the community as a whole."[2]

This voluntary limitation of objectives did not mean that the Chronicle would not carry articles explanatory of Catholic teaching. As a Catholic paper in the very early days of the Mission,[3] it had certain responsibilities towards its Catholic readers. In addition to difficulties produced by a scattered population, the shortage of priests and religious facilities, and the alleged inducements to great immorality in the penal and post-penal colony, the majority of Irish Catholics were faced, for the first time, with a society which was predominently non-Catholic. The Chronicle, as later the Freeman's Journal, had to play a role in meeting the need for instruction and communication

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1 A.C., Aug. 2, 1839 (Prospectus) Aug. 4, 1840 (L.A. on First Anniversary) A.C., April 1, 1841.

2 A.C., Aug. 2, 1839.

3 J. Murtagh, Australia - The Catholic Chapter, pp. 23, 32. The Mission had not been firmly established before 1833, the year Ullathorne arrived. Prior to this, it had been directed, virtually single-handed, by the Irishman, Father J.J. Therry, who arrived in 1820, but whose civil recognition was withdrawn in 1825.

among Catholics in this foreign environment[1] and at times the distinction between "acceptable" Catholic instruction and "nonacceptable" polemics became a little blurred.

Numerous articles, as distinct from editorials, appeared on Catholic belief and practice, for example McEncroe's Wanderings of the Human Mind in Search of Knowledge[2] and articles from sources such as the Dublin Review. Their general theme, explicit for example in the first instalment of a series called "Plain Truths"[3] was that a

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1 A.C., March 26, 1842. In this L.A. which reviewed the book A Help to Parents in the Religious Education of their Children Duncan wrote that lack of knowledge was one of the greatest weaknesses among Australian Catholics. Living, as many of them did, in isolated settlements which rarely saw a priest, it was necessary to cultivate a "taste for solid reading". Duncan tried to help the cultivation of such taste by publishing a considerable number of Catholic pamphlets, and by acting as a distributor for such books and periodicals published in Great Britain. (see Advertisements e.g. A.C., Nov. 17, 1840, Feb. 10, 1842.)

2 A.C., Sept. 17, 1839. - the beginning of a serialised version, under the pseudonym of John Scott. It provided an historical survey of heresy from a Catholic point of view, and was hence critical of Protestantism. However, although it identified heresy with wilful error it insisted on a spirit of charity towards those in error, lest "a remedy injudiciously applied may be a poison." (See also A.C., Oct. 22, 1839.)

3 A.C., Aug. 30, 1839. (taken from the Dublin Review.)

new appraisal of history would eventually vindicate Catholicism.[1] As well as being for the education or edification of Catholics such articles, especially ones giving a very Catholic interpretation of the Reformation, were intended to be read by Protestants.[2] They were given special point by the fact that the sidewash of the English Catholic revival[3] was already evident in Australia, and there were a number of conversions to Catholicism.[4] On this trend Duncan could not resist reflecting with delight. Both the articles and Duncan's jubilation about the Catholic revival undoubtedly gave offense to some Protestants.

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1 Suttor op. cit., p. 114. writes "the generation that fell heir to Chateaubriand and Scott was well fortified in the conviction that to be deep in history was to cease to be Protestant." Duncan, with his great admiration of Chateaubriand and his own experience of conversion through the study of history, provides a good illustration of the point.

2 A.C., Nov. 1, 1839. Duncan wrote: "Until we can make certain over zealous Protestants ashamed of the deeds of their own ancestors, they will revile ours, and us also, on account of their real or alleged errors....we disclaim all intention of wounding the feelings of the liberal portion of the Protestant community. We, like them, would wish to bury all past animosities in oblivion; but we ought not, and will not suffer that the forgeries of past times be perpetuated at our expense, while the truths of history, which speak loudly in our favour are dishonestly concealed."

3 A.C., Aug. 4, Sept. 24, Oct. 6, 1840, Jan. 11, 1841; Feb. 5,8,10, 1842. The Chronicle printed material on the growth of English Catholicism which resulted from the Oxford Movement.

4 A.C., Sept. 24, 1840. One rural Dean reported that he had received nearly 200 Protestants into the Church. See also Suttor op.cit.,p.160. Fr. Maloney in Maitland received 25 converts in one year (1843). In 1848 two Anglican clergy defected to Catholicism. One, Scone, was a close friend of the Anglican Bishop.

However, when these articles are compared with the pamphlets Duncan had written in Maitland,[1] and his Letters to the Lord Bishop,[2] in which, (just after he had ceased to be editor of the Chronicle,) he attacked the validity of Anglican Orders, his control in the Chronicle is very apparent. Out of respect for its political function, he avoided direct attacks on the beliefs of other Christian bodies. Generally it can be said that although he was guilty of minor

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1 Correspondence between the Reverend Mr. Stack, Protestant Minister and W.A. Duncan, Catholic Schoolmaster, Maitland; with remarks on Mr. Stack's Lecture upon the Man of Sin (1839). Duncan denied that "the man of sin" could refer to the Papal office, as an office, even if individual popes had been as degenerate as some later Protestants! The pamphlet illustrated Duncan's knowledge of Patristic writings, Concilliar decrees and later authors such as Melancthon, Grotius, De Mouldin, Blandel, James I, and Leibnitz - a varied list! It was probably this pamphlet which brought Duncan to Polding's special notice, and which made Polding decide that he should be editor of the Chronicle.

2 The Letters, answered by Allwood, were a reply to the Anglican opposition to the foundation of a Catholic Episcopal See in Sydney. The Anglican case was based on the cannon that "there can neither be two Metropolitans of one province or two Bishops in the same diocese." Duncan naturally accepted the validity of the cannon, but argued for most of 109 pages that, since Anglican orders were invalid, and Catholic ones valid, there was no office for Polding to usurp! His pamphlet was supported by extensive annotation from euridite sources: Irenaes, Tertullian, Origin, Eusebius, Jerome, Augustine, among the Fathers; the decrees of the Councils of Sardiea, Basil, Damascus, Ephesus etc.; and reference to current theologians and historians - Eichorn, Luden, Müller, Voigt, Hunter etc.

lapses of good temper and good taste[1] he confined himself to his appointed task - to defend the political principle of religious equality, and to answer intolerant misrepresentations of Catholic beliefs and practices.

(ii) Colonial Controversy - Misrepresentation

The battle against misrepresentation was primarily fought against the excesses of sectarianism. In an attempt to lessen the rancour of debate Duncan said that he would consider only serious arguments against the Church and ignore mere invective - "frothy lucubrations" unlikely to make a "deep impression".[2]

Some examples of the series of bigoted controversies Duncan considered were capable of making a "deep impression," are worth noting to indicate the kind of opposition the Catholic Mission met. Several involved misleading quotation of Catholic works. Thus, the catalogue of sins of a sexual nature in the Daily Companion and in Den's Theology was held to be evidence of the "perversion" of

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1 E.g. A.C., Nov. 5, 1840. The subjects of certain engravings discussed in an article on Fine Arts, were described as the "soi-disant (sic.) Reformers, Cranmer, Ridley," etc. The article also pointed out that the engraver became a Catholic, after having studied the lives of his subjects! Another example is discussed on p. 60 below.

2 A.C., Aug. 20, 1839. See also A.C., Sept. 10, 1839.

priests, who allegededly repeated this list to children and innocent female penitents. Duncan denied the confessional use of such works; pointed out that the Protestant "Daily Companion" also contained such a list; and challenged the Monitor, which began the controversy, to print the similar but more detailed description of the sins in the Bible - the book which many Protestants wanted as a school text. The Colonist and the Gazette[1] joined the controversy which lasted from September to November 1839,[2] and, so heated were feelings, that the Gazette Office actually printed the "offending" passage in Den's Theology at the expense of its trustee proprietor, Richard Jones.[3] It was distributed, alleged one letter, even to schoolchildren in Bathurst.[4]

Later in 1839, the Agnes Byrne Case produced a miniature Maria Monk incident. Miss Byrne claimed to have left the Catholic Church because of "errors and abominations." Ullathorne dealt

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1 A.C., May 19, 22, 26, 1840. A further controversy of this nature broke out when the Gazette quoted Doyle's Catechism on the distinction between mortal and venial sin, and argued that this illustrated Catholic perversion in justifying lying, pilfering etc. Duncan's challenge forced the editor to take shelter behind the plea of having lost the reference.

2 A.C., Sept. 6, 10, Oct. 1, 4, 8, 22, Nov. 1, 1839.

3 A.C., Oct. 2, 1839. There is a manuscript annotation in Duncan's handwriting on the copy in the Mitchell Library.

4 A.C., Oct. 8, 1839. Oct. 22, 1839 - a letter contradicting this. Nov. 1, 1839 - another letter affirming original statement.

with criticisms and the Gazette claimed she had been excommunicated by him. Later two ruffians assaulted Miss Byrne and it was alleged that this was actually a Popish plot resulting from the "excommunication". When, in the ordinary course of law, these claims were laughed out of court by the Protestant Judge Dowling, he was accused of "prostituting his office" and was questioned in Council by James Macarthur and Captain King who had assumed the role of Miss Byrne's protectors.

Duncan denied the excommunication and the Catholic plot. He deplored the attempt to question the Judge, and wrote some stringent criticism of the Monitor, Gazette and Colonist for spreading prejudice and slander. They, rather than the mythical Popish plotters, were guilty of creating bigotry and disorder.[1]

By August 4, 1840, Duncan was satisfied that he had helped to produce a change in the tone of the public press. He claimed that bigotry was less rampant - the Standard had died, Lang's Colonist, on its last legs, was converted; the Monitor was now silent on such issues; and the editor of the Gazette had retired to prison. Only the Herald carried the cause of bigotry.[2] In fact spasmodic outbreaks of sectarian feeling did continue to occur throughout the colonial period,[3]

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1 A.C., Aug. 13, Nov. 8, 12, 22. Dec. 6, 1839.

2 A.C., Aug. 4, 1840.

3 Suttor, op. cit., p. 194.

although in the fifties there was a noticeable improvement.[1] Duncan continued to rise to each bait[2] so this statement in 1840 must be taken as recognising mainly a temporary lull. The insecurity of the colonial press which caused some of the more bigoted magazines to cease publication, and the presence of more dramatic political issues at this time were probably as significant as Duncan's activities in producing the change of tone.

Nevertheless, it was true that the Chronicle under Duncan's guidance had become a force to be reckoned with. Many of the later attacks on Catholicism, e.g. those of Dr. Lang, tended to have also an overtly political significance which could be treated on the same level as the Anglican claims for Establishment. Thus Duncan probably played some part in bringing about some changes in the emphasis in which sectarian rancour was expressed.

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1 E.G. A.C., Feb. 23, 1841; Feb. 24, March 12, 1842. Duncan published a letter describing a Dr. Aaron of Raymund Terrace as a "bigot" because he had denied the legal force of a Catholic oath in court. Aaron sued the Chronicle and was awarded damaged of 1/- and £200 costs, by Judge Stephens who held that Duncan had not taken sufficient care to inquire into the truth of the letter and that its publication illustrated a "most mischievous tendency". The Catholic Institute, recognising through the voice of E.J. Hawkesley, that the Chronicle was a barrier to discrimination against Catholics, set out to raise the money. See also A.C., July 21, Sept. 1, 18, 1840; April 8, 1841. The Sydney Protestant Magazine and the Bible Society attacked the integrity of the Church. Duncan's defence was aided by E.J. Hawkesley (A.C., May 6, 1841 Hawkesley's A Reply to the Rev.W. Macintyre's Candid Inquiry into the Doctrine Maintained by Bishop Polding in his Pastoral.)

(iii) Colonial Controversy: Political Equality

As for the political defence of the principle of religious equality, the Anglican oligarchy was the butt of Duncan's journalism which emphasised the common interest of Catholics and Dissenting Protestants in building a plural society.[1]

The governing "elite" in the days of the penal colony consisted of free settlers, mainly government officials and wealthy landowners - a small minority surrounded by convicts and later emancipists. These, with later accretions of some professional and wealthy business men formed a political and social elite - the exclusives. Anglicanism was part of their esprit de corps, and Establishment an element in their political and social ascendancy. During the thirties and forties, the forces threatening their dominance gained momentum. Bourke's measures were a major blow. The expansion of the free and freed population leading to self-government eventually overthrew them with the governing elite.

Duncan was acutely aware of their political influence and the danger of their counter offensive against Bourke's measures.

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1 E.G. A.C., March 20, 1841. During the debate on Dr. J.D. Lang's Question of Questions which alleged a popish plot to dominate N.S.W., Duncan offered him a truce, since both wanted the same object - "to emancipate the church from the thraldom of the state". See also A.C., Aug. 6, 1839, March 20, 27, 1840. Duncan issued a warning to Wesleyans not to be deceived by professions of political support from the Anglican elite.

He hammered at any attempt to exert Anglican influence in the political sphere from twin positions in his liberal code: Inequality was a theoretical injustice; inequality preserved the influence of a wealthy clique opposed to the interest of the people and the well-being of the colony.

In the matter of re-establishment of the Anglican Church these arguments had considerable force when applied to the petition of the Anglican Diocesan Committee.[1] However, when Judge Burton's book The State of Religion and Education in N.S.W. appeared, Duncan not only attacked it as an unpatriotic slander but excelled himself in sarcastic invective against what he considered was an argument ad absurdum - that re-establishment was essential to redeem the moral state of a penal colony. Declaring that hitherto the Chronicle had been merely defensive, Duncan decided that now "the real state of the enemy's camp must be opened". With unkind illusions to the Reformation origins of the Anglican Church and the validity of its orders, he accused the supporters of Establishment of attempting to shore up a moribund church by withdrawal of support from other denominations. With pleasure he contemplated future attacks on the work "for it fully justifies the Catholic community in advancing one

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1 A.C., Aug. 6, 9, 16, 1839. The Committee which appealed for re-establishment was dominated by Dr. Broughton, Mr. R. Jones, Mr. J. Macarthur and Judge Burton.

step more prominently in the public eye."[1] In the end, he contended himself with comments on Ullathorne's reply to Burton.[2] However, many Catholics including Roger Therry and the Vicar General,[3] (but not Polding,[4]) considered Duncan had already gone too far. The Herald naturally agreed[5] with this criticism, and Duncan probably compromised his stand for tolerance in the affair.

However, Duncan realized that re-establishment was unlikely and that Anglican exclusiveness was even more dangerous in its covert forms when the group which dominated the Diocesan Committee of the Anglican Church was a powerful faction on the Executive Council. He thus attacked Bishop Broughton's position on the Council wherever it appeared to threaten impartiality in dealing with other faiths - in such matters as oversight of accounts submitted to the Executive,[6] petitions for Church building,[7] salaries for clergy,

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1 A.C., July 18, 21, 1840.

2 A.C., Aug. 25, Sept. 1, 5, 1840. Ullathorne's answer was published in pamphlet form on Sept. 8, 1840.

3 Duncan. An Appeal p.4. This caused a major break between Duncan and these two influential figures.

4 Autobiography op. cit., p. 76. Polding wrote, "you have done your duty in his (Judge Burton's) regard nobly and well."

5 A.C., Sept. 1840.

6 A.C., Aug. 6, 1839.

7 A.C., Nov. 22, 1839. The failure of a petition for £500 for the St. Mary's building fund lent point to the complaint. See also A.C., Jan. 2, 16, 1841.

etc.[1] The education issue roused Duncan's particular wrath since the Anglican strength seemed to consistently bar his hopes for a general system. When their arguments involved propositions such as education, as "the highest interest of the state", should be "superintended by the Clergy and the Church of this realm," he was greatly disturbed.[2] Such a connection between Church and State was anathema to the liberal creed. He similarly opposed the control Anglicans exerted over orphan schools.[3]

Sometimes the issues on which Duncan blazed seem petty. A wooden platform erected outside St. James' Church was a discriminatory measure to give Anglicans quiet church services.[4] The position of the word "Catholic" on the bottom of the census list was an attempt to "hoodwink" Catholics into underestimating their strength.[5] Preoccupation with Anglicans who used an official position to affirm their religious beliefs[6] and with minor instances of bigotry

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1 A.C., May 5, 1840. Dr. Broughton's salary was £2,000; Polding's was £500.

2 A.C., Aug. 30, Oct. 8, 1839.

3 A.C., Feb. 2, 1840. There was a continual fear of proselytism. A.C., Jan. 30, 1841. Duncan welcomed the gradual withdrawal of aid and the new regulations of Lord John Russell.

4 A.C., Jan. 2, 1841.

5 A.C., March 6, 1841.

6 A.C., Sept. 25, 1841. Judge Burton was accused of conducting a religious service at the opening of court, and of soliciting subscriptions afterwards for the Anglican church.

(e.g. the dismissal of servants because they were Catholics,[1] Captain King's and Mr. Macarthur's support of Miss Byrnes,[2] the appointment of an Anglican chaplain to the Sydney Corporation,[3] and the absence of other than Anglican clergy on a committee for Poor Relief[4]) suggests a certain fixation in Duncan's outlook.

It was evident also that the positions used in the battle, did not always relate directly to the liberal theory of religious equality. Against Bishop Broughton, the Macarthur family, Judge Burton, and other lesser lights in the Anglican Oligarchy,[5] Duncan directed a good deal of personal animosity. He accused them of

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1 A.C., Dec. 10, 1839; March 31, May 12, Aug. 20, 1840.

2 A.C., Nov. 22, 1839.

3 A.C., Jan. 14, 1843.

4 A.C., Aug. 6, 1839.

5 A.C., April 6, 1841. Duncan named the lesser lights of the group as a warning to newcomers. All of these men attended a dinner in honour of Judge Burton. They were: James Bowman Esq. J.P., John Coghill Esq. J.P., Richard Jones Esq. M.C., Alexander M'Leay Esq., James Macarthur Esq. M.C., Thomas Macquoid Esq., M.C. High Sheriff., William Macpherson, Esq. M.C., James Mitchell Esq., Clyde Manning Esq. J.P., James Norton Esq., Charles Nicholson Esq. M.D., Robert Scott Esq., Gordon Sanderman Esq. J.P., R. Campbell Esq.

selfish ambition,[1] of arrogant stupidity,[2] of deliberately misrepresenting the state of the colony in England for their own ends.[3] Nor was he averse to drumming in the weakness of the Anglican Mission[4] and its failure to reform the moral life of the colony, and he used this as an argument against Establishment.[5]

This probably did Duncan's cause little harm while the other "liberal" newspapers were prepared to allow him to use the

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1 E.g. A.C., May 5, 1840. Duncan sneered at Broughton's lack of zeal when the Bishop objected to the inclusion of Western Australia in his diocese on the grounds that his insurance would not cover accidents on journeys to that distant place. See also A.C., May 12, 1840 for an answer to the Herald's criticism of this article. c.f., A.C., Dec. 13, 1839. Duncan refused to print letters from Protestants complaining of their Bishop's lack of zeal.

2 A.C., Nov. 22, 1839. In relation to the Agnes Byrne Case, Duncan insisted, with heavy sarcasm, that in J. Macarthur and Captain King there was evidence of a "fundamental law, by which it pleases the Supreme Being to regulate the moral economy of the world; namely, the law of equilibrium...It is to the bounty of Providence... that such powerful bigotry (is) united to such limited narrowness of understanding."

3 Judge Burton's The State of Religion in N.S.W. and Mudie The Felony of N.S.W. were cited as examples.

4 A.C., Jan. 3, 1840.

5 E.g. A.C., May 5, 1840. In relation to the controversy which arose when the Bishop of Exeter took up Burton's evidence, and spoke of the moral need for re-establishment, Duncan wrote: "that the people of this colony can ever be influenced, for any extensive amelioration of their moral or spiritual condition, by the clergy of the Anglican Church, is preposterous." See also A.C., Aug. 30, 1839; Jan. 3, May 5, Nov. 19, 1840.

cry of religious equality as a stick to beat the back of the "Tory" clique. However, when the issue of Irish immigration was raised under this banner by Duncan, it was a different story. Despite his initial attempt to fasten the blame for advocating discrimination on the Anglican elite,[1] it became clear, when Dr. Lang's Question of Questions with its allegations of a popish plot to dominate N.S.W.[2] triggered off a fierce explosion in 1841, that it was not only the elite that feared uncontrolled Irish immigration. A broadly based Protestant group shared the fear,[3] and the Australian and the Free Press supported the conservative Herald. Bitter recriminations ensued between the Chronicle and its erewhile allies. Duncan accused the Australian and the Free Press of betraying the liberal cause, and they in turn accused him of bigotry; of having violently denounced other creeds; of offensive personalities.[4] Catholics were warned that they could do better than to put the control of their paper

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1 A.C., June 22, Sept. 1, 19, Oct. 10, 31, Nov. 28, 1840; Jan. 5, 1841. The Herald began the attack in 1840 by a series of articles derogatory to the Irish - "indolent" workers. An Australian Immigration Association under the Governor's patronage was formed in September 1840 to encourage immigration but as it was dominated by such people as the Macarthurs and Windeyers, Duncan charged that it was an Anglican, discriminatory organization to channel the flow of immigrants away from Ireland so as to preserve Anglican dominance.

2 Dr. Lang also attacked the Pope as a Man of Sin, and Duncan answered him. A.C., April 15-May 1, 1841.

3 A.C., March 30, 1841. Duncan wrote "we are now fighting the co-establishment of Episcopacy and Presbyterianism."

4 A.C., March 27, 30, April 1, Sept. 30, 1841. Duncan answered these criticisms.

in such "intolerant" hands.[1]

However, it was clear that Duncan had decided that this fight should be fought regardless of the fears of the "politique". His analysis of the situation is probably best revealed in one of his replies to Dr. Lang, whenhe claimed that the success of the Catholic Mission had led to jealousy, and the influx of Catholic Irish, due to Protestant misconduct in Ireland, had aroused guilty fears of political influence. Hence it was a "Utopian dream" to believe that Christian piety and benevolence would follow legal equality[2] without a battle.

The best argument of Duncan's opponents was that they were not engaged in an anti-liberal plot to discriminate against Catholics so much as in a valid attempt to maintain the current balance of society.[3] This argument was supported by the contention that it was injustice to allow Protestant contributions to the land fund to pay for the transportation of an unwieldy number of Catholics to N.S.W.[4]

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1 A.C., April 13, 1841. The Gazette had written that it respected Duncan for "his talents and...for his singleness of purpose in most cases," but that he had gone too far in this matter. A.C., June 10, 1841. The Australian had suggested that Duncan's vigorous defence was injurious to Catholics who should find a "more temperate and Christian advocate than the present editor."

2 A.C., April 17, 1841.

3 A.C., March 27, 30; April 1, 24; Aug. 10, 21, 1841 reflects this argument in the Free Press, Australian, Herald and the Immigration Committee of the Legislative Council.

4 A.C., March 27, April 24, Aug. 21, 24, 1841.

Foreshadowing his later position on the squatting problem, Duncan denied the premises on which this argument was based. The land fund was paid for "VALUE RECEIVED and the money (was) HELD IN TRUST FOR THE CROWN FOR THE BENEFIT OF ALL ITS SUBJECTS" who wished to use it, he wrote.[1] It was not the right of the Immigration Committee, or rich employers who bought land, or of Protestants, the major contributors because of their wealth, to interfere with the Crown's trust by discriminating against one group of the Crown's subjects - Irish Catholics. Nothing could limit the Crown's undertaking to treat all its subjects as equals in the matter of religion. Even if Catholic immigration was ten times greater than Protestant, the justice of this position would not be changed.[2] In other words, Duncan was insisting that Bourke's legislation in New South Wales was not simply an ad hoc attempt to reduce religious tension by treating all religious groups equally, but was a theoretical expression of the advanced liberal position that the religion of a subject was a matter of indifference in deciding the State's policies - an interpretation that many would have justly questioned.

Some of Duncan's opponents argued that Catholicism was too dangerous for the State to act on this liberal theory. The Herald

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1 A.C., March 27, 1841.

2 A.C., Aug. 24, 1841. Sept. 16, 1841. Duncan's speech at the Meeting, he organized to protest against Immigration discrimination, made this point strongly.

certainly voiced a widespread opinion when it pointed out that Catholicism was not compatible with the ideal of a plural society. Its leader writer, Mr. Tegg, argued that the unity of the minority Catholic body, posed a threat to the Protestant majority; Catholics voted as a block for Catholic candidates, while the Protestant vote was dissipated on the whole range of candidates. To this, Duncan replied:

> You may speculate as you please about a Catholic and a Protestant majority. We neither seek one nor fear the other; we only ask to be allowed the equal right to immigrate and settle where we please.[1]

The theoretical defence did not come to terms with practical fears that Catholicism would be used as a basis of political organization. Duncan invoked "Catholic" political achievements such as the pre-Reformation English Constitution and the educational systems of Catholic continental countries; but at best these must have seemed remote consolation to his opponents. Even the fact that Catholic tenants in Lancashire had voted for Liberal Protestant landlords rather than Tory Catholics, or that the Irish returned many Protestant members, must have seemed unreassuring when Duncan's own conduct weakened his case. A few months earlier, Duncan had branded as a traitor, a respectable Catholic magistrate, T.A. Murray, because he destroyed the unity of the Catholic body by objecting to Duncan's

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1 A.C., April 24, 1841. This L.A. also quotes the substance of Tegg's arguments.

criticism of the Immigration Association,[1] and in August 1841, after a temporary lull[2] in the anti-Irish immigration debate. Duncan again appealed to Catholics to stand together on the issue.[3]

At the meeting held in response to this demand in September 1841 Duncan admitted, as he had done before,[4] that Catholics did look forward to the spread of their faith, but he insisted that they repudiated domination by force or political intrigue - "no sane Catholic" wished his religion to be "ascendant in the political sense."[5]

Although Duncan took his main stand on the principle of equality of opportunity for all intending immigrants, irrespective of creed, it was clear even from his own words that this was a peculiarly Catholic problem:

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1 A.C., Dec. 15, 1840.

2 A.C., May 15, 1841. The publication of the immigration figures - Catholics less than a third of the total, cut some of the ground from under Dr. Lang's Question of Questions to which Gipps now referred to as the "Bubble of Bubbles".
A.C., Aug. 21, 24, 26, 28, 1841. - A new outbreak of the debate arose when the Immigration Committee of the Council, chaired by Bishop Broughton, claimed that the high proportion of Irish immigrants constituted an injustice - since it was higher than the existing proportion of Catholics, in the colony, and cost far more than the Catholic contribution to the land fund on which immigration was based. Duncan pointed out that the committee was virtually identical in membership to the Diocesan Committee of the Church of England. He denounced the report as sectarian, its arguments as hypocritical, and, obviously anxious for a public attack on the Report, called for Catholic organization against: "the infallible bull of the said infallible Pope William the First, and the ultramontane et ultra decree of the aforesaid infallible Council founded there upon."

3 A.C., Aug. 26, 1841.

4 A.C., Aug. 4, 1840, Oct. 11, 1842.

5 A.C., Sept. 10, 1841 report of the meeting.

> The question was, (said Duncan,) whether or not Catholics should submit to be overwhelmed by a system of sectarian immigration carried on at the public's espense, as a prelude no doubt to their being placed without the pale of our future colonial constitution.[1]

Though Duncan's theoretical position as an exponent of religious equality remained intact here,[2] his speech could not have encouraged the doubtful to believe, as he wished, that Catholics would not organise as a body to pursue interests separate from the community as a whole. Many would have agreed with the Australian when it quipped at the outset of the debate: "Liberality is an excellent thing, so long as it can be used to promote the Roman Catholic cause."[3]

In addition, Duncan had offended against one of his own basic principles in supporting a plural society in N.S.W. - i.e. that divisive Irish nationalism should not be allowed to disfigure Catholic integration in the community. At the September meeting he seemed to be caught between two fires as he allowed himself to make an emotive appeal to Irish remembrance of past persecution, while appealing to liberal Protestants, (happily forgetting for the moment

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1 Ibid.

2 He implied that it was Protestants who were agitating for separate and sectarian interests. Catholics, in demanding religious equality, were promoting the good of the whole.

3 A.C., March 27, 1841.

Lang's part in the controversy) not to be offended

> if he charged on the Bishop of Australia the persecuting principles which drove his own Presbyterian forefathers to unsheath the claymore on defence of the conscientious opinions. (cheers) [1]

Although the issue of Irish discrimination remained alive especially in the Australian[2] during the rest of Duncan's career on the Chronicle, the final practical result was favourable to Duncan's case.[3] Whether or not the petition prepared at the meeting had any effect, Macarthur eventually withdrew his resolution in Council deprecating the extent of Catholic immigration,[4] and although Lang and the Australian continued their spasmodic opposition, Gipps forced the Immigration Committee to withdraw the passage dealing with the proportion of Irish immigrants in their next report.[5] Nevertheless,

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1 A.C., Sept. 10, 1841.

2 A.C., May 24, 1842. The Australian had attacked Gipps and Stanley for allowing the importation of "ignorant, ungrateful, hopeless Irish, priest-led emigrants, who would spare no pains to injure us if the majesty of the law stood not in the way" In passing, it also paid Duncan the dubious compliment of recognising his "considerable ability" in conducting the Chronicle on liberal lines, in spite of the fact that he must know that "as light advances, Catholicity must recede."

3 This remark of course, refers to the immediate outcome of this dispute. The problem was not settled in the 1840s !

4 A.C., Jan. 2, 1842.

5 A.C., Sept. 10, 1842.

the chief reason for the success of the agitation was undoubtedly the attitude of the home government. Stanley refused to publically discriminate against the Irish.[1] Indeed, his hands were tied by the need to keep the support of the Irish members in the Commons.

Duncan probably thought he had done enough agitating in organizing the protest in September 1841. This had been something of a personal triumph for him for it had drawn a crowd of about 500 on a wet night despite the misgivings of the moderates, including the influential Catholic Vicar General.[2] Duncan was aware too of the opposition he had aroused and of the potential inconsistency in his stand for tolerance and the abolition of sectarian political organization in a plural society on the one hand, and his specific championing of Catholic grievances under this banner on the other. Perhaps by way of extenuation he wrote in answer to the Australian's criticism of his snipe at Judge Burton the following week:

> We have been ever afraid, that our habit of barking at every noonday robber of our civil rights might become a second nature, more tenacious than the first though diametrically opposed to it, and we can with truth assert that we never make a circuit of our watch tower without entertaining a sincere wish that all's

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1 A.C., Aug. 2, 1842.

2 A.C., Sept. 7, 1841. The meeting had had to be postponed for a week because of "lukewarmness in a quarter where support was expected" A.C., Sept. 16, 1841. At the meeting Duncan had to compromise a little to conciliate Dr. Bland, the chairman, and the Vicar General, who objected to the desire of those who drew up the petition, to broaden its scope to include the demand for responsible government and the request that Dr. Broughton be removed from the Council. At the meeting the Vicar General described himself as one who always tried to throw oil on troubled waters.

well.[1]

The focus of Duncan's attack, which for a time had included dissenting Protestants,[2] returned again to the Anglican Tories[3] in 1842. Dissenting Protestant opponents of Irish Immigration, such as the now chastened Dr. Lang, received kind treatment.[4] Duncan clearly pinned his main hope on the fact that the British Government would not be able to face the Irish members of the Commons if it strangled Irish immigration on religious grounds. Should the British Government allow discrimination against the Irish, Duncan wrote:

> We should at once look upon the Union as a monstrous farce; and although we should in all probability retire both from the contest and the colony, we could not do so without wishing the injured and insulted repealers "God speed".[5]

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1 A.C., April 30, 1841.

2 A.C., March 20, 1841. Duncan had offered Lang a truce. See also: A.C., April 15-May 1 for a series of leading articles castigating the "bigotry" of Dr. Lang's criticism of the moral debasement of Catholic beliefs. See also A.C., May 18, 1841. L.A. on the misconduct of certain Presbyterian missionaries in Tonga and New Zealand; A.C., Aug. 10, 14, 1841 for attacks on the Sabbath Bill. If this was passed it would mean that every "Agenwhite" magistrate would occupy himself putting down every offence that was forbidden by "St. Andrew's decalogue."

3 A.C., Sept. 10, 1842.

4 A.C., Feb. 10, 12, 1842. Lang resigned from the Presbyterian Ministry in N.S.W. as a result of internal faction. His farewell address attacked Anglicanism as weakly capitulating to "Popery (which) has been coming in like a flood upon this devoted land". Duncan, however, insisted that he would not attack "an adversary after he had fallen". These two Scotsmen had a certain amount in common in their radicalism!

5 A.C., May 24, 1842.

This statement indicates something of the intensity with which Duncan was committed to the principle of religious equality in the new society of N.S.W.

Whether or not his zeal in attacking misrepresentation and discrimination had, as the Vicar General said when justifying his removal from the editorship of the Chronicle, "led him beyond sobriety of opinion"[1] and antagonised many Protestants, is a difficult question. The testimony of Polding, McEncroe and of Murphy himself, is ambivalent.[2]

It is clear that in his own mind Duncan made some distinction between the irremedial bigot and those who could be won by argument to the tolerant position. For the former he proposed a show of force - a "manly" offensive which fitted his own tendency to outspoken ebullience when his principles were offended. "Those", he wrote in 1840, "who conceive that our newspapers are no restraint upon bad men, or impediment to the execution of bad measures know nothing

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1 A.C., Feb. 23, 1843.

2 Autobiography, op. cit., p. 65, 75-77. - Duncan quoted approving letters from McEncroe and Polding. See also A.C., March 8, 1842. Murphy had said at a Catholic meeting that "The Chronicle had done much to raise the Catholic faith in the estimation of many persons; it has besides disabused many of their prejudices." Yet Murphy affirmed the opposite when he had Duncan removed as editor; McEncroe occupied the vacant editorial chair; and Polding eventually acquiesced. This dismissal is discussed in detail in Chapter 6.

of the country."[1]

The second motive for Duncan's beligerence and heat was, as we have seen, that the invective of a broadly based political campaign against the established elite was involved in the campaign for religious liberty. The members of the Anglican diocesan committee who advocated Establishment were also generally members of the Old Council, which opposed the demand for representative institutions and the "better life" for the people. It was almost as if criticism heaped on this group could only rebound to the good of the radical cause. Thus there was a fair field for "offensive personalities" without trespassing on the limits Duncan had set for the Chronicle: - the distinction between attack on "religious tenets" or "polemical theology" and discussion of religious questions "where they are mixed with politics, public meetings and national institutions."[4]

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1 A.C., March 31, 1840. See also A.C., Jan. 3, Aug. 4, 1840. Duncan considered the strong line had made the Chronicle respected and feared.

2 E.g. A.C., Nov. 5, 1840. The Anglican attack on religious liberty was an attempt to "enslave the people", just as was the Master and Servant Bill of this time. (For Duncan's part in altering this Bill see Ch. 4.)

3 W.R., Jan. 11, 1845. Later Duncan was to admit that he had undervalued the social responsibility of the elite, but this was in the days of his declining radicalism.

4 A.C., April 1, 1841.

Except for the issue of Irish immigration and possibly the Burton affray, this strategy seems to have done little harm until the policy of blackening the elite lost some of its popularity with other classes in the community. This happened when a number of economic issues in 1841 gradually brought together many of the emancipists and exclusives in a common demand for representative government in 1842. The Chronicle's supporters divided on whether or not to support this alliance, and then the charge that Duncan had produced intolerance became politically significant. Those who were offended by his radical objections to the new alliance used the charge of intolerance to ease him from the editorship of the Chronicle early in 1843.[1]

However, given that Duncan's beligerence against the elite had some success in moulding radical opinion, and given that he did avoid open sectarian polemics, it can at least be said that he did not worsen the sectarian climate by engaging in the theological mud-slinging favoured by other elements of the colonial press at the inception of the Chronicle.

In so far as Duncan's defence of the principle of religious equality involved a positive attempt to come to grips with Protestant fears which produced bigotry against Catholicism, his appeal was to the Liberal Protestant, and was based on the liberal character of the

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1 Chapter 6 discusses this in detail.

Catholic Church - the fact that Catholicism respected the values of a plural society, and would not be used as an organisation for political purposes.

The issues raised by Duncan's defence of a Liberal Catholic Church are still with us. The cohesion of the Catholic vote is still presented as a problem. There are still people who would argue with Tegg, the Australian, and the Free Press that Catholicism is a totalitarian system, whose co-operation with the values of freedom implied by a pluralist society, is simply a matter of expediency; and there is still some debate among Catholics about the ideal value of a pluralist vis-a-vis a confessional state.[1] It would be unfair to judge Duncan on the final outcome of the debates of 1839-1843.

What must be stressed is that in editing the first Catholic newspaper in N.S.W. Duncan, in his enthusiasm for nineteenth century Liberalism, had had the vision to try to lift the sectarian issue above the level of mutual recriminations, to a debate on the kind of church-state relations which would form a suitable foundation for the new society of N.S.W. as a whole. If in his conduct of the debate he had overstated the implications of Bourke's measures, and overtaxed the intellectual sophistication of a poorly educated colonial populace,

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1 It looks as if Vatican II might settle this debate now.

it is a judgment on his optimism rather than his ideal.

Yet in fact, his achievements were far short of his aims. In his very ebullience he was an equivocal advocate for tolerance among Protestants, and for the rest of his life he was to carry on an unending and unsuccessful battle[1] to convince Catholics that their integration in secular matters with the rest of the populace, in such matters as education, was but the corollary of their acceptance of religious equality. Hence, it was little wonder that he achieved only limited success in presenting the picture of a Liberal church to fearful Catholics and Protestants alike.

In the practical sphere what he had done was to vocalise a strong Catholic plea that the principles accepted with Catholic Emancipation, and in N.S.W., with Bourke's measures, should be respected. On the debit side, he may have increased fear of Catholicism in some simply by this show of strength and, against his own wishes, contributed to the transportation of divisive Irish Nationalism through the political issue of immigration. On the credit side, he had emphasised Catholic opposition to existing constitutional arrangements, and since the "Tory clique" was equated with the re-establishment clique he had identified the Church with the forces

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1 See Part IV.

of change. In the latter he had done little more than Polding[1] had presumably asked him to do, and hence his more valuable contribution in this area may well be considered to be filling out the details of the radical programme for a better life, with which the following chapters are concerned.

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1 A.C., Nov. 22, 1839. This leader advocated Responsible Government as the only means of breaking the control of the Anglican clique. On Duncan's own copy of the paper he has written the initials "J.B.P." Polding's authorship of this and other articles is additional evidence of the strong support Duncan received from the Archbishop.

CHAPTER 4

The Radical Programme - Opposition to the Plantation Ethos.

(i) Labour

During the thirties and the first two years of the following decade the major difficulty facing the expanding pastoral economy of N.S.W. was the labour shortage.[1] In view of this problem, the protest of the Legislative Council to the "sudden discontinuance of transportation and assignment"[2] was understandable. Duncan was inclined to agree with their position, at least in so far as it protested against the suddenness of the change.[3] Yet his willingness to admit, on occasions, the economic benefits of transportation should not obscure the fact that its cessation was a foundation stone on which much of the radical programme rested. If Duncan under-emphasised

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1 B. Fitzpatrick, The British Empire in Australia, pp. 56-70.

2 Ibid, p. 60.

3 A.C., Sept. 30, 1841. He was prepared to air both sides of the question because, although he felt transportation would not be reintroduced, the distress of the colony required that the issue be fully discussed. See also A.C., Dec. 30, 1841. The too sudden end of transportation had contributed to the colony's financial distress; W.R., Jan. 25, 1845. - Exiles might be harmful to free institutions, but they would help develop the colony's economic resources.

the so-called "moral evils" of the system in his journalism,[1] it was undoubtedly because to insist on them would have played into the hands of the colonial elite. To reinforce the picture of a morally degenerate colony might have granted part of the Anglican case for re-establishment, or harmed the agitation for responsible government, to say nothing of putting Duncan in an awkward position when he was in the midst of a campaign for emancipist rights. On an issue on which the operative group were to divide[2] and in which he thought a British Government change of decision was most unlikely,[3] his general moderation[4] was undoubtedly tactical; for Duncan fully realised that free immigration and above all free institutions were incompatible with a penal population.[5]

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1 A.C., March 20, 1840. Transportation was not an unmitigated evil as the calumniators of the colony suggested. See also A.C., May 8, 1840. Duncan distinguished among the anti-transportationists: the Torys who "calumniated by wholesale"; and those who objected to a system of "unequal punishment" with brutalising effects. A.C., Dec. 30, 1841. The anti-transportationists exaggerated the moral decay in the colony, cf. Duncan W.A. Notes on Ten Year's Residence in N.S.W. p. 150 "unprecedented disadvantages, arising from the attempt to people it (N.S.W.) with felons."

2 Thomas, op. cit., p. 62, 64.

3 A.C., Sept. 30, 1841.

4 The major exceptions to this generalization are discussed later in this section.

5 A.C., Oct. 11, 1839. Dec. 30, 1841.

Moreover, it was a major burden of his journalism to ensure that the Council did not allow a residual convict-master's mentality to colour its policy of finding new sources of labour to compensate for the withdrawal of transportation. In Duncan's view the main objection[1] to the transportation system was that it had

> brutalised the feelings of the master to a degree that would seem almost incredible to those who have not studied the effect of slavery generally on the minds of the slave owner.[2]

The primacy of this objection was in line with Duncan's sensitivity to convict mistreatment,[3] his enlightened views on rehabilitation of criminals,[4] and his consistent interest in Captain Machonochie's reforms on Norfolk Island.[5] Nevertheless, it was

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1 A.C., Dec.30, 1841. This was the "worst evil of transportation".

2 A.C., Sept. 8, 1840. See also A.C., May 26, June 4, 11, 1840, for examples of the extension - that bushranging and other such crimes were partly attributable to master's "crimes".

3 A.C., Sept. 13, 1839 - convict overcrowding.
A.C., Feb. 21, 1840 - ill-treatment of road gangs.
A.C., April 7, 1840 - delay in dealing with ticket-of-leave applicants.
A.C., Sept. 2, 1841 - the lashing of a convict who appealed for release.

4 A.C., June 30, 1840. L.A. "Legal Punishment". Punishment based on vengeance, should be replaced by a system based on proportionate punishment in which all the circumstances of the crime and the individual were taken into account. A real attempt should be made to return the individual to society morally better.

5 A.C., March 20, April 17, June 30, Aug. 25, 1840, Oct. 6, May 7, May 22, 1842.
A.C. May 22, 1842 - Duncan claimed his publicity had considerably helped the Captain's cause in England.

emphasised to show the contrast between penal discipline and the kind of labour relations envisaged by the radical programme.

Duncan had a spectacular success in rousing public opinion in the interests of equitable treatment of employees in September and October of 1840. In these months a Bill was brought down to extend the provisions of the Master and Servant Act of 1827 (9 Geo. IV, no 19) to the pastoral districts, where the end of transportation was already being reflected in the increased number of free servants.[1] Even a modern commentator considers that this Bill exemplified the "planter spirit",[2] and for Duncan it was the paradigm case of the slave mentality of convict masters, who wanted to maintain a similar hold over free labour.

The Bill proposed to commit to jail for three months[3] any servant guilty of "crimes" such as slackness, rudeness, imperfect work or "ill behaviour" by the decision of a magistrate on complaint from a master. Duncan insisted that the term "ill behaviour" was far too broad; that the summary procedure and the failure to apply penalties to masters' ill treatment were a travesty of British justice;

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1 Fitzpatrick, op. cit., p. 63.

2 Ibid., p. 64.

3 A.C., Sept. 29, 1840. The penalty had at first been six months. The penalties were in fact an extension of the 1827 act.

and that the penalties were too harsh.[1] He insisted that in the colonial situation where many masters, "barbarised" by convict discipline, still preferred the "whip" of convict days,[2] a servant, especially if James Macarthur's plan to abolish the paid magistracy succeeded, could not rely on the impartiality of any magistrate. Moreover, the Bill would deter immigration.[3]

He advised the working class to organise against this measure since it was a piece of class legislation on the part of masters who wished to deprive them of "British liberty" in order to meet their own difficulties.[4] It was a piece of "Gothic Tyranny" - the "most monstrous enactment we ever heard".[5]

A petition was organised[6] and the abnoxious clauses of the Bill expunged. Summary procedure was modified, prison sentence

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1 A.C., Sept. 29, 1840.

2 A.C., Sept. 24, 1840.

3 A.C., Sept. 24, 1840. Magistrates, especially unpaid ones in the pastoral areas, were masters with the same interests as the prosecutors.

4 A.C., Sept. 29, 1840.

5 A.C., Sept. 24, 1840.

6 A.C., Sept. 26, 1840. The main leaders of the public protest were Heydon, Dumble, Belford, Davis and Pudney. Macheath was in the chair. Keydon and Davis we will meet again.

given only in default of fine, and women exempted from jail sentence.[1] Servants were given some remedy against masters.[2] Duncan was relatively satisfied, though he thought the Act could be more "anglicised".[3]

No other paper supported the operatives so wholeheartedly. Duncan initiated his attack in 1840 apparently without any prior discussion with the operative leaders,[4] but almost overnight he became the hero of the group[5] who presented him with a gold medal as a testimonial on December 24, 1840. Inscribed with the names of ten different associated trades, the medal which cost £30, and the address

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1 A.C., Oct. 1, 1840. No Magistrate had power to summarily commit to jail. At least two J.P.s had to judge the case.

2 A.C., Dec. 29, 1840.

3 A.C., Oct. 20, 1840.

4 A.C., Dec. 26, 1840.

5 A.C., Sept. 29, 1840. A meeting of the operatives passed a resolution thanking Duncan for "bringing the measures of the Bill under the notice of the public".
A.C., Oct. 10, 1840. A letter from 60 free operatives of Wollongong thanked Duncan for "the prominent part you have taken in opposing the obnoxious bill whereby Mr. Hannibal Macarthur thought to enslave us in the land of our adoption."
A.C., June 29, 1841. A letter praised the A.C. as "the only journal in the colony which vindicates the cause of the working man."
A.C., April 15, 1841. At an Anniversary Dinner of the Joiners and Carpenters Friendly Society, Duncan was the only non-official toasted.

which described Duncan as "the first cause of the great improvements which were effected in that measure", are an indication of Duncan's success in appealing to the working class.

Duncan's own satisfaction was great. At the peak of the agitation he wrote that, had the Australasian Chronicle had no other effect but "that of having led to the overthrow of such an attempt to enslave the productive classes of the community", its existence would not have been in vain.[1] His hopes for achieving the "better life" rode high with his success:

> Henceforth may be dated the time when public opinion was first unequivocally expressed in this country - the time when a PEOPLE first manifested their existence among us - the time when the real colonists, the real producers of wealth (showed)....that they were the men by whose labour and industry alone, the colony could prosper; through whom alone it could be ruled in peace.[2]

Duncan at this stage expressed great approval of the orderly and sagacious conduct of the operatives,[3] and used his praise as a lever against their constitutional apathy. He appealed to them to organise a petition for responsible government[4] in which each house-holder or father of a family would have a vote:

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1 A.C., Oct. 1, 1840.

2 A.C., Oct. 1, 1840.

3 A.C., Sept. 29, 1840, gave praise for "eloquent speeches".

4 See Chapter 5 for Duncan's views on the Constitution.

> Show them (the British Parliament) the moral and intellectual superiority of the Richard Jones of the Mechanics Association over him of the Macquarie Street council-board,[1] and then the operatives may leave their cause in the hands of Lord John Russell and the English nation, who know too well the spirit of the age to hesitate long in conferring upon us those rights of British subjects which, in coming hereto colonise the paradise of the wilderness, we ought not to have forfeited.[2]

Duncan has achieved recognition in the history of the early labour movement in N.S.W.[3] largely for his support in this operative agitation of 1840, but it is important to note that like other middle class radicals of the time, he did so without subscribing to any particular labour ethos.[4]

He in fact subscribed to typical laissex-faire notions of the "equitable rate of wages as fixed by supply and demand",[5]

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1 Duncan later clashed violently with this Richard Jones who again contested a seat on the Council in 1851, from Brisbane, where he had retired after bankruptcy. (See page 250).

2 A.C., Oct. 1, 1840.

3 Thomas, op. cit., pp. 54, 63, 67, 74, 80.

4 The radical cause assumed the identity of middle and working class interests in the forties. See Hume L.J., Working Class Movements in Sydney and Melbourne Before the Gold Rushes, H.S.A. and N.Z. vol. 9, Nov. 1960, p. 273.

5 A.C., April 15, 1841. In relation to the journeyman Bakers dispute, Duncan put forth these views.

and was suspicious of the aggressive aspects of trade unionism.[1] His fullest statement on the relationship between laissez-faire and working class combination, which appeared in the Weekly Register of August 26, 1843, may be quoted to illustrate the gap between Duncan's and modern concepts of the labour movement. In the article Duncan admitted that, in the area of wages, the interests of employers and employees were opposed, and that in this situation combination was permissible "so long as each combination seeks to effect its object by means strictly and justly at its disposal." In Duncan's view, each class could defend itself against fluctuations of price in the labour market, because each had a right to "do what they liked with their own." It was permissable for workingmen to combine and sell their labour at a certain wage. Likewise, there was no culpability when

> employers succeed by their own means in introducing more competition into the labour market, or in affecting that by machinery, which had formerly been the result of manual labour....But on the other hand, if the labouring population were to extend their combination so as to coerce others who were not parties to such a combination; or if the employers being entrusted with the public money, were to erect machinery or introduce

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1 A.C., Jan. 24, 1840. He advised the Australian Society of Compositors not to trust their leader, Peter Tyler, in their agitation for less apprentices and a set wage scale.
A.C., Dec. 26, 1840. At an operatives' meeting to give him a Testimonial Duncan referred to his differing opinions on many questions "concerning which, no popularity could induce me to conceal my conscientious objections."

> labour at the public expense, with the express view of reducing the price of labour, and thus benefiting themselves, each would be guilty of acts highly reprehensible and contrary to justice and the rights of society. [1]

Duncan's attitude to the Master and Servant Act was not a "labour attitude." In an article which protested against the 1840 Bill, he wrote "we freely admit that there are some servants who deserve to be punished summarily and severely."[2] After the success of the 1840 agitation he continued to watch the operation of the Act, protesting impartially when either masters' or servants' interests seemed threatened.[3] Indeed, if one reads Duncan's evidence at the 1845 inquiry into the working of the Act without the prior background of 1840, it would be hard to divine that this was the operatives' hero speaking, for his only remarks incorporated into the body of the

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1 A.C., Sept. 16, 1840.

2 W.R., Aug. 26, 1843.

3 Workers' interests. A.C., Dec. 29, 1840. Some magistrates avoid administering that part of the Act which dealt with servants' claims against masters. The A.C. would publicise all reports.
W.R., Oct. 25, 1845. The Committee carried all penalties of the new Bill against servants and postponed those against masters. Duncan threatened to bring down a "hornet's nest" again, but the full-measure was carried.
Employers' interests. W.R., Aug. 16, Oct. 25, 1845. Employers have a right to a penalty short of imprisonment for "very gross impertinence or neglect of duty."

report[1] were about the "great and universal grievance" of insubordinate women servants. Yet in fact his attitude was not essentially different from his stand in 1840. He was concerned with the problem of granting impartial justice to individuals. He was still anxious that servants should not be defrauded by employers, and his main contribution to the inquiry was the rather futile plea that juries should be introduced in the legal machinery of the Act to ensure more equitable judgments.[2]

Yet, if the problem of impartial justice was his immediate concern, his ultimate motive was the broadly social one conveyed partly in the exortation to political action quoted earlier, but even better in Duncan's thanks to the operatives for their testimonial in 1840 -

> it is I, as the father of a large family who must have become either tyrants (or more probably) slaves, who owe you thanks.[3]

In Duncan's eyes the ultimate significance of the operative agitation was not that it had importance as a step in the origin of a labour movement, but that it was a stand against the convict ethos,

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1 N.S.W. V.P. Legislative Council 1845. Report of the Select Committee on the Master and Servant Act, p. 3.

2 Ibid. Evidence of W.A. Duncan Esq.

3 A.C., Oct. 1, 1840.

for which all those who wanted free institutions and the prosperity of new immigrants were indebted.

We have already seen that Duncan considered that employers could sin as much against laissez-faire in combination as could workers, and so it was the burden of much of journalism to insist that the employers were attempting to manipulate immigration in a way which would preserve the planter-type society of the penal colony, with the free immigrants reduced to something like a convict-slave status.[1]

In the boom years to 1842 the reduction of wages was generally prevented by excess of demand over supply of labour. Duncan, as in the Master and Servant agitation, was primarily concerned with the social aspect of working class conditions. In the preference of the Legislative Council for the Bounty rather than the Government system of immigration during 1839-41, Duncan believed there was an example of this "slave" mentality[2] of employers, involving lack of humanity and charity[3] and a callous disregard for the well being of the poorer class of settlers.

In November 1839 he began his attack on the Bounty system.[4] Most of its evils, he considered, were inherent in the system of paying

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1 W.R., Aug. 24, 1843. Many employers had "studied their political economy amongst scourges and fetters."

2 A.C., Nov. 29, 1839. March 10, 1840.

3 A.C., March 6, 1840.

4 A.C., Nov. 29, 1839.

the small sum of £19 per head to private enterprise for landing immigrants in the colony.[1] The tendency to over-crowd immigrants in unhygenic quarters[2] without sufficient good food[3] (the result of Bounty "speculators" concern with cost-cutting and their own profits) was reflected in the higher death rate especially for children on Bounty ships,[4] as well as in the harrowing reports of immigrants. Duncan also considered that Bounty ship's officers were more corrupt as a class, than those on government ships. He publicised accounts of the success with which women of easy virtue could solicit extra stores at the expense of other passengers[5] and insisted that even women of better virtue were in danger on these ships.[6] However, it was not only the plight of the individual immigrant which concerned Duncan. He was fearful that the Bounty organisers' "false propaganda"

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1 A.C., Dec. 17, 1839.

2 A.C., Dec. 3, 1839.

3 A.C., Nov. 29, 1839.

4 A.C., Nov. 29, 1839, Feb. 21, March 6, 1840. The death rate for children was 1 in 8 on Bounty ships, but only 1 in 13 on Government ships.

5 A.C., Dec. 13, 1839.

6 A.C., April 23, 1842. Duncan illustrated his point by the case of a Captain's immorality with a young girl.

about comfort on the voyage and prospects in the colony would eventually discredit the colony,[1] and he also feared an anti-Irish prejudice behind colonial support for the Bounty system.[2]

Other "popular" newspapers of the colony thought that Duncan's condemnation of the Bounty system was too sweeping,[3] and, admitting that selection was better on Bounty ships,[4] he eventually agreed that the reformed system proposed by the Governor in March 1840 removed the worst evils.[5] When news of Lord John Russell's proposals for the selection of immigrants by Immigration Commissioners

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1 A.C., Dec. 24, 1839.

2 A.C., July 24, 1841. The suspension of the Government System prevented many Irish immigrating - the Anglican clique had had a certain success according to Duncan's view.

3 A.C., Dec. 17, 24, 1839. The Monitor suggested that Duncan's views were largely based on personal pique, misapprehension or prejudice, and there was undoubtedly a grain of truth in this for Duncan had not had a happy passage on a Bounty ship owned by a certain Mr. Marshal against whom many of his strictures were directed. (See A.C., Sept. 4, 1841, Dec. 9, 1841.) A.C., March 6, 1840. When the Colonist supported the Bounty System because it was more economical (the argument of the Immigration Committee of the Legislative Council, chaired by Bishop Broughton) Duncan accused it of being inhumane and unchristian.

4 A.C., Dec. 24, 1839; Jan. 21, 1841.

5 A.C., March 10, 1840.

(who had the right to examine stores and ships of Bounty contractors) reached the colony in June 1841, Duncan was prepared to admit that most of his objections had been met. There would now be some control over Bounty speculators and their supporters in the colony.[1]

As well as British policy, fluctuations in their own interests brought the Legislative Council around to Duncan's views. The Government system was reintroduced, for it was clear that the Bounty system would not meet the great demand for immigrants in 1841.[2] In September 1842 the Council condemned the "moral evils" of the Bounty system almost as roundly as Duncan had done,[3] but by then colonial finance for immigration in the land fund had virtually dried up.[4] The issue was not entirely settled in 1842,[5] nevertheless,

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1 A.C., June 5, Sept. 11, 1841. The Times, incidentally had also criticised the Bounty System for encouraging traffic and speculation in Bounty orders (see A.C., Feb. 5, 1842).

2 A.C., Aug. 21, 1841. The Immigration Committee of the Legislative Council criticised the suspension of the Government System and advised the use of both systems.

3 A.C., Sept. 9, 1842.

4 Fitzpatrick, op. cit., p. 60. 12,000 immigrants were assisted in 1841; 5,000 in 1842, and none in 1843. The decline was primarily due to the collapse of land sales.

5 W.R., Feb. 10, 1844. Duncan was still opposing the Bounty System and supported a petition against it.

the battle had achieved part of what Duncan had hoped. It had made some of the immigrant group well aware that their interests were not well protected by those in power; and Duncan received accolades for this from his readers.[1]

The situation in late 1841 gave Duncan another chance for an offensive against the Council which had allowed a "corrupt system" - "a free trade in human beings" - when they wanted labour.[2] It was then that the great flood of immigrants contracted for during the boom period of land sales began to arrive in a colony[3] already

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1 Two correspondents who disagreed with Duncan's propensity for sweeping denigration of one system and praise of the other made this point well: A.C., April 10, 1840. One from the Illawarra wrote: "To the late newspaper discussions on the question..... of immigration .... a great majority among your numerous readers in the district of Illawarra have paid lively attention". The letter praises Duncan for promoting discussion of "a great benefit to the public".
A.C., Jan. 21, 1840. The other, "No Gammon", wrote: "I think you have completely 'shown up' the ignorance of the Council to matters of fact connected with both systems, and have done much to stimulate public servants to a better discharge of their duties, under whatever system of Immigration may be conducted."

2 A.C., June 5, 1841. See also A.C., Sept. 22, 1840; March 9, Aug. 21, Sept. 9, 1842; W.R., Nov. 18, 1843 for other attacks on the Council's attitude to immigrant labour.

3 A.C., Dec. 2, 1841. 40 shiploads of immigrants had arrived in a few weeks. Indeed, the flood was so overwhelming that the British Government suspended Bounty contracts from Oct. 1841 - March 1842. (See A.C., Dec. 9, 1841.)

beginning to experience the first warnings of the recession. Duncan had already criticised the lack of facilities for immigrants on arrival[1] and the inhuman practice of confining them on ships before employment. He had thrown himself behind Caroline Chisholm's efforts to found a reception centre and employment agency for female immigrants.[2] Now, in the crisis situation caused by this flood of unemployed people, he argued that the Council's lack of foresight was another illustration of the slave mentality of the elite.[3] Even though the Executive took emergency steps to deal with the situation and later decided to follow Mrs. Chisholm's example and canvas employment in the interior,[4] Duncan blamed them for producing the predicament in the first place.[5]

The depression which hit colonial society in 1841 and lasted into 1844 was, however, to turn Duncan's main focus on immigration matters from oppressive control of immigrants to the more immediate matter of wage reduction.[6] The colonial economy, heavily dependent on the mother country, reflected the 1839 depression

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1 A.C., Sept. 21, 1841.

2 A.C., Sept. 16, 21, Oct. 26, Dec. 14, 1841; Feb. 8, 1842.

3 A.C., Nov. 9, 1841.

4 A.C., Jan. 11, 1842.

5 A.C., April, 19, May 28, 1842.

6 The details of the depression are taken from Fitzpatrick, op. cit., p. 70-76.

in England. By 1844 average wool prices were at half the level of 1836, and land sales, falling off since 1841, had come to a virtual standstill by 1843. Boiling down for tallow was widespread. The business boom collapsed with the land boom. Colonial banking could not stand the strain. It was dislocated by the failure of land speculation[1], by heavy government withdrawals for immigration (coupled with the reduction in Commissariate expenditure), and by the sudden extra increase of imports over exports necessitated by food imports to feed a rapidly expanding population after a drought year, 1838. A number of banks failed in 1843. Insolvency was "almost universal" according to one ruined squatter,[2] and the extent of default may be gauged by the fact that of the £39,000 owed to Samuel Lyons, a Sydney auctioneer whom we will meet later,[3] he received only 6d. in £1. Prices and wages fell to one third of the 1840 standard and by 1843 there were 1,243 known unemployed in Sydney with 2,500 dependents.

Before the depression, Duncan had been critical of the various schemes of the wealthy landowners and companies for

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1 Ibid. p. 74. Land sales fell. 1840: £316,000
1841: £90,000

2 Ibid. p. 75. (George Hobler).

3 Chapter 6, p. 205.

recruiting labour other than through the normal channels of free migration, mainly for social reasons. Coolie migration would introduce "slavery and heathenism"; the contracts made by some big employers to bring out large groups of young men would contribute to the barbaric inequality of the sexes in the outlying districts. These social effects would be even worse than the brutalising effects of transportation.[1]

As the crisis nature of the depression became more apparent through 1841 and into 1842 and 1843 Duncan's attitude hardened and came to express the fear that, as these schemes were still being entertained in a period when there was less shortage of free immigrant labour, they indicated a real attempt on the part of the wealthy employer group to permanently depress the wages and conditions of the labouring classes.

Thus in regard to Coolie migration, while we find Duncan, in February and March 1841, producing the whole gamut of objections to introducing a non-assimilable "feeble and degenerate race (with)...

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1 A.C., Sept. 5 and 8, 1840.

unchristian and immoral ideas"[1]; by June, when the Council was also entertaining the scheme, his emphasis had changed. The "insuperable objection" was that Coolies would depress the wages of the British immigrant.[2]

In July 1841 Duncan wrote that the reduction of wages and the enslavement of the people was the aim of the "upstart woolgrowers",[3] and called on the working classes to make their views felt since the issue was "vital" to them.[4] In fact, there was sufficient opposition

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1 A.C., Feb. 23, March 2, 1841. The scheme was being entertained by the Immigration Association previously noticed in its antagonism to Irish immigration. Duncan argued that the introduction of Coolies would retard free institutions, provide an argument for a high franchise, or produce a slave vote to be manipulated by employers. In addition, laws would probably be passed to restrain the "immoral ideas" of non-Christian people and this would form a dangerous precedent for interference in the practices of Christian religious bodies.

2 A.C., June 19, 1841.
A.C., July 22, 1841. James Macarthur, who supported the Coolie scheme, had argued that high wages were ruining the pastoral industry and that cheap labour was essential. Shepherds' wages had risen from £15 p.a. to £30 p.a.! Duncan insisted that the higher wage was to the advantage of the colony. It would attract more immigrants and thus develop colonial resources.

3 A.C., July 1, 1841. They would have the people "enslaved" and retard free institutions.

4 A.C., July 13, 1841.

on the Council to damn the Coolie scheme,[1] but Duncan's opposition had been felt. When the scheme was mooted again in September 1842 he was approached by two gentlemen who asked him to withhold opposition,[2] and when a public meeting at the race-course was called in 1843 to protest against the proposal to import Coolies at the height of depression unemployment, Duncan's influence was again recognised by putting him in the chair at the end of the meeting.[3]

It was also in late 1841, and early 1842, that Duncan issued a firm condemnation of the proposal to re-introduce transportation.[4] Although, at the time Duncan denied that his attitude was determined simply by his advocacy of working class interests,[5] it is clear that the depression had hardened his views, and it was at this time that he

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1 A.C., July 22, 1841. Bishop Broughton, the Governor, Richard Jones, a merchant, and the Attorney-General all objected to the scheme.

2 A.C., Sept. 29, 1842.

3 A.C., Jan. 17, 1843.

4 A.C., Dec. 30, 1841.

5 A.C., Jan. 20, 1842. Duncan denied the charge of the Australian that the Chronicle's alliance with "Tory" opponents of transportation such as Hannibal Macarthur was an "unscrupulous" and "Jesuitical" move to further the cause of the operatives.

sponsored an operative protest against transportation.[1] Later he was to support the operative protest against competition from convicts on public works.[2]

The special vehemence of Duncan's anti-transportation feeling in 1841 and 1842 was related to the fact that he now felt a temporary halt should be called to all immigration.[3] By contrast, the Legislative Council, which was arranging for loan finance to cover the colony's debts on the 1841 influx of immigrants, was attempting to float a loan of one to two millions in England to pay for the passage of 12,000 immigrants per annum. Many of the Council were coming around to the idea that, even if the land fund had not been exhausted the export of colonial capital for immigration was to the detriment of the colony. In their view, it would be better to export only the interest on the capital debt.[4]

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1 A.C., Jan. 27, 1842.

2 W.R., Aug. 5, 1843. Duncan spoke at the operative meeting at the race course (See also Thomas, op. cit., p. 72).

3 A.C., Dec. 11, 16, 1841. See also Feb. 5, 1842. Immigration must be reduced.

4 This idea reached its fulfilment in the 1843 Committee of the Legislative Council on Land Grievances which said that "the greatest - the most fundamental error - connected with the sale of the waste lands of this Colony, was the appropriation of the revenue derived from these to the purposes of immigration". Buckley K. Gipps and Graziers of N.S.W. H.S.A.N.Z. Vol.6, No.24. p. 399. Fitzpatrick, op.cit., p. 73. In fact the export of capital was small, most immigration payments being internal.

Duncan opposed this scheme. He still believed in the Wakefieldian argument that land fund finance of immigration was the best means of preserving a proper balance between the demand for, and supply of labour - the land fund was an index "of the ability of the consumers to pay the producers". He saw, in the plans of the Council, the desire of a "few landowners and mercantile speculators" to ruin "the entire working class" by reducing wages in an oversupplied labour market. The result would be a complete betrayal of the radical view of colonial society. There would be a "rich aristocracy and a poor people". Duncan insisted that if the people did not oppose this scheme they were

> only fit to be hewers of wood and drawers of water, (for they would) saddle their children's children with debt, taxation and wretchedness.[1]

A public protest was organised by the radical leaders (including Duncan) which prepared a memorial to the Queen protesting in terms of the balance between capital and labour and insisting that the gentlemen of the Council had a "personal interest in the depreciation of labour".[2] The Chronicle office was one of the three places where

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[1] A.C., Dec. 16, 1841. Source for the whole paragraph.

[2] A.C., Dec. 23, 1841. Duncan took a prominent part in the meeting chaired by his ally, Henry Macdermott. Turner, Stuart, Prichard, Mullins, Lynch, Curry, Stennett, and E.J. Hawkesley were the chief organisers of the meeting.

the Memorial could be signed.[1]

Duncan's general attitude to such loans, expressed well before this crisis, was that they were an unjust tax on future generations imposed by an "irresponsible" body.[2] As the depression set in he emphasised more and more that this proposal was a means of mitigating losses in land speculation at the cost of the lower class. Cheap wages in a flooded labour market might allow landowners to reap profit from their now nearly worthless land, but only at the cost of virtual slavery of the working class.[3] In June 1841, Duncan gained possession of a privately circulated letter from a businessman, Mr. Walker, which clearly expressed this motive.[4] He used the evidence

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1 A.C., Dec. 28, 1841. Stanley to Gipps, June 11, 1842 notes the receipt of the Petition from Mr. Duncan. "Her Majesty was pleased to receive it very graciously".

2 A.C., Nov. 29, 1839; Feb. 21, 1840, and later W.R., Oct. 4, 1845. In 1845 his position had been modified to the extent that he admitted that if a just proportion of labour and capital were maintained a tax on future generations could be for the benefit, not to the detriment, of future generations.

3 A.C., May 28, June 9, 23, Sept. 6, 1841. W.R., Nov. 18, 1843.

4 A.C., June 23, 1842. Walker suggested a loan to bring out 100,000 immigrants over three years. He argued that it was necessary to have a working class that could not quickly become landowners. When immigration was secured by loan finance Crown lands could be sold at a high price, thus allowing privately owned lands to sell at a reasonable figure below this price. The ruin of the landowners and the social evil of the levelling of classes would be prevented!

well to make capital for the radical cause.

Duncan summed up the moral of these events in an article in November 1842, which pointed out the "sins" of the clique he opposed. When their own interests were satisfied they had accepted the end of transportation - others would then not rise by the same ladder of cheap labour. Later when they felt the pinch, they had changed their tune and also advocated Coolie migration and the establishment of a large national debt to flood the colony with cheap labour! It did not matter to the clique that the colony's reputation had been damaged by exaggerated reports of financial difficulty, or that many of the unemployed immigrants were starving. Duncan admonished the Colonists - they were their "own worst enemies" in creating "evils of faction"; they must learn to "consider the interests of all classes of colonists". Co-operation with the British Government to provide immigration on a scale which would "supply real wants" but not overstock the labour market was the only answer![1]

This appeal for a public-spirited and systematic approach to co-operation with the British Government marked a certain naivety in Duncan's approach to the sectional interests of the colonists and to the ad hoc procedures of the British Government in ridding itself

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1 A.C., Nov. 17, 1841.

of its surplus poor. In effecting any systematic improvement of the existing immigration system the initiative had passed to Mrs. Caroline Chisholm. To her, however, Duncan gave strong support.[1] Further, in his series of protests against labour and immigrant conditions, in his opposition to swamping the labour market, and in his insistence that the labour force should be white, he had contributed considerably, both by his journalism and political manoeuvres, to the beginnings of political awakening among the lower classes in the early forties.

(ii) Land

Just as the loan proposal was part of the general protest against the land policy of the British Government on the part of the pastoralists (who blamed the depression and the need for extraordinary measures to extricate the pastoral and mercantile interests largely on that policy) so Duncan's opposition to them was part of his general attitude to the land question. Throughout the period 1840-1845 it was the basic contention of the wealthy pastoral group that the land policy

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1 A.C., Sept. 16, 21, Oct. 26, Nov. 9, Dec. 9, 14, 1841; Jan. 11, Feb. 8, 1842.
W.R., Nov. 18, 1843. Duncan supported Mrs. Chisholm's efforts to establish hostels, find employment for immigrants, and praised her methods of conducting a systematic inquiry into labour needs and conditions. In November 1843 he publicised, favourably, the petition she sponsored requesting a new immigration scheme based on settlement and backed by inquiry.

of the British Government opposed the real needs of a pastoral colony. Duncan, on the other hand denied their premise that it was the primary destiny of N.S.W. to develop the kind of plantation social structure that was the complement of dispersed settlement and large-scale holdings. Whereas on labour policies Duncan sounded a mere negative voice protesting against employer-conceived policies (with the rather amorphous theory that people should not be treated as "slaves"),the land question provided him with a positive approach to the problem of building a better society in N.S.W. He summed up his position in June 1841 :-

> The promotion of agriculture where it is practicable, and of centralization, by means of the small farm system, is the measure above all others that would most conduce to the prosperity and moral advancement of the colony.[1]

The hope of small scale settlement is a consistent and generally abortive stream running through radical politics in Australia during the nineteenth-century. The need for increased agricultural production was genuine,[2] but no doubt the radical plan found its main

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1 A.C., June 20, 1841 - Similar statements.

2 Fitzpatrick, op. cit., p. 73. N.S.W. was heavily dependent on food imports. The drought of 1838 had made this particularly clear: "the colonial economy was lopsided under a pressure of wool bales whose value was falling, and ... the little developed agriculture of the colony was even less able than before to meet local requirements." In a situation of a recently "doubled population", N.S.W. imports of breadstuffs in 1839, and 1840 tripled and quadrupled the level of the 1837 and 1838 imports respectively.

roots in the desire for independence and self-advancement that was part of the immigrant ethos.[1] For Duncan, however, as for many middle-class radicals,[2] moral and traditional values played perhaps a more important part in these hopes than did economic concerns.

Duncan deprecated the barbarism which was generally thought to characterise the interior.[3] Small farms would bring "order, morality and religion, society in fact, into the distant settlements" in place of absentee landlordism, disproportion of the sexes, and the lack of interest in civilised values.[4] Duncan retained a great fondness for the small farm society of his childhood but eulogised examples in Belgium and Ireland as well as Scotland.[5]

Although Duncan argued in economic terms that small farm production would contribute to the general good of the colony; that it would succeed where large-scale farming had failed; that food

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1 Irving, op. cit., p. 21.

2 L.S. Hume, "Working Class Movements in Sydney and Melbourne before the Gold Rushes". H.S.A. N.Z. Vol. 9, No. 35, Nov. 1960, p. 270.

3 A.C., Feb. 10, 1843.
W.R., Dec. 16, 1843.

4 A.C., Sept. 6, 1842.

5 A.C., Feb. 6, Feb. 20, 1841.

production would be increased[1]; that it would reveal the full extent of the resources of the colony[2]; that it would stimulate immigration[3]; and, when the land fund was drying up, that it would increase land sales[4] while mitigating the bad effects of land speculation[5]; his economic opinions were coloured by his general opposition to large-scale pastoralist enterprise. The traditionalist aspect - the view that agriculture and the close connection of man and the soil was of primary importance - filters through many of Duncan's semi-economic arguments, for example in the leading article of February 20th, 1841. Here Duncan argued that even if the breaking-up of some "monster sheep establishments" for small farms was accompanied by a temporary check to wool growing, the production of food would compensate, for

> the soil, while it blesses the humble LABOURS of the husbandman with abundance, does not IMMEDIATELY repay the outlay of the capitalist in a percentage.[6]

As far as practical matters such as soil and climate were concerned, Duncan quoted successful examples of small scale farming

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1 A.C., Feb. 20, 1841.

2 A.C., Dec. 8, 1840; Jan. 21, 1841.

3 A.C., May 28, 1842.

4 A.C., Jan. 22, Oct. 15, 1842.

5 A.C., June, 5, 1841.

6 A.C., Feb. 20, 1841.

in coastal areas,[1] and seemed to forget about the interior. Soils, he wrote blandly, might be poor, but there was inferior soil in Scotland, Ireland and Belgium, where small scale agriculture thrived.[2] The problem of transportation and marketing in the colonial situation he virtually disregarded!

Especially in the early years of Duncan's journalism, (1839-42) while the Whigs and Lord John Russell controlled British policy, Duncan identified their presumed aims with his own hopes. Thus in 1840 he criticised Gipps' connection with the Immigration Association dominated by the wealthy landowners as

> endeavouring to frustrate the good designs of the Secretary of State, who wishes to people the colony with small freeholders and so to direct emigration as to compel the holders of immense tracts of waste land gradually to sell portions...for the public good.[3]

Indeed, there was some basis for Duncan's optimism. It had been clear for some years that the Crown was not going to release large tracts of land by grant or at nominal prices,[4] and hence it

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1 A.C., Nov. 14, 1840. Hawkesbury, Wollombi, Parramatta, Liverpool.

2 A.C., Dec. 8, 1840.

3 A.C., Nov. 5, 1840. See also Nov. 14, 1840.

4 Clark, op. cit., p. 217. The Grant system ceased in 1831. After this land was to be sold at a minimum upset price of 5/-. This was increased to 12/- in 1838, and in 1840 to a fixed price of £1 in Port Phillip.

appeared to Duncan that the economic factor would enforce concentration and greater productivity in lands about to be sold.[1] In addition, now that the British Government seemed well aware of the need for emigration, and had stopped transportation to N.S.W. to facilitate its capacity to absorb free immigrants,[2] the time seemed ripe for the replacement of the ad hoc measures of the past by a coherent policy. In the administrative association of land and immigration policy in 1840, it was possible for Duncan to see great promise for his ideal.[3] Thus his radicalism placed him on the

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1 W.R., Aug. 19, 1843. The increasing minimum price for land, or a small scale grant system could be alternatives in producing concentration.

2 Fitzpatrick, op. cit., p. 60.

3 Melbourne, op. cit., p. 252-255. The day after the anti-transportation order was issued in 1840, Lord John Russell appointed the new Land and Immigration Commissioners with land powers similar to those exercised under the old South Australian Board, and with immigration powers exercised formerly by the Agent General for immigration. They were to control policy in the Colonies of settlement. The connection between land and immigration in administrative machinery implied that Walefieldian ideas were penetrating the Colonial Office, and this implication was borne out by the recommendations of the Commissioners in regard to N.S.W. policy -- a uniform fixed price for land outside the nineteen counties and certain town lots; separate finances for the three areas of N.S.W.; and a land fund devoted entirely to immigration.

defensive side against the wealthy landowners and their followers when the land legislation proposals of Lord John Russell reached the colony late in 1840.

The main focus of opposition settled on the fact that land was to be sold in Port Phillip and the Northern District, North of the Manning River, at a fixed price of £1 per acre, except in certain town allotments. The landowners organized a petition against the proposals, arguing that "the theory of concentration" on which the recent regulations seemed to be based was inapplicable to a colony which was by nature a "pastoral country".[1] To Duncan this was anthema, and with Henry Macdermott[2] he tried unsuccessfully to have the clause expunged at the public meeting which discussed the petition. Duncan insisted that the argument based on the needs of dispersed pastoral development was simply a device of the large landholders to preserve the interests of their caste and prevent the "people" from acquiring land in small lots.[3] Their objection to concentration implied a disregard for the moral values of a settled life!

When the memorandum proceeding from the committee set up by the first protest meeting was published, it also criticised the

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1 A.C., Jan. 9, 1841. Duncan seconded Macdermott's amendment against this clause of the petition.

2 A.C., Feb. 9, 1841.

3 A.C., Dec. 10, 1840. Feb. 9, 1841.

system of a fixed price on the grounds that auction found the real value of the land. Duncan pointed out that this was not the main object of the legislation. To Duncan, the fixed price safeguarded the small purchaser from competition and from victimization by wealthy interests[1] which could continually out-bid him at auction or force him to wait until his limited capital was exhausted. Duncan, no doubt, also thought the fixed price system would safeguard the proposals to credit land to small purchasers who had paid for it in England according to the proposals of Lord John Russell.[2] These proposals, Duncan regarded as being a good augury for the scheme of small scale settlement.[3]

With even moderate objectors to Russell's proposals, i.e. those who accepted the need for some small scale settlement but who thought the 1840 recommendations were impracticable, Duncan was impatient. Gipps, who had heard the Legislative Council's opposition to the scheme, agreed that Russell's proposals would encourage speculation,[4] and the "Australian" echoed this criticism.[5] To Duncan

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1 A.C., Dec. 31, 1840. Jan. 21, Feb. 4, 6, 9, 1841.

2 A.C., Nov. 14, 1840.

3 A.C., Nov. 14, 1840, Dec. 8, 1840.

4 A.C., Dec. 12, 1840.

5 A.C., Dec. 31, 1840.

this was mere quibbling. It obscured the real issue - that a group of wealthy investors were determined to thwart immigrant prospects![1] The Government would simply have to keep survey well ahead of sale[2] and frame measures to ensure that only bona fide purchasers bought land[3] - no easy matter, as the history of the land acts in the sixties showed!

The Herald tried to answer the basic radical premise - that colonial conflicts involved simply the opposition of a clique of wealthy landowners to "the people" as a whole. The Herald argued that since it was the colonial capitalists who had made the colony fit for free immigration; the interests of the capitalists and the working classes were identified in promoting prosperity. Duncan agreed that the interests of workers and capitalists were identified but not the interests of the workers and the great landowners, who having received their land gratis had become "paper capitalists", speculating to such an extent that shopkeepers and others of the middle class had difficulty in meeting their engagements in the unstable monetary situation. Duncan's bias against a purely economic approach to the situation is revealed again in the concluding argument of this article - even if the land proposals did ruin some of the great landowners, and force them

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1 A.C., Dec. 31, 1840.

2 A.C., Dec. 12, 1840.

3 A.C., Dec. 22, 1840.

to leave the colony, they would be compelled to settle their debts first, and if their estates were broken up others would use the land more effectively. It was absolutely essential to hold out the prospect of "comfortable independence" on small farms to the immigrating workman.[1]

In the whole agitation of 1840-41, Duncan was to be disappointed. At the landowner meetings he and H. Macdermott represented an isolated minority.[2] The system of a fixed price for land in Port Phillip and the Northern District only lasted for the Whig term of office, and, in any case, the minimum lot at Port Phillip was not the 80 acres Duncan believed Russell had envisaged,[3] but 360 acres[4] - so much for Duncan's dream of immigrants with £100 being able to settle on blocks of twenty acres![5]

When Stanley's Waste Lands Act, with its provision for a uniform system of selling land at a £1 minimum upset price, at auction, in lots of 640 acres, reached the colony in 1842, Duncan was further disappointed. The British Tories were even less interested

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1 A.C., Jan. 16, 1841.

2 A.C., Jan. 9, 1841, Feb. 6, 9, 1841. The Monitor, The Free Press and the Port Phillip Journals supported the regulations.

3 A.C., Dec. 22, 1840.

4 A.C., June 5, 1841.

5 A.C., Dec. 8, 1840. Later in the article Duncan suggested 10-50 acres. See also A.C., Feb. 20, 1841 - 50 acres.

than Lord John Russell in providing small allotments for independent workmen. However, if the Act displeased Duncan, it was even more obnoxious to the Legislative Council, who protested that £1 was an absurd price, and that its enforcement had been responsible for the drying-up of the land fund and for the depression in the colony.[1] Duncan's position thus became one of conditional support for the Act. He would have preferred lots of 40 acres, and claimed that this would revive the land fund,[2] but he would have no truck with the Council's demand that the price of crown lands be reduced. In his view the landowners had little right to complain. They had already achieved much of their aim of hampering the spread of small scale settlement by having the fixed price provision removed and the size of lots increased.[3]

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1 A Special Committee of the Legislative Council in 1843 objected to the minimum upset price of £1.

2 A.C., Oct. 15, 1842. "We have given the subject thorough consideration during the last two years and we feel quite satisfied" i.e. with the small block, high price, solution.

3 W.R., Aug. 19, 1843. The basis of Duncan's contention was that the landowners had accepted the end of the grant system and the raising of the minimum upset price from 5/- to 12/- in 1838 in order to enhance the value of their granted lands. This had been successful, and moreover, when the land fund was harnessed to immigration the value of land investment had been handed back to the pastoralists in labour. The pastoralists had got their own way about the fixed price in 1840 in their attempt of put the "spade men landowners (small farmers)....between the wind and their nobility". Now when the economic situation has changed they objected to a logical extension of the system of selling Crown lands at a price sufficient to allow private sale under the price for Crown land.

Only if concentration was enforced in other ways would Duncan consider the scheme of this committee to have the price for crown lands lowered.[1]

When the report of the next Committee on Land Grievances was publicised Duncan maintained the position that the £1 price at least prevented the further wholesale alienation of Crown lands to speculators. Nor did he have sympathy with the argument that in reducing the sale of lands to English investors, the land legislation under-cut the market for stock. As far as Duncan was concerned the economic misfortunes of pastoralists would aid the radical programme.[2]

In fact, one of Duncan's constant themes was that any factor which would break up the large estates, for the benefit of small scale agricultural development, would be for the future good of the colony.[3]

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1 W.R., Dec. 16, 1843. Duncan recognised that competition from squatting areas was affecting the old landowners, and with some irony, said that he would support the Committee's scheme to reduce the upset price to 5/- if the present system of squatting was ended. W.R., May 18, 1844. He was prepared to have the price for Crown land lowered to 10/- fixed price if this would facilitate the acceptance of Gipps Purchase Regulations.

2 W.R., Aug. 31, 1844. cf. Buckley, op. cit., p. 410. The effect on the market for stock was the root cause of the landowners' opposition to the 1842 Act and explains why they objected to a measure which, on the face of it, should have raised the value of their lands.

3 W.R., Sept. 6, 1843, Jan. 13, 1844. One of the side effects of the depression was this. See also A.C., Nov. 5, 1840, June 9, Sept. 6, 1842.

He even advocated a tax on unimproved land[1] and municipal taxation with this end in view and, partly for the same reason, supported the enforcement of quit rents.[2]

It is also in this context that Duncan's insensitivity to the economic disasters of the wealthy during the depression must be viewed. When a number of bills to relieve the pastoralist and business people were introduced in 1843, he opposed most of them as class measures intended to relieve wealthy speculators from the consequences of their own folly at the expense of smaller men. Wentworth's Liens on Wool Act he considered unobjectionable,[3] but the Insolvency Act designed to allow debtors in certain cases to obtain letters of licence to delay their creditors until their position had improved (thus avoiding foreclosure in a bad market) Duncan opposed. He felt that it would operate against small tradesmen who could not collect their debts, and would merely prolong the existence of unsound investments.[4] Wentworth's Usery Bill to fix the maximum rate of interest at 5% and void contracts made above this figure (which was actually rejected by the Council) Duncan also opposed on the same grounds but even more vehemently. The subsidiary proposal that Government debentures might be exchanged

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1 A.C., July 17, 1841.

2 W.R., Sept. 16, 1843, Jan. 13, 1844 "The chief value of district corporations", was that their taxation would encourage the sale of unused land and the break up of large unproductive estates.

3 W.R., Aug. 12, 1843.

4 Ibid.

for the mortgage security (if recommended by a board) so that principal and interest were secured to the mortgage on the general revenue of the colony, was described by Duncan, as robbery and spoilation of "the prosperous and industrious portion of the colony" in the interests of "the unfortunate and the spendthrift".[1]

Duncan was also opposed to the scheme to float paper money secured on land. Quoting a variety of precedents he argued that this would produce a depreciated currency to the detriment of all sections of the community. However, it was clear that again he was taking umbrage to a "class measure". He felt that the scheme would serve the immediate interests of the landed group, who would have a virtual monopoly of paper accommodation, at the expense of the urban groups.[2] Viewing the social effects of such legislation, Duncan wrote:

> It contemplates the growth of a landed interest in connection with the Squatting interest, which may one day be powerful enough to cancel all such mortgages and contracts with the Government.[3]

However, if in some ways Duncan welcomed the depression as harmful to the large pastoralists, it was probably the depression as well as his disappointment in the 1842 Act which gradually brought him

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1 W.R., Sept. 2, 1843.

2 W.R., Sept. 2, Nov. 4, 18, 1843. The precedents ranged from the Prussian Planbriefes Scheme, to early American experiments in paper currency.

3 W.R., Nov. 18, 1843.

around to the opinion that more positive measures than price manipulation were necessary to promote small scale settlement. A leading article in the Register of March 1844, conveys the new orientation. Duncan now considered that the Wakefieldian scheme which had influenced the rise in the upset price for land had proved its inefficiency, and he was also prepared to admit that the 1842 Act, in attempting to "restrict acquisition to the needs of settlers", had overshot the mark. More was needed than the dumping of immigrants in proportion to the amount invested in land. (Duncan must have forgotten that Wakefield was primarily interested in maintaining the labour force). The grant system was likewise open to criticism, for even if land were granted in proportion to the owner's capital, and regulations were framed for forfeiture on failure to develop the land, it was difficult to prevent speculation, and to enforce resumption. In J.S. Buckingham's scheme for Canada, Duncan thought he saw the ideal plan. In this scheme grants were small, and their area dependent on the size of the family concerned. A permanent title was withheld for seven years during which time the completion of a definite programme of development was compulsory.[1] The possibility of framing regulations such as these in New South Wales allowed Duncan to forsake his previous insistence that small farmers

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[1] W.R., March 23, 1844.

should not obtain land by grant.[1]

The plan had little hope of being adopted in the colony, and the same might be said for some of Duncan's other proposals to encourage small scale farming. However, it will be worthwhile to describe these briefly, for they do indicate the semi-Utopian idealism which underlay Duncan's belief that a small farm economy would provide the ideal social structure for New South Wales.

In 1844 Duncan published the outlines of one scheme in a pamphlet - An Essay on Self-supporting Agricultural Working Unions, for the Labouring Classes; showing the means by which industrious men may raise themselves to the state of comfortable independence in Australia, with or without the assistance of the ruling authorities.[2] Based on the model of French communities and agricultural orphan schools, the scheme called for the organization of self-governing, largely self-sufficient groups of labourers, who pooled their small capital to work communally on agricultural settlements. Duncan claimed that not only would such communities provide employment but they would provide training in farming and self-government; a nucleus for towns; and a means of diversifying the colony's production.

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1 W.R., Feb. 10, 1844. Duncan had objected to the grant scheme as recently as this - it was class legislation in the interests of the poor, who would also be vulnerable to pressure to sell out to "Monopolists".

2 W.R., Feb. 3, 1844. (advertisement).

Gentlemen farmers might transfer part of their lands and sheep in small numbers to the care of some members. A general increase in production, and the end of boiling down because of shortage of shepherds, would be the result.

The scheme was utopian in the extreme. There was no very clear idea of ownership or duration of membership and Duncan was optimistic about capital needed to establish it:

> the hoe and the spade, with a few hatchets and saws, are the chief instruments required for an undertaking of this kind.

Food for six months was all that was needed before "an abundance of crops could be harvested!"[1] One hundred men with £5 each could form a colony![2]

The scheme was not taken up. But Duncan was, nevertheless, gratified that it produced a lively discussion in several papers.[3] He welcomed the formation of the "Australian Society for Agriculture and Indigenous Arts," as a direct result of the discussions initiated by the Register.[4] This was a society for experimentation and for the dissemination of information to improve agricultural techniques, and Duncan considered its advent another favourable by-product of the

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[1] W.R., Dec. 23, 1843.

[2] W.R., April 27, 1844.

[3] W.R., March 2, 1844. - e.g. The Maitland Mercury. This was edited by Duncan's previous employee, Richard Jones.

[4] W.R., Feb. 24, 1844.

depression - "men's minds having been sobered down to plain realities."[1]

Duncan's final approach to the problem of small scale agriculture was contained in a series of articles on possible colonial products.[2] His Essay on the Making of Wine was published[3] in pamphlet form. A mixture of antiquarian interest and practical concern, it drew its figures of costs, returns etc. from French statistics and thus appeared to lack first-hand knowledge. Still this pamphlet also helped spark colonial discussion[4] and Duncan directed it to Agricultural Societies.[5]

Duncan's third pamphlet The Olive Tree and its Culture ....from the Best Authorities Ancient and Modern[6] was a similar

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1 W.R., March 9, 1844. Similar societies were formed in the Illawarra and Hunter River districts (See also W.R., Feb. 24, 1844)

2 E.g. He advocated production of medicinal rhubarb, (W.R., March 30, 1844), silk, (W.R., May 11, 1844), flax and hemp, (W.R., Nov. 1, 1845).

3 W.R., March 2, 1844. The Advertisement was printed from Dec. 30, 1843 to Jan. 27, 1844, in the Register.

4 W.R., July 27, 1844. Duncan welcomed a work of William Macarthur's on winegrowing which, based on colonial experience, supplied the wants in his own work.

5 E.g. W.R., March 2, 1844. The Hunter River Agricultural Society acknowledged a copy.

6 W.R., March 23, 1844. See also Advertisements in the Register Feb. 3, 1844 to March 9, 1844.

production, part antiquarian, part businesslike, again based on continental sources.[1] Again, Mr. W. Macarthur was able to supply some local experience.[2] The conservatives did not mind this approach to "self-improvement!"

The landed gentry were not, however, as complacent about the complementary policy of the Register - the attack on the squatting opposition, in the interest of preserving the crown lands for the eventual occupation of "the people", which Duncan rightly regarded as "the grand feature" of his new paper.[3]

Well before the storm broke over Gipp's Squatting Regulations, Duncan had seen that the squatting system posed a threat to his concept of the "better life" for the majority.[4] On the one hand, it undermined the concept of concentration and its associated moral and

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1 W.R., March 9, 1844.
W.R., March 23, 1844. He wrote the pamphlet to suggest the sowing of olive trees for the benefit of the next generation, after having been struck by the description of the olive as "a mine on the surface of the earth". He went to some trouble to assure himself that the climate and soils of the colony were suitable and gained favourable reviews in the Herald, Australian, Chronicle and Record.

2 W.R., April, 1844.

3 Autobiography, op. cit., p. 84.

4 W.R., April 13, 1845 - A new method for regulating squatting was urgently needed.

social advantages.[1] On the other hand, clashes between the squatters' claim to a "vested right" in their leases and aboriginal welfare gave Duncan general cause to fear the alienation of lands from the Crown.[2]

When Gipps' Occupation Regulations of April 2, 1844[3] roused heated opposition from the members of the newly formed Pastoral Association, Duncan pointed out that the Pastoral Association challenged the principle that the waste lands were held in trust, by Her Majesty, for the benefit of the whole empire and that control and disposal of them was vested in her representative.[4] Since Duncan identified the Crown's trust with his chief hope for a form of settlement in accord with the radical programme,[5] his central position became

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1 A.C., Oct. 15, 1842.

2 A.C., Feb. 11, 16, 1841. Squatters objected to the establishment of an aboriginal agricultural settlement in Port Phillip because it interfered with their vested rights.
A.C., Aug. 23, 1842. Duncan's comments on the Lee case combined both objections.

3 W.R., April 6, 1844. Buckley, op. cit., p. 179. The Occupation Regulations defined a station or run, as an area of not more than 20 square miles and capable of carrying not more than 4,000 sheep or 500 head of cattle. From July 1845, each station so defined would be charged a licence fee of £10 per annum.

4 W.R., April 13, 1844. "To whom belongs the disposal of the Crown lands? Upon what conditions shall they be occupied without purchase?" See also W.R., Dec. 14, 1844. "Shall the Queen or the squatters reign?" "Shall the Crown lands be her's in trust for the benefit of all her subjects, or theirs for a perpetual inheritance without purchase?"

5 W.R., May 4, Nov. 9, 1844.

the argument that the contest was essentially one between the people and the pastoralists.[1]

During the controversy, Duncan gave evidence of considerable debating skill in undermining the opposition case. He exposed the squatters' catch cry - arbitrary "taxation" - as a chimera.[2] He also undermined the claim that they were being "squeezed" unjustly, by showing that the squatting licence fee was far less than either the quit rents levied on equivalent sized crown grants or interest payments on purchases at the very lowest price ever contemplated for Crown lands.[3] Constitutional arguments about the Council's power to enforce the regulations,[4] and about the "compact" with Bourke in 1835 to exchange

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1 W.R., Feb. 22, 1845. It was a question between the public and the squatters, hinging on the question of their rights to claim, as freehold, lands held in trust for the future, and as a subsidiary issue, the problem of smaller against larger squatters. See also W.R., April 13, 1844, May 25, 1844; Nov. 9, 1844 (Duncan's summary of the import of Cowper's Squatting Bill); Aug. 3, 1844; Feb. 8, Feb. 22, 1845.

2 W.R., April 13, May 11, 1844. The squatters' claim of double taxation was based on false premises - lease payments were not taxation, even if the Crown was the landlord. The only taxation involved was the assessment on stock.

3 W.R., April 13, Aug. 3, July 5, 1844 - 1/10 of quit rents and slightly more than 1/10 of interest payments.

4 W.R., April 13, 1844.

control of Crown lands for support of police and jails[1] were also attacked as fallacious.

When the Purchase Regulations[2] were released, Duncan felt they provided an ideal answer[3] not only to the problem of affirming the Crown's right to dispose of the waste lands[4] but also to the "moral problem" of squatting. By forcing purchase of a homestead block, and subsequent purchases at eight year intervals they would ensure improvements in living conditions. He hoped that personal residence would be obligatory; that it would prevent absentee landlordism[5] and

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1 W.R., Aug. 10, 1844. The so-called "compact" was made without proper authority and in any case Bourke's following despatch expressly safeguarded the Crown's primary right to the control of Crown lands.

2 Buckley, op. cit., p. 179, 185-6. The Purchase Regulations were published unofficially in the S.M.H. of May 13, 1844. They suggested that every licensed squatter, after a period of five years, should be allowed to buy not less than 320 acres as a homestead block. This purchase would secure him the undisturbed use of the rest of his run (20 sq. miles) for eight years, after which he would have to buy another 320 acres to continue the immunity. The £10 annual licence was of course unaffected by these regulations. However, the squatter who paid only the licence and did not buy land at the eight year intervals could have part of his run offered for sale to others at auction at any time. Buckley points out that for a large squatter, like Ben Boyd, these Regulations would have entailed buying homestead blocks on at least 60 stations as defined by the previous regulations of April 2 - i.e. a cost of at least £19,200 in eight years. The license was already far in excess of the amount he paid when there was no set definition of a run, before the Occupation Regulations. The Purchase Regulations made costs rise astronomically.

3 W.R., May 25, 1844. Later he wrote that although not perfect the Regulations were just in principle. See also W.R., Jan. 11, 1845.

4 W.R., May 25, 1844.

5 W.R., May 18, 1844.

with it, some of the "barbarism" of up-country male life divorced from civilizing association with women and children, education and religion.

Duncan also hoped that, by enforcing sale of blocks additional to the homestead block, the regulations would lead to a fuller use of the land.[1] In the squatters' objection to the cost and insecurity of auction under the terms of the 1842 Land Act, he saw a chance to raise support for his own view that land should be sold at a fixed price[2] - although he now thought the price should be reduced to 10/- per acre.[3]

In K. Buckley's reinterpretation of the opposition to Gipps' Squatting Regulations which revised some conclusions of Professor Robert's pioneer work The Squatting Age in Australia (1935) we read:

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1 W.R., May 25, 1844.

2 W.R., May 25, 1844, July 19, 1845. Duncan could not help pointing out that some two years earlier he had stood alone, except for one other voice, (Macdermott's), at the landowner meeting which had objected to the fixed price principle of Lord John Russell's proposals. W.R., July 19, 1845. Since pre-emption involved fixed price arrangement, Duncan took the opportunity of pressing for a general system of fixed price sale.

3 W.R., May 18, 1844. Duncan also argued that the cost of these blocks would not be great if the occupying squatter bought the land, for the value of the improvements would be deducted from the price. This was, however, a fallacious argument as the improvement deduction applied to the situation in which the occupying squatter was outbid. Then he received the value paid for the improvements as a rebate from the Crown. Duncan later realised this. (See W.R., July 5, 1845).

> The real key to the situation in 1844 lay in the fact that virtually all the landed interests were hostile to one aspect or another of Gipps' land policy. They sank their mutual differences temporarily in a furious onslaught on every grievance connected with the land.[1]

This highlights Duncan's perception of the issues at stake, for Duncan, who supported Gipps in many of the policies in which he roused the graziers' wrath,[2] was well aware of the combination of conflicting interests in the opposition. Like Buckley Duncan also realised that "indebtedness was the key to the economic situation in 1844".[3] The pastoral industry was passing through a period of stress occasioned by the depression and many land speculators hoped to recoup their losses through squatting[4] - hence their opposition to

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[1] Buckley, op. cit., p. 411.

[2] E.g. W.R., Aug. 31, 1844; Sept. 6, 1845. Buckley, op. cit., pp. 403, 405-9. The collection of quit rents, the strengthening of the Commissioners for Crown Lands within the Nineteen Counties; and the establishment of District Councils, were the main contentious issues.

[3] Buckley, op. cit., p. 181.

[4] W.R., April 27, 1844. March 25, Sept. 6, 1845. Duncan argued that squatters who lived on their runs could afford the increased fees. Absentee squatters who were business or professional men running inefficient concerns, land speculators who wanted to recoup their losses, or landowners who wanted support in their own battle against quit rents, formed the bulk of the unreasonable opposition.

Gipps' regulations. Thus Duncan considered that the battle was "mainly a contest between a few half-ruined monopolists ... (and the Crown); between justice and injustice and between morality and vice."[1]

Duncan seems to have been more determined than Gipps[2] to exploit the rifts and publicise the differences that could occur in a combination of interest based on a transitory economic situation. The difference between the small and large squatters, which early became apparent at the public meetings[3] was constantly displayed. Duncan tried to make the smaller squatters aware that they were strengthening the competition against themselves by objecting to payments in proportion to the size of holdings.[4] Affairs in Port Phillip illustrated that squatters could sell or lease the rights to parts of their runs at a price which put them in active competition with those who owned land and had paid a minimum of one pound per acre. Duncan hammered at the danger landowners faced when they supported the cheaply gained security of lease tenure.[5]

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1 W.R., April 13, 1844.

2 Buckley, op. cit., p. 192. Buckley claims that Gipps' failure to exploit these differences was partly the reason for the failure of his land policy.

3 W.R., April 13, 1844. H. Macdermott spoke of this difference of interest at the first meeting called by the Pastoralist Association. Duncan gave his friend's speech good publicity.

4 E.g. W.R., April 27, May 4, 1844; May 10, 1845.

5 W.R., April 26, 1845.

The Register matched logic with ridicule in its attack,[1] as Duncan tried to bring the non-grazier groups in the community to see that the squatter "robbery" could mark the end of hopes for a systematic plan of colonization. "To merchants, farmers, and shop-keepers" - "many of our best friends" he addressed an appeal that they should not shortsightedly identify their immediate interest, in the encouragement of wool growing, with the permanent destiny of the colony, and its future attractiveness to immigrants.[2]

It was not until The Atlas with Robert Lowe as its editor, appeared in December, 1844, that the squatters had an advocate who could match Duncan's skill. The Atlas tried to force the Register to drop its charges about the "wholesale robbery" contemplated by the squatters, and insisted that the agitation was essentially concerned with fixity of tenure and reasonable pre-emptive rights. Duncan's bias is indicated by the fact that he thought pre-emption was satisfied by the Purchase Regulations;[3] when Gipps was later took a

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1 A series of political satires - "Squatters Songs" and "Sonnets for the Squatocracy" appeared in the Register of 1845. Possibly they were written by Harpur.

2 W.R., April 13, 1844.

3 W.R., Feb. 22, 1845. The tenor of the Regulations indicated the Government's concern for squatters!

conciliatory view of this issue Duncan felt he was weak![1]

Duncan was particularly afraid of long term leases and their power to undermine the Crown's right in land. He was certainly aware of pressure exerted for long term leases in London and attempted to take the fight onto this front in his letters to Francis Scott, MP, the Legislative Council's parliamentary agent in England.[2] In these, Duncan argued bluntly that Scott was allowing himself to become the tool of a faction who wanted control of the Crown's patrimony to the ultimate detriment of the fruitful development of the colony.[3] Duncan believed that his letters and journalism had had some effect on Stanley's unwillingness to concede the demands of the Ben Boyd pressure group in England in 1845, and it was certainly true that Stanley read the Register despite Ben Boyd's attempt to prevent it.[4] At the time when The Register closed Stanley hadn partly thwarted the demand of

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[1] W.R., July 19, Aug. 9, 1845. Gipps withdrew his active opposition to the pre-emption demand. See also Buckley, op. cit., p. 190. According to the draft regulations of the Executive Council late in 1845, pre-emptive right was attached to the purchase of the homestead block if the buyer was the last occupant of the run.

[2] Ibid., p. 191. Francis Scott led the deputation in favour of the squatters' interests which met Stanley in June 1845.

[3] W.R., Oct. 26, 1844; Jan. 11, 1845.

[4] W.R., July 5, 1845. Gipps to Stanley, April 17, 1844, appended copies of the Weekly Register. Boyd had omitted it in his selection of colonial newspapers. Duncan considered Gipps' action a "great honour".

the London pressure group for 21 year leases - at least he insisted these be bought at auction. The "squatters' leaders considered this offer to be as unsatisfactory as compulsory purchase of homesteads"[1] and Duncan, although he thought too much had been conceded, believed that the Squatters would have probably been better off had they accepted the 1844 regulations. Duncan took solace in the fact that annual payments for the lease would ensure recognition of the Crown's right and that insecurities of auction would force those who wanted real security to buy land.[2]

As for Duncan's success in the colony, the Register provides a running commentary on the support there for the anti-squatting view. Duncan was the only public journalist who consistently supported Gipps throughout the debate. A little over a week after his first Regulations were published, Duncan had put his full force behind them although he admitted he felt some qualms at his isolation when he saw a meeting composed of "the whole wealth, talent and respectability of the colony opposed to us."

During the following week, however, Duncan claimed that a number of people were impressed with his arguments:

> for no sooner was our article read, than we were favoured with expressions of marked approbation from persons of the highest character in the colony, from

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1 Buckley, op. cit., p. 191.

2 W.R., Nov. 22, 1845.

> members of the new and old legislatures - from merchants, lawyers, landholders - aye, and from extensive squatters .... It was only necessary to dissipate the cloud in which the subject was enveloped at the Royal Hotel and present a plain statement of the facts, in order to rally those who had not suffered their reason to be led captive, and to lead others less acute to a just conclusion; and seldom have we witnessed a greater change of opinion within a few days, than has already taken place.[1]

This was somewhat optimistic! In October 1844 the petition, disclaiming the offensive imputations to the Secretary of State for the Colonies in the Report of the Committee on Land Grievances, found only 210 signatures.[2] In the following month Duncan appealed with some desperation to the colonists who opposed the Squatters to make their views felt, for unless the British Government was made to realize that the squatters' views were not the views of the whole colony, it could not be expected to hold out in opposition forever.[3] Since, as Duncan pointed out, the squatter interest controlled the legislature, most of the colonial press, a parliamentary agent in England and now proposed a paper of their own (the Atlas) they were in a strong position.[4]

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[1] W.R., April 20, 1844.

[2] W.R., Oct. 12, 1844. Duncan took a part in organizing this petition. It was available for signing at the Weekly Register office and certain Banks and was presented to the Governor on Nov. 30, 1844.

[3] W.R., Nov. 9, 1844. This was on the publication of Cowper's Bill which Duncan felt granted the squatters' case for "no fee, rent, assessment tax or other payment....except an assessment on stock sufficient...to defray the expenses of the payment of the salaries of the Commissioners and police."

[4] W.R., Nov. 9, 1844.

By March 1845, however, Duncan was happier. He diagnosed a swing away from the squatters among "the more intelligent and reflecting classes of the colonists,"[1] which was mirrored in a section of the press.[2] Nevertheless many small squatters, land-owners and merchants still did not recognise that the squatters opposed their real interests! In April 1845 Duncan felt that it would perhaps take another year to bring the majority around to the anti-squatting view,[3] but by September he was fairly confident that, if put to a test, the majority of the colony would oppose the squatters,[4] and that the battle had been won. In fact, he was a little too optimistic because the final stages of the conflict had yet to be played out in England. When they were[5] it was too late for Duncan to comment on the result in the

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[1] W.R., March 8, 1845.

[2] W.R., April 19, 1845. The Maitland Mercury, the Port Phillip Patriot and The Australian articles by E.J. Hall. Duncan noted the support of the Mercury in the W.R. of Nov. 9, 1844. It was editied by his ex-employee, Richard Jones of the Mechanics Association.

[3] W.R., April 19, 1845.

[4] W.R., Sept. 6, 1845.

[5] Buckley, op. cit., p. 191. At first it seemed as if a view most unfavourable to the squatters would prevail. Hope's Bill of 1845 intended to give the Governor power to grant seven year leases without competition. However, it was implied that the leases would only be granted to squatters who made improvements. The Bill was never passed and Stanley's ministry fell in 1845. The Australian Lands Act of 1846 and the Order in Council of 1847 were more liberal-leases of eight to fourteen years were to be granted without competition for £10 p.a. for stations carrying 4,000 sheep.

Register. However, he did comment later, in 1849 and then to the effect that although the squatters had gained more than they expected, the reservations in favour of the Crown and public utilities so complicated administration, that the final outcome might not be so favourable to them. Duncan wrote:

> If I am not mistaken in my anticipations, the day is not far distant when the agitation to recover the Crown lands from the present holders will be as great as that by which they obtained their present boon.[1]

The beginning of the long struggle to open up the lands was here foreshadowed, and in it, during the following decades, the seeds Duncan had helped to sow in the 1840's were to bear some fruit.

Apart from making the obvious remarks about Duncan's perspicacity in identifying, from the beginning, the issues in one of the basic themes of colonial development - the problem of alienated lands - and his characteristic independence in pursuing, even in isolation and economic hardship, the line dictated by his particularly rigid conscience, two general points must be made. The first is that the whole controversy made Duncan unsure that the challenge to define sound principles of colonization - the basis of the better life - could be left to the mechanisms of political democracy. On several occasions

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[1] Duncan, Notes on Ten Years Residence op. cit. p48 By this time also, Duncan had altered his views on the price of Crown lands. He realised that the high price for land protected the leasehold tenure of squatters, and argued that it should be reduced.

during the campaign he had clearly stated his fear of giving the franchise to people (politically) ignorant and naive enough to allow the squatters' claims to go unchallenged.[1] The roots of Duncan's later conservatism lie partly here.

Secondly, and as a corollary to the first point, Duncan came to depend on those he claimed were the "thinking portion" of the urban group. He still thought in 1845, in terms of "the people" against "the oligarchy" (although it was a larger oligarchy than in 1839) but he no longer optimistically eulogised the intelligence and moral stamina of the new immigrant and operative group in the same way. Duncan was now inclined to think that it was with the educated, or at least the "thinking" group of the middle class, that hope for the future lay.

In thus orientating the Register's appeal to this group, Duncan played no small part in the conversion of the middle classes to an anti-squatting position. It was this development, as T. Irving notes, that provided the main link between the radicalism of the forties and the liberal politics of the following decades.[2] Duncan was a crucial

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[1] W.R., Jan. 27, 1844. Duncan pointed out that an uneduated electorate which is swayed by immediate and selfish considerations becomes a mere tool in the hands of any competent politician, and could jeopardise the whole future development of Australia. See also W.R., May 4, 1844, Sept. 6, 1845.

[2] T.H. Irving, "Some Aspects of the Study of Radical Politics in N.S.W. before 1856." Labour History, November 1963.

figure in the transition.

This chapter has now considered a large number of inter-related issues concerned with land and labour legislation in N.S.W. between 1839 and 1845. In some, Duncan's views were largely implemented (e.g. in the Master and Servant Act), in others they were rejected (e.g. in the demand for concerted and systematic measures to bring about small scale settlement). More often he found himself taking solace in the fact that the British Government's piecemeal and compromising procedures refused to grant the complete wishes of the colonial "oligarchy" (as in immigration, land sales and squatting). We have not looked closely at the political factions with which Duncan was associated because the picture will emerge more clearly in a later chapter, and because throughout this chapter the main aim has been to examine Duncan's answer to the basic question posed by the state of flux in which he found N.S.W. affairs at the time he gained a public platform. The question was: what kind of a social structure should the new free colony build with its flood of free immigrants? Duncan's answer was emphatic. It should built neither a penal nor a planter colony with their inevitable class dominance by a powerful oligarchy. It should provide a small man's frontier, where the British worker was treated with due respect and where the prospect of "comfortable independence", on a family farm, in concentrated settlements, was a

real possibility for the immigrant of small means or the worker who saved.

There are numerous comments we would like to make at this stage on the consistency, political appeal and appropriateness of Duncan's blueprint for N.S.W. society, but they are best reserved until we have looked at one further aspects of his radical programme.

(iii) Education and Culture

The final element in Duncan's programme which was intended to contradict the penal or plantation ethos was his insistence that education and the cultural arts should be fostered in Australia. It may seem strange to include this area of his activities in a chapter which has hitherto been concerned with land and labour policies, but in fact, the basic rationale is inter-related. As Duncan in fact admitted, he knew little of economic matters and the focus of his whole programme was on "moral and social conditions".[1] Where convictism and up-country pastoral life were assumed to be synonymous with "barbarism" in society, fair treatment for the workers, concentrated settlement of independent small agriculturalists, and intellectual cultivation were, alike, remedies. Moreover, the latter two went together, for concentrated settlement was almost a prerequisite to providing educational amenities.

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[1] A.C., June 18, 1840.

Far from accepting that intellectual refinements were a luxury in a new society like N.S.W., Duncan affirmed just the opposite:

> As we have none of those feudal, patriarchal or spiritual ties which bound men together in Barbour's[1] times we can only hope to transmit to future generations that freedom of which we boast and which we seek to extend, by conferring on our youth a sound moral and intellectual education.[2]

Education was to serve the free society envisaged by Duncan's programme as a cement to a social framework where traditional cements were missing. It would be a source of common pride among patriots who were concerned with the repute of their society in the Antipodes,[3] and not contaminated by the exploiting attitudes of the penal ethos. Above all, it would be an inducement to social responsibility in a society in which Duncan feared ignorance and private materialistic pre-occupations threatened to override the common good.

Duncan's conviction that it was "the people", who in responding to the rest of his radical programme, would also respond

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1 The poet chaplain to David Bruce.

2 W.R., Jan. 27, 1844.

3 A.C., April 7, 1840. The alternative accepted by non-"patriots" was for N.S.W. "to remain in darkness and ignorance, and a by-word among nations". Duncan no doubt had in mind the colony's convict origins and its reputation for vice. Although understandably, in view of his emancipist backers he did not stress the point, he clearly hoped that education would amend some of the effects of convictism on the poorer population (see A.C., April 14, 1840, Jan.12, 1841.

to his advocacy of education, was influenced by the rose-coloured glasses through which, at first, he had viewed colonial conflicts as a simple dualism - the majority against the corrupt elite. We have already noted his adamantly jaundiced view of the moral and intellectual attainments of the latter and his exaggeration of immigrant qualities. Thus, although Duncan accepted the contemporary view[1] that materialism, was the dominating feature of colonial life, obliterating public spiritedness[2] and concern with intangibles (in such matters as education)[3] at first he blamed, not the apathy of the "people", so much as the philistinism of the Anglican and Pastoralist elite, for the failure to deal with the problem of creating an acceptable education system.[4] It was the fault of the elite that there was not a strong popular demand for education; Duncan insisted that the people wanted education but:

> they want a leader, and those who ought to be patriots are too much bent upon their own aggrandisement to lead the people to an assertion of their rights.[5]

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[1] G. Nadel, Australia's Colonial Culture p. 35 ff., notes other contemporary views which agreed with Duncan's.

[2] A.C., Aug. 2, 1839.

[3] A.C., Dec. 20, 1839. A.C., Nov. 18, 1841. He attacked the wealthy for their lack of interest in education, even of their own children.

[4] A.C., Feb. 24, 1840. Some of these objected to education for the masses. They preferred "ignorant peasants" ! Duncan's attacks on Anglican opposition to a general system of education have already been discussed in Chapter 3.

[5] A.C., Oct. 13, 1840.

However, as Duncan's disillusionment with "the people" rose to a climax in the squatting issue, his fear of democratic procedures increased, and he insisted that "the people" should be forced to accept education. Thus we find him writing in 1844 that

> as the consequences of the want of education are highly detrimental to the state, the state possesses the right to enforce education.[1]

Duncan was thinking in terms of a system financially supplemented by a central authority where local funds were insufficient; a system universal enough to provide boarding schools in every district for children of shepherds, farm servants, etc.[2]; and one in which attendance was enforced by means of fines according to the pattern of certain Continental systems.[3]

There were not many men with the "requisite education" the "sense of mission" and the necessary "commitment to the new country" to undertake the fight for education in Australia.[4] Duncan was one of the few with all these qualities, and indeed, the energy he put into this battle is one of the constant themes of his life:- one of the strongest connecting links between his life as a radical journalist and his later life

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[1] W.R., July 6, 1844.

[2] V.P. N.S.W. Leg. Council, 1844, Select Committee on Education 1844, Duncan's evidence p. 76. He recognised that this would be too expensive.

[3] W.R., July 6, 1844.

[4] Nadel, op. cit., p. 36 - Judge Windeyer's statement in 1883.

in retirement from active politics. Apart from the fact that he had actually been a teacher, he was widely read in educational debates. He had intelligent and advanced views on the current controversies on educational methods[1] and was more than superficially in touch with English and Continental trends in education.[2] The series of articles which he wrote on the subject of National Education in 1844[3] won him the recognition of being called before the Legislative Council's Select Committee on Education where he argued for the advanced position of a compulsory, single system of education, financed by public funds, with

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[1] E.g. the value of the monitorial system (W.R., July 6, 1844).
- the superiority of the intellectual system over rote learning, according to Sheriff Wood's reforms in Scotland. (A.C., Sept. 3, 1839).
- the need to make education stimulating for the child (A.C., Sept. 3, 1839)
- the necessity of a balanced syllabus including physical training and a broad groundwork in the new sciences. (W.R., July 20, Aug. 27, Sept. 14, 1844).
- the need for a high standard of teacher-training in a Normal school. (W.R., July 20, 1844).
- the necessity of raising the status of teachers to attract well qualified men. (W.R., July 20, 1844).

[2] W.R., July 13, 1844 discusses the Bavarian system, Prussian compulsory education and German textbooks. The education systems of India, Bavaria, Prussia, Austria, Holland, Belgium and America had been touched on in earlier articles in the Chronicle e.g. April 10 and 14, 1840, June 11, Feb. 16, 1841.

[3] W.R., June, July and August, 1844.

organised teacher-training, and salaries adequate to provide a reasonable social status for teachers.[1]

His standing as a contemporary "expert" in educational matters would have been sufficient to have assured Duncan some place in the history of Australian education. However, he has more than this - he has a unique place as the only Catholic to consistently advocate non-denominational education until the 1880's.

Duncan's battle with the members of his own Church for the acceptance of a National Education System and his future role as an educational administrator, we will notice in another place.[2] Let us just notice here that the provision of a National Education System was an essential part of the radical programme, as Duncan saw it, and one in which he was to be particularly disappointed during his time as a journalist. Even though the Education Committee of 1844 had reported in a way favourable to Duncan's views, the Legislature had compromised by trying to introduce the dual system, and even this was put aside by the Governor who refused to form the necessary National Board in the face of denominational opposition. Duncan wrote:

> The only act of the session worthy of being recorded is nullified and our six years' labour in this cause is still fruitless.[3]

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[1] V. & P. N.S.W. Leg. Council, Select Committee on Education 1844. Duncan's evidence op. cit.

[2] Parts III & IV.

[3] W.R., Nov. 30, 1844.

A subsidiary feature of Duncan's educational campaign, which might, at first glance, seem little more than dilletantism, but which Duncan regarded as of great importance, was the encouragement of the cultural "arts" in his journalism. In Duncan's eyes the "barbarism" involved in an exclusive focus on individualist material gain in New South Wales was, both, a barrier to developing corporate interests in the challenge to build a better society for the future, and a source of current inferiority in Australian society. The development of the cultural arts as a means of "civilization" and a source of common pride, was thus a necessary adjunct to his whole campaign.

Nor did Duncan encourage "the arts" simply as a sideline. He, and others with him, regarded the stimulus he gave to local cultural efforts as an important function of his newspapers[1] - Duncan was sufficiently committed to the cause to support literary magazines even if they appeared as partial competitors to his

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1 The Register stressed interest in literature in its title: Duncan's Weekly Register of Politics, Facts, and General Literature. Autobiography, op. cit., p. 75. "The Chronicle also soon became the medium of publication, for whatever the Colony produced of a purely literary nature. The only three individuals who successfully cultivated the muse, Mr. Halloran, Mr. Harpur & Mr. Parkes, though all Protestants, were regular contributors." See also, ibid., p. 72. (Letter from H. Halloran praising this aspect of the Chronicle).

papers.[1]

The significance Duncan gave to this branch of his radical programme is also mirrored in the fact that he actively opposed the exclusive pretensions surrounding the idea of culture for the upper classes. Foreshadowing his later interest in this field, he was active in supporting the extension of library facilities to all classes of the community.[2] He also felt that musical education should be available to the working classes and suggested, apparently unsuccessfully, that the government should use the services of Mr. Isaac Nathan in

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[1] W.R., Sept. 16, 1843, welcomed Arden's Sydney Magazine of Politics and Literature - a monthly.
A.C., Jan. 8, 1842. Duncan regretted that N.S.W. had no journal to compare with the South Australian Magazine. In April 1843, Duncan was associated with W. and W.T. Cape - educationalists; C. Kemp, and J. Fairfax - newspaper owners; H. Halloran, S.P. Hill, R. Lynch, I. Nathan, C. Nathan, C. Prout, J.S. Prout, John Rae, A.M. and Hastings Elwin - poets, musicians, artists, lecturers, publishers; Henry Parkes; James Ironside, Dr. Nicholson, Dr. Lang and the Reverend L.E. Threlkeld, ..."the intelligencia of Sydney!" in supporting The New South Wales Magazine, a Journal of General Politics, Literature, Science and Arts, edited first by T.H. Brain, and later by Thomas Walker of Cambridge and H.J. Thatch of Oxford. (See Normington Rawling, op. cit., p. 93).

[2] A.C., Dec. 19, 1840. This article suggested the foundation of a Public Library - since the Mechanics' Institute Library was too small and the Australian subscription Library refused to become less exclusive. A.C., March 26, 1842. June 30, 1842. Duncan was actively associated in forming a Library for the Drapers' Association. W.R., Feb. 24, 1844. Though disassociating himself from Lang's attack, Duncan agreed that the Australian Subscription Library was too exclusive - this was "unpardonable".

establishing an academy for this purpose, following the precedent of the grant to the Mechanics' Institute. This grant was, Duncan thought, probably the most worthwhile grant given in the colonial budget![1]

Similarly Duncan spoke of the encouragement of a musical performance as a "great national affair, and an object worthy of the attention of the legislature and of the public."[2] He was not just invoking journalistic jargon. He was expressing what he felt was a vital connection between the popularisation of the liberal Arts and his general blueprint for colonial society.

Nevertheless, Duncan's achievement in fostering "the arts" was necessarily modest. In musical matters, he had no little competence himself,[3] and it, no doubt, tickled his vanity to pose as an oracle,[4] However he gave solid encouragement to musicians who tried

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[1] A.C., Sept. 4, 1841. The suggestion was taken up by the Australian Sept. 7, 1841, not initiated by it, as C. Mackerras in The Hebrew Melodist p. 10, suggests.

[2] A.C., Sept. 13, 1839. Also note A.C., Oct. 4, 1839 - a contributed article by Dr. Reid: "Music, although not a recognised agent of political economy, has always exerted a powerful influence over the progressive civilisation of a people, and it is therefore of paramount importance .....in a young country."

[3] E.g. A.C., April 19, June 11, 1842 (Advertisements). During this period Duncan published a number of choral arrangements adapting selections from composers such as Rossini to parts of the Latin liturgy. These arrangements were praised by the Observer.

[4] A.C., Sept. 24, 1839. Mrs. Gautrot had taken his advice not to embellish her singing with trills "and now READS her music. Let her continue to do so and she has nothing to fear."

to supply the colony's wants, such as the Gautrots, the Bushelles, the Dean family, and Isaac Nathan. With the latter, "the father of Australian music",[1] he was even a collaborator on several occasions.[2]

In literary matters, Duncan derived a very tolerant attitude to colonial productions both from the broad sympathies encouraged by Scottish education and the practical need to be encouraging in a colonial climate generally unfriendly to budding literatti.

It was, as he wrote, a principal with him

> that literature, if not positively bad, is relatively good, and therefore is deserving of encouragement; above all in a country which as yet can boast of no native literature, but remains at the end of half a century a complete blank in the republic of letters.[3]

This attitude, though it gave encouragement to ephemeral writings (such as those of Henry Parkes, with whom Duncan initiated

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[1] Mackerras, C. "The Hebrew Melodist" subtitled "A Life of Isaac Nathan, Father of Australian Music".

[2] W.R., Oct. 14, 1843. Duncan was involved in the performance of Nathan's New Opera. See also Mackerras, op. cit., p. 72. Nathan wrote the Music for Duncan's patriotic song "Australia, the Wide and the Free".

[3] A.C., April 14, 1842. For other statements of this principle see A.C., Aug. 7, 1841, May 14, Nov. 5 and 15th, 1842.

an association that was to last throughout his life)[1] also led Duncan to recognise the worth of Halloran and Harpur.

For Charles Harpur, whose poetry Duncan constantly published after 1842,[2] and whom he may have even employed for a while in 1844,[3] this aid was a turning point in the personal fortunes of the first competent Australian poet; it helped to draw Harpur from a fit of deep depression about his failure to make any impact on Australia's cultural development.[4] In 1844 Harpur expressed his gratitude and admiration for Duncan in a sonnet which is worth quoting - though more in indication of Duncan's impact on Harpur than as an example of the latter's skill:

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1 Duncan to Parkes, May 19, 1840, (Parkes Correspondence M.L. A882 Vol. 12) Duncan refused Parkes' application for employment, though because of Parkes' "poetical talent", he would have liked to accept. Later Parkes wrote articles for Duncan, e.g. A.C., May 8, 1842, W.R., Nov. 22, 1845. Parkes also must have sub-edited some of Harpur's productions for Duncan. (See Duncan to Parkes, probably Oct. or Nov. 1845 Parkes Correspondence Vol. A921.) For their later association see Part III, pp. 236, 276-279.

2 In 1845 Duncan also published Harpur's first book of Verse - "Thoughts, A Series of Sonnets".

3 W.R., 1844. (A Series of Satirical Poems possibly by Harpur). Normington Rawling, op. cit., p. 108 also suggests Harpur wrote articles for the Register.

4 Ibid., p. 81. Harpur's biographer thinks that Duncan's recognition of his talents helped open a "new period in his literary life".

TO W.A. Duncan Esq.

In these unprosperous days of this crude state
When needy jobbers in the public weal
Are at the helm, and few who ought can feel
Through private care, for the disastrous fate
Thence threatening the sick land - 'tis comfort great

To all who love their country, thee to find
Its champion still! in mail of thine own mind
Lapped well, and early in the cause and late
And Duncan, still still be it thine to bear
Forward unblenchingly! alone, yet bold
In wisdom's piety and fraternal care!
"Be just and fear not"[1] said the Bard of old,
And truth, the precept hath engraven fair
On thy true heart - a lump of her own gold.[2]

When Nicol Drysdale Stenhouse[3] has gained a place in

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1 A reference to the motto of the Chronicle.

2 Harpur to Parkes August 16, 1844. (Parkes Correspondence) Harpur wrote: "I am afraid it is not so good as it ought to be considering the subject, but I did my best in it to embody... my sense of Mr. Duncan's merits as a public writer. You must get it into the Register. The worthlessness of any praise of mine and Mr. Duncan's modesty will, I fear, stand in the way of your doing so - but you must get over both stumbling stones - that is if you can." See also W.R., Aug. 24, 1844. Duncan's acknowledgement. W.R., June 1845. The sonnet was published without its dedication. Possibly this was at the time of Harpur's quarrel with Duncan over the non-publishing of his play "The Bushrangers" (see Normington Rawling, op. cit., p. 104).
(Note W.R., April 26, 1845 - A similar Sonnet to Governor Gipps).

3 A.M. Williams. Nicol Drysdale Stenhouse - The Study of a Literary Patron in a Colonial Milieu. Stenhouse was a member of the De Quincy circle in Edinburgh, who migrated to Australia at the same time as Duncan and practised in Sydney as a lawyer.

Australian history as a literary patron in the fifties and sixties nurturing the "first generation" of Australian writers, (Harpur, Kendall, Denehey, Rowe etc.) it would be unwise to dismiss Duncan's work in laying some foundation for this flowering in the forties, as of no significance. Duncan played his part in softening the colonial harshness to indigenous literature. Like Stenhouse, he also had an extremely good private library, which he was prepared to lend to the young literatti.[1] However, his influence was neither as deep nor as personal as that of Stenhouse, for Duncan's sensitivity to literature was more shallow and his literary criticism naive. His reviews often did little more than reiterate the substance of a work in question, emphasising didactic situations[2] and pedantic quibbles.[3]

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1 Duncan to Martin, Sept. 14, probably 1839 (Martin Papers). Duncan mentions his booklending. He promised to "recall" a copy of a book which he had already lent and to give it to Martin. See also W.R., Aug. 17, 1844, Sonnet "To W.A.D. Esq, On Returning Collin's History of New South Wales". The theme is the historical destiny of Australia.

2 A.C., Aug. 7, 1841. Here is a good example of a review which, for three columns, merely repeats the substance of the plot. The success of a Catholic priest in consoling a dying wife is highlighted!

3 W.R., Sept. 9, 16, 1843. Review of Tarquin the Proud and Other Poems. Duncan engaged in a controversy with the author about Duncan's criticism of the phrase "Brave of the bravest". Duncan had remarked that it was meaningful to say "bravest of the brave" but "if any meaning can be extracted from the words (used by the poet) we are ready to confess that it is beyond our depth." The author objected to Duncan's well-meant criticism, and Duncan replied sententiously: "such miserable self-conceit can be cured by time and repeated disappointment."

It was history and political science that mainly interested Duncan as is seen in the fact that one of his own creative activities at this time was the preparation of his unpublished Annals of Australia.[1] Essentially Duncan's mind was practical and activist, rather than introspective and affective; moralising and synthesising rather than independently creative; and we put his cultural activities in their primary context when we see them as essentially utilitarian - part of a wider desire to build a better social order in New South Wales. Indeed the two poets with whom Duncan formed the strongest bonds were the ones who shared his committment to the radical cause and both of them - Harpur[2] and Parkes[3] - seemed to see his forte mainly in idealism for the colony rather than in literary perceptiveness. The "grand future and the wonderful changes which a few years would

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1 W.R., Aug. 5, 1843. Duncan was collecting material at this time. He also published Arnoldo and Clara. We will return to Duncan's fondness for the Romantic Revival in Part III, pp. 286, 290.

2 See above, p. 147.

3 Sir. H. Parkes, Fifty Years in the Making of Australian History, p. 9. Parkes' later comment on his association with Harpur and Duncan certainly suggests this: Parkes wrote "they were my chief advisers in matters of intellectual resource and enquiry, when the prospect before me was opening and widening....Even then we talked of the grand future and the wonderful changes which a few years would bring."

bring"[1] formed the basis of many discussions between the three, and possibly also influenced a wider circle of radical "intellectuals" which included E.J. Hawksley[2], Richard Jones[3] and F. Cunningham[4] - all of whom became radical journalists and learnt some of their editorial skills from Duncan.

Conclusion - The Social Blueprint.

Admittedly, many of Duncan's statements about colonial society are conventional, and it is not difficult to find contemporaries who said similar things about the lack of education, the materialism, the barbarism of the interior, etc. Admittedly also, it is not difficult to find other middle class radicals who put forward demands for small scale farm allotments, diversified production, planned immigration,

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1 Ibid.

2 A.C., Dec. 28, 1841. Here Hawksley was identified as a reporter of the Chronicle. He had helped Duncan in his defence of Catholicism. (See above, Chapter 3, p. 56; see also Nadel, op. cit., pp. 20, 102). Hawksley later edited the Chartist newspaper The Peoples' Advocate from 1848-56 - the more radical companion of Parkes' Empire.

3 Heaton, op. cit., p. 104. Richard Jones, a printer by trade, worked on the Chronicle. He later established the Maitland Mercury which was one of the first newspapers to support the Register's anti-squatting position. He became Colonial Treasurer in 1857.

4 Nadel, op. cit., p. 102. Francis Cunningham was also an editor of The People's Advocate who had "gathered ...newspaper experience from Duncan."

education, etc. However, it is difficult to find an immediate contemporary with the comprehensiveness of Duncan's plan for colonial development, or one who presented so clearly the danger of creating a "plantation" type society which might carry over many of the penal mores. Duncan's attitude pinpoints an inherently interesting aspect of the forties radicalism - that it represented a response to the social drama of colonization from the viewpoint of the "smaller men" who had accepted the challenge to make a new society in N.S.W. just when the penal order was to be replaced.

There is a passage in Duncan's later Notes on Ten Years Residence in New South Wales which symbolises many of the points we wish to make about the nature of his answer to this challenge in the first half of the forties.

Reflecting on ten years experience in N.S.W., perhaps with a slightly exaggerated optimism directed to the future immigrant, Duncan wrote that, although N.S.W. was still an "infant state" with its "energies all almost engrossed in pastoral occupations", it offered the hope of providing a better life than the old world. He continued:

> It is not for us to attempt to remove the veil which hides futurity from the deepest penetration; but it is impossible to contemplate the origin of that colony - its wondrous progress amidst unprecedented disadvantages, arising from the preposterous attempt so long preserved in to people it with felons - its present state, which whether morally or politically, scarcely exhibits a trace of its first origin - the vast extent of its wealth, compared with its population - the early and successful

> introduction of responsible government - the extent of its provisions for religious instruction - the concurrence of its government and legislature in a desire to ameliorate its educational institutions - the great extent of its undeveloped resources - and the happy mixture of Gothic and Celtic races, which compose its population; - it is impossible to reflect on these facts without forming a conclusion that Australia is destined to be the theatre of important events in future ages; and there is some consolation in the reflection that if the old governments of Europe and their time-venerated institutions are waning in the natural decay of all human things, there are new societies and new institutions arising in other parts of the globe, in all the vigour of youth - countries in which the peaceful lovers of commerce may, far from the noise of war and the concussion of revolutionary movements, pursue their humanising avocations, and in erecting the social fabric, where but yesterday there was naught to be gazed upon but a vast and unproductive wilderness.[1]

Here we have again the basic premise of Duncan's idealism for the colony - the belief that N.S.W., if the penal ethos could be erased, would present something of a "tabula rasa" on which to build a new society free from traditional inertia. The radical programme, in Duncan's mind, was clearly a true response to the natural challenge of colonizing the "wilderness". In fact, however, in insisting that colonial enterprise should be a "humanising avocation" according to his own idea that concentrated settlement, small scale diversified enterprise and intellectual cultivation produced the best moral life, Duncan was trying to place colonial enterprise in a strait jacket - a strait jacket which denied many of the natural challenges of a

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[1] Duncan, op. cit., Notes on Ten Years Residence..., p. 150.

frontier civilization. In objecting to the barbarism of the pastoral industry and in suggesting that it should be discouraged, Duncan seemed to forget that he was objecting to the unique economic feature of the colony which was the main stimulus to its development. In insisting that education should be available to all, Duncan denied an obvious truth, that in a young society almost necessarily absorbed in money-making, there was little leisure for such pursuits. Thus in many ways the radical programme denied the challenge of natural elements in the new situation. It was conservative and traditional when it most pretended to be radical and new.

The conclusion that must inevitably be drawn is that Duncan's radical programme was not essentially a feasible political programme based simply on a direct response to a new situation. Although, in specific issues, e.g. some immigration issues, the Master and Servant agitation, and the demand for small farms, Duncan struck the chord of the basic immigrant desire for "self-improvement",[1] his programme as a whole was a moral statement about the nature of the good life based partly on a priori judgements which had little to do with local or natural forces.

We have already noted the traditionalist aspect of Duncan's faith in a small farming society and its tendency to a morally based anti-capitalist stand. In the punitive overtones of his insensitivity to

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[1] Irving, op. cit., uses this term.

pastoralists hit by the depression, and in the belief that the depression would teach the superiority of thrift and hard work over speculation and luxurious living[1], I think we also noted, in conjunction with his self-confessed economic ignorance[2], the voice of moral self-righteousness which colours much of Duncan's social journalism. The moral aspect of what he considered was a good life was always the final arbiter of his social opinions, and even his adamantly protested adherence to "laissez faire" was capable on occasion of bending to its demands.[3] Unconsciously, no doubt, the whole immigration aspect of Duncan's blueprint was a betrayal of laissez faire for although he would not allow the pastoralists to manipulate immigration in the interest of establishing a "plantation" social structure, he was prepared to have it manipulated in the interest of placing colonial enterprise in the straight jacket of a small farming

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1 See p. 180. W.R., Nov. 4, 1843, Jan. 6, 1844. Note also A.C., Oct. 28, 1841. - Duncan condemned boom speculation, luxury-living and idleness.

2 A.C., Dec. 1, 1840. Duncan admitted his lack of knowledge about finance.
A.C., June 18, 1840. Duncan remarked that his observations on the colony were chiefly confined to "moral and social conditions".

3 E.g. A.C., April 15, 1841. In relation to the journeyman Baker's dispute, Duncan affirmed his belief in "the equitable rate of wages as fixed by supply and demand" but then objected to the rate offered by employers for "no man can support a family comfortably on that sum".

community.

T.H. Irving's re-interpretation of the eighteen forties' radicalism, insists that the role of imported ideas, especially Chartist ideas, has been over-emphasised; and that except for a few "speculative publicists" the colonists were not interested in doctrinaire ideas. They were interested instead to defend their right to present employment and future independence in their demands for small farm allotments, diversified production, planned immigration etc.[1] Granted - yet Duncan's case modifies the picture built up by Irving's subsidiary argument in which he states:

> we know of no immigrant whose motives for immigrating were overtly political - to found a better order of things for the 'useful classes' which had failed to materialise after the Reform Bill.[2]

Certainly we have no direct evidence to say that Duncan came with a mission as Irving defines it, but, nevertheless, he appears to have been attracted to N.S.W. specifically because of the advanced nature of Bourke's religious equality legislation.[3] Once here he so rapidly identified himself with the foundation of a "better order" that we might assume that the idea had taken some shape in his mind before

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1 Irving, op. cit., p. 18.

2 Ibid.

3 See Chapter 2, p. 32. Most of the short biographical accounts give this as Duncan's motive for immigrating, e.g. Heaton, op.cit., p. 59. See also A.C., May 24, 1842, Duncan would leave if these measures were subverted.

he arrived. It is to Duncan's Scottish experience that we must look for the source of many of the ideas he transported, sometimes inappropriately, to N.S.W.

It was possible to be "doctrinaire" in ways that did not depend on "speculative theorists", and it is interesting to note that in a passage in which Duncan insists most on the non-doctrinaire nature of his thought he also indicates the connection with his Scottish background:

> Having been constantly before the public as a writer for the last twelve years, four of which have been spent in New South Wales, my politics... (are) generally known. They have been less regulated by the theories of any of the great political schools, ancient or modern, than by an innate desire to contribute to the advancement of the physical, moral and intellectual condition of THE GREAT BODY OF THE PEOPLE. With this view, I have uniformly opposed CLASS LEGISLATION of every kind; believing it to have been in all ages one of the greatest evils that has afflicted society.[1]

The principle of opposition to class legislation was, as we have seen, linked with a number of issues in which Duncan was interested in Scotland.[2] Franchise reform in the 1832 Reform Bill and in Aberdeen municipal government, and the removal of unequal legislation against Catholics are only the most obvious of these. Opposition to class legislation was a typical radical Tory concept, and

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[1] W.R., July 29, 1843.

[2] See Chapter 2, pp. 29-30.

in its application to N.S.W.'s affairs it is likely that Duncan was simply transposing colonial landowners for aristocratic oligarchies at home.[1]

Secondly, it is probably not far-fetched to suggest that in projecting for N.S.W. a society in which small farms dominated the rural scene, Duncan was in fact partly thinking of an idealised picture of his own background in Aberdeenshire, also a society in which independence was valued, and in which extremes of wealth and poverty were not marked. Finally, in postulating that elementary education should be available to all in N.S.W., was he not also thinking of the example, again idealised, of the Scottish parochial system? Certainly when it came to providing precedents for this universal elementary education he had this system clearly in mind.

Thus we can hardly escape the conclusion that Duncan's Scottish experience, even if it was idealised in retrospect, helped to precondition his moral views on the nature of the good life.

When one has understood Duncan's a priori and moral commitment to a certain social order, one is in a better position to understand the naivity of many of his political judgements - his extravagant hopes that "the people" would effectively support his

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1 Hume, op. cit., p. 273, suggests that the dualistic pattern of radical political assessments in the colony was thus derived.

programme, and his blindness to the sectional interests which divided them. Since this is most clearly seen in relation to the constitutional debate, we will pursue it in the following chapter.

CHAPTER 5

The Radical Programme - The Constitution.

(i) The Buoyant Phase: Radical Initiative.

Duncan's analysis of the colonial situation remained simple and dualistic during his first two years as a colonial journalist. On one side he saw the "people" on whom rested the challenge to build the "better life". On the other were the old colonial Anglican elite, anxious to maintain their dominance of penal days by permanently subjugating the "people". The elite were numerically weak, but voluble and powerful in England; the "people" were apathetic, misinformed and in danger of being split into emancipist and immigrant factions in the forthcoming battle. The task of the Chronicle was to strengthen the ties of the popular group and to publicise the advantages of fairly democratic, responsible government which would destroy the power of the "Tories".

After an initial and somewhat academic incursion into political theory,[1] Duncan settled down to his appointed task. His

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[1] E.g. A.C., Nov. 5, 1839. - Duncan engaged in a loose discussion of the "natural and indefeasible right" to be allowed a voice in government; of "privileges inherited from British ancestors and guaranteed by that constitution;" and an analysis of the evils of despotic government that might have come straight from the pages of a medieval textbook: "the only objection to this system, but it is an objection which destroys all its beauty, is that princes are

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first somewhat naive proposal that the Australian Patriotic Association open its doors and become a mass party on the model of the popular movement in Ireland, failed to draw a response from its leaders.[1] Despite Duncan's optimism that the apathy of the main body of the people was due merely to their lack of leadership, and that "now, or probably never is the time to obtain freedom ... and a free constitution for Australia,"[2] he had to settle down to the more immediate business of defending the emancipist claim for full political equality.

Since Duncan himself did not have a very high opinion of emancipists as a class;[3] since he admitted that ten years earlier, when emancipists were a majority of the free population, he would not have accepted this brief;[4] and since he did not envisage that emancipists who had not established their respectability would have the

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not generally talented and good, and the same power which is prompt to effect good in the hands of a good ruler, is also ready to effect evil in the hands of a tyrant." See also A.C., Sept. 24, 1839 for the beginning of a series of articles on the development of the English Constitution from the Witera-gemot. The articles purported to be preparatory to self-government!

1 A.C., Dec. 31, 1839, Jan. 21, Feb. 7, Feb. 14, March 10, Oct. 22, 1840.

2 A.C., Dec. 31, 1839.

3 Autobiography op. cit., p. 53. He never mixed with the emancipist proprietors of the Chronicle socially. A.C., June 21, 1842, He had little personal intercourse with emancipists.

4 A.C., Sept. 1, 1840. See also Autobiography, op. cit., p. 58.

audacity to offer themselves as political candidates;[1] it could be expected that his vehemence in this cause was essentially "politique".

The issue was raised in late 1839 by Buller's Bill, which did not envisage exclusion and hence roused exclusive criticism,[2] and by the Municipal Bill of 1840, in which the first draft did seek to exclude emancipists. The Governor quickly amended this last provision so that exclusion did not apply if the individual had received a free pardon or if his sentence had expired for seven years or more. When this clause was then expunged, chiefly by the influence of official members, a petition to exclude emancipists as council members was raised by the exclusive faction. Gipps then withdrew the bill for the consideration of the Secretary of State rather than risk an open battle.[3] Duncan regarded this as a great victory.[4] Meanwhile, James Macarthur had suggested a census be taken to determine the number of emancipists, and since this made it necessary for emancipists to declare themselves, Duncan thundered against it, declaring the census

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1 A.C., June 6, Aug. 18, 1840.

2 A.C., Dec. 13, 1839.

3 A.C., May 29, July 23, Aug. 15, 1840.

4 Autobiography, op. cit., p. 60. "It is almost beyond a doubt that but for my opposition to those clauses the bill would have passed in its original shape and that no emancipist in the colony would have had a vote in the elections" - a somewhat extreme judgement!

to be illegal - an opinion shared by Judge Stephens but not by Gipps. Duncan also took a lead in refusing to answer the obnoxious questions.[1]

Opposition to the emancipist claims thus came mainly from the exclusives in the colony. Official policy was weighed on the emancipist side, and although Duncan produced the whole gamut of arguments about the injustice[2] and shortsightedness[3] of exclusion, he was chiefly interested in using the issue to weld a radical alliance between the new immigrants and the emancipists, against the old colonial elite.

The strategy of the campaign involved a systematic denigration of the exclusives, for in pursuance of the argument that it was impossible to distinguish publicly between those who have expiated for their crimes (sometimes political offences) and others who were simply undetected in their misdoings,[4] there were numerous

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1 Ibid.

2 A.C., Dec. 13, 1839; Jan. 28, May 29, 1840. British justice normally returned the rights of citizenship once the penalty of the law had been paid.
A.C., Jan. 28, June 2, 1840. The British government had encouraged emancipists to make the colony their permanent home and had used the land fund, to which they contributed, to bring out free immigrants. It would be unjust to give them a second class citizenship below the level of these new immigrants.

3 A.C., March 17, Aug. 20, 1840. Exclusion would create an emancipist interest, which would be a permanent sore in Colonial politics. A.C., Dec. 8, 1840. Exclusion would drive many emancipists with their capital from the colony.

4 A.C., Dec. 13, 1839.

sidethrusts at the "crimes" of exclusives: speculation, and business methods which might reduce the colony to starvation; false propaganda about the moral degradation of the colony; and other such examples of lack of public integrity as Duncan defined it.[1] The point of such a strategy was to show the new immigrants that their interest lay also in combating the exclusives. The Chronicle abounded with warnings that the exclusive counter campaign was a strategy of "divide and rule", for the "Tories" planned to raise "themselves above their fellows" by creating these "distinctions of castes"[2] Repeatedly Duncan identified the interests of the new free immigrants with those of the emancipists in their struggle against the elite:

> May not the injured emancipists...congratulate themselves that their indefeasible claims to the rights of British subjects are only opposed by those who would also reduce the great bulk of the Immigrant population to the rank of slaves in the land of their adoption?.... May they not rejoice that their enemies are only to be found among the magistrates dismissed for gross immoralities[3], or among the defenders of aboriginal massacre[4], or among the rejected divines of the Anglo-Australian Church?"[5]

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[1] A.C., Jan. 24, 28, Feb. 4, March 28, 1840.

[2] A.C., Jan. 24, 1840. See also A.C., Jan. 28, and Feb. 4, 1840.

[3] A Reference to the Magistrate Slade. See A.C., Jan. 24, 1840.

[4] Duncan was very sensitive to the mistreatment of Aborigines, and tended to lay the blame at the feet of the Colonial elite. For his later interest in the Aboriginal problem see Part III, pp. 241-250.

[5] A.C., Jan. 24, 1840.

In return for immigrant support Duncan hoped that the emancipists would support the demand for a wide franchise, which, at this initial stage, was an essential feature of his radical programme. In the crude dualism with which he viewed the colonial scene, Duncan believed that little good could come from the "colonial tories" - their primary concern to maintain their dominance born of penal days was manifested in moribund policies.[1] Any misgovernment, from the incidence of bushranging, the maltreatment of blacks or the failure to educate, Duncan laid at the door of the elite.[2] The "people", on the other hand, represented a majority, "unbiased by party feeling",[3] receptive to the nascent patriotism of the radical challenge;[4] even their seeming political apathy was primarily the result of the Council's denial of "the oxygen of the political atmosphere; self-government" ![5]

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[1] A.C., Sept. 15, 1840. Duncan exclaimed in exasperation..."Does it ever strike Mr. Macarthur that there are other things which demand his attention as a native Australian?" The Anglican blocking of education proposals, the aboriginee problem (there had been several reports of blacks being murdered) and the problem of a "people" deprived of "natural rights" by unpatriotic" exaggerated statements" in England, were the immediate problems Duncan felt Macarthur might give his attention to.

[2] Ibid.

[3] A.C., June 18, 1840.

[4] The "Tories" were constantly represented as being unpatriotic in their criticism of the "moral" state of the colony. This has already been noted in Chapter III p. 62.

[5] A.C., July 29, 1841. See also, A.C., Sept. 17, 1839.

In believing that the wealthy emancipists would follow his lead in attacking the various narrow franchises proposed in 1840 (notably in the Municipal bill)[1] as measures to "perpetuate the divisions of caste",[2] or to "establish" a rotton irresponsible trusteeship",[3] Duncan somehow expected that they would accept his denigration of wealth as a basis for political power, and also the corollary that more recent immigrants, though less wealthy than the old recipients of free grants, were "in every other respect better qualified to discharge the duties and wear the honours of free institutions."[4] It was something of a tall order!

Although fearful that the "Tory" arguments about the moral degeneration of the colony and its consequent unfitness for representative government would have effect in England, Duncan, at this early stage, put great faith in Lord John Russell, as Secretary of State for the Colonies.[5] However, when his measure, subsequently

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1 A.C., May 29, July 7, July 30, 1840; respectively, the Municipal Bill, a Bill to Authorise the Election of Commissioners of Police and Public Works, and another bill to provide for public roads. All included a high franchise. See also A.C., Dec. 13, 1839. Buller's proposals suggested a £10 franchise instead of the £5 franchise hitherto suggested by the A.P.A. Duncan was relatively happy with this since it approximated to heads of households.

2 A.C., July 30, 1840.

3 A.C., July 30, 1840.

4 A.C., Aug. 6, 1840.

5 A.C., March 10. July 7, 1840.

abortive, for representative government appeared, Duncan was disappointed.[1] He realised that the issue could not be won as quickly as he had hoped, and the Chronicle reflects a certain disillusionment that marks a first step in the gradual breakdown of the premises on which Duncan's optimism was based.

He had clearly exaggerated the case of a developing popular party, and his eulogies of the virtue and intelligence of the new immigrants were not being confirmed in political activity. During late 1841, Duncan became increasingly impatient with both popular apathy in the colony[2] and the disinterest of British politicians who were prepared to leave the affairs of N.S.W. to "Mr. Mother Country".[3]

Nor was the adjustment of colonial forces as simple as Duncan had first thought, for already in May 1840, James Macarthur, Duncan's chief "bête noir" among the old colonial elite,[4] had shown signs of the "volte face"[5] by which he was to become an advocate

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[1] A.C., Oct. 22, 1840.

[2] A.C., Oct. 13, Nov. 12, Dec. 16, 1841.

[3] A.C., July 24, 1841.

[4] A.C., May 15, July 23, Aug. 6, Oct. 27, 1840.

[5] A.C., May 15, 1840, Duncan was suspicious of Macarthur's announced intention to support a "free and elective legislature", and of the rumour that he would support emancipists.

of self government as a means of withstanding some of the home government's policies.[1] In fact, throughout 1840 and 1841, certain economic issues, such as the land question and the need for cheap labour to replace convicts, had been drawing the wealthier group together - isolating the wealthy emancipists of the A.P.A. from the group Duncan had felt were their natural allies - the free immigrant operatives.

(ii) Crisis - The Popular Front an Illusion

In January of 1842, Duncan was clearly worried by the drawing together of the A.P.A. and the old exclusives through their common desire to revive the assignment system.[2] February and March were to bring a fatal blow to his hopes, for the events of these months destroyed his belief that political forces in the colony were organised around a simple dicotomy between the "aristocratic", landowning, Anglican clique and the "people".

The petition for representative institutions organised in February and March clarified the situation. Duncan was suspicious when the first notices appeared,[3] and before the first public meeting,

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[1] A.C., Feb. 11, 1841 Macarthur's appeal for a healing of the breach between emancipists and exclusives, for a common onslaught on the British Government's Land policy, was noted by Duncan with fear.

[2] A.C., Jan. 27, 29, 1842.

[3] A.C., Feb. 10, 15, 1842. The meeting was called at midday when shopkeepers, businessmen and tradesmen would be unable to attend; and further, the draft petition which was framed in an aura of secrecy, based its argument on the wealth of the colony instead of the rights of the people.

he had been active in company with a number of liberal - radical lights in drafting an acceptable petition.[1] The group included, H. Macdermott, R. Cooper, T. Chapman, G.R. Nicholls, James Martin, Roger Murphy and Dr. Bland. Bland was the most venerable politician among them and represented the A.P.A.. Nicholls, as an editor of the Australian stood for the middle-of-the-road, emancipist, middle class group which was the principle strength behind his newspaper. Duncan and Macdermott represented the moderates of the radical fringe.

Of the group, Henry Macdermott was Duncan's closest political associate. A Protestant Irishman, later a Mayor of Sydney; self educated and at times belligerent[2]; Macdermott had come to N.S.W. as a Sergeant Major in 1826. Although he had found financial success as a merchant,[3] he had become a most popular leader of

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[1] A.C., Feb. 22, 1842.

[2] W.R., July 6, 20, 27, 1844. Macdermott threatened Lowe with a duel after Lowe insulted Macdermott by saying that he had been black-balled from the Australian Subscription Library. Lowe refused to answer Macdermott's complaint on the grounds that Macdermott's "rank in life did not give him the right to an explanation." The case eventually reached the Council as a matter of privilege. There Lowe described Macdermott, in graphic terms defending his reputation in court, arms akimbo. Macdermott was a prodigious litigent. (e.g. A.C., Aug. 28, Sept. 4 & 14, Oct. 9, 1841 - an Equity Case. Duncan reported Macdermott's success with glee - a man of great integrity!).

[3] Thomas, op. cit., p. 64 for these details.

the operatives in 1839.[1] Like Duncan, he thought in terms of opposing class interest - we have already seen them in action together over the land legislation.[2] Duncan described him as "one who is second to none in every public spirited undertaking".[3] Later the Chronicle was to be criticised as a paper wholly under the control of Macdermott,[4] but Duncan himself insisted that, though he thought it his duty to act with Macdermott in these political struggles, he did not agree with all his opinions.[5]

The new draft based the argument for representative institutions on the rights of free British subjects, and in its preamble contained a criticism of the original draft:

> Your petitioners do not deem it necessary to insist upon the extent of their population, the magnitude of their commerce, and the amount of their wealth, believing as they do that the claim they now urge as subjects of the British Empire is paramount.[6]

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[1] Chapter IV, pp. 46, 62.

[2] Chapter 3, p. 106.

[3] A.C., Sept. 16, 1841. Duncan used this description when presenting Macdermott's letter praising Irish employees to the Meeting to protest to discrimination in Immigration.

[4] Diary of Thomas Callaghan B.A. op. cit., p. 371. (Roger Therry's table talk).

[5] A.C., March 1, 1842.

[6] A.C., Feb.17, 1842. See also A.C., March 31, 1842. Duncan's criticism of the original draft. He objected to the petitioners being described as "the undersigned, Members of Council, Clergy, Magistrates, Landholders, Bankers, Merchants, Traders and other Colonists," because it implied that they "claimed distinctions as a political right and on constitutional grounds ... a proposition alike insulting to the colonists and to the aristocracy of Great Britain".

The public meeting at which the two petitions were presented was a furore,[1] and rebounded to some discredit on the popular faction,[2] which, clearly, neither Duncan nor Macdermott were able to control.[3] Still, at the end, the latter, representing the more moderate wing of the radicals, appeared to be in alliance with Dr. Bland of the A.P.A., who had clashed violently with James Macarthur at the meeting.[4]

The next few days were days of much behind the scene manoeuvre. The original requisitionists presented another request for a meeting to the Sheriff. They had succeeded in attaching a number of "liberal" names to the list but not those of the old leaders of the A.P.A. (Bland and Wentworth), or of Duncan and Macdermott. The non-requisitionists then met at Dr. Bland's. According to Duncan, Wentworth was particularly angry with the conservative faction.

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[1] A.C., Feb. 17, 1842. Report of the meeting. Disorder led to dissolution by the chairman.

[2] A.C., Feb. 19, 22, 1842. The Chronicle answered the Herald's criticism of the rowdy element or "Irish mob".
A.C., March 3, 1842. Duncan was labelled by the Herald as a "Jacobin, Leveller, and Anti Royalist".

[3] A.C., Feb. 17, 1842. M'Eachern divided the "popular" group by introducing the divisive factor of the wide franchise into the meeting, despite Duncan's concern that it be reserved till agreement was reached on petitioning for representative institutions in the first place.

[4] A.C., Feb. 17, 1842. The clash concerned Bland's charge that Macarthur had misled the A.P.A.'s agent in England about the acceptability of the indirect election scheme of 1839.

Eventually a gathering representing all parties agreed on a compromise petition, which simply described the petitioners as "colonists", instead of Members of the Council, Magistrates, Gentlemen, and others.[1] There was to be no mention of the franchise, and Duncan was content that the next public meeting would go smoothly and that the terms of the petition would not prejudice the radical cause when franchise discussions came up.

He was, however, out-manoeuvred. James Macarthur came to town and called a meeting at the house of the emancipist, Mr. Samuel Lyons, (later Duncan's implacable opponent) at which Campbell, Wentworth and Dr. Bland were present. Duncan knew about the discussions, but thought that they had not led to any pact about the form of the petition, and that Macarthur and his friends would simply present the old petition as an amendment. Later, however, Wentworth and Macarthur agreed to join forces and exclude certain members from the committee set up to give effect to the resolution of the public meeting. These included Duncan and Macdermott. Duncan was deliberately prevented from knowing of this and of a later decision to frame the petition in a way acceptable to Macarthur.

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[1] A.C., March 1, 1842. The "all party" committee included Capt. Ogilvie (Chairman), Capt. O'Connell, Capt. Oldry, Dr. Bland, W.C. Wentworth, R. & C. Campbell, C. Cowper, D. Egan, P.Grant, H. Macdermott, W.M. Hesketh, C. Kemp, W.A. Duncan, J. M'Eachern (the latter 4, journalists) J. Jones and several others.

At the next public meeting the agreement of Wentworth and Macarthur carried the day. Duncan spoke vehemently about the betrayal of the "people", but to no effect.[1] Macdermott and Duncan were duly excluded from the committee to draw up further details, since James Macarthur announced that he would not sit with Macdermott. This caused a great uproar, during which the extremist M'Eachern jumped onto the platform and tried to take over from the chairman, but Macarthur won the day.[2]

Duncan was greatly disappointed. He wrote a searing editorial on the "Public Breach of Faith", severely criticising Wentworth and Bland. Because of their sudden "betrayal", the people had not attended the meeting in numbers, believing that all would be right! Summing up the situation he wrote:

> The parties who affected to despise these men, and who refused to associate with them, have been compelled by the people to open their arms and receive them; and in return the leaders of the Patriotic Association turn round on the people and sting them!!! ... The faction have obtained a victory and by means worse than any that we who have witnessed the corruption and bad faith of both the Whigs and Tories in the Mother country, have ever heard of.[3]

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[1] Even his friend Captain O'Connell opposed him, claiming that the reversal in the form of the petition involved no change of principle. Had "it contained a proposition for universal suffrage of anything belonging to the Chartist faction he should have certainly objected to it."

[2] A.C., March 1, 1842.

[3] Ibid.

He then called on the "honourable men" to secede from the committee.[1]

Duncan tried to save something from the rout by claiming that now the issues were out in the open, the popular party would be able to organize in strength.[2] He made exaggerated claims of support - "we have the people to a man determined to assert their rights as freemen"[3] - but later admitted that since the recent defections there had been

> no leaders of sufficient talent and influence successfully to direct a popular movement. Indeed by far the best speakers are to be found among the operatives themselves, and it may be a question whether THEY ought not to take this question of the franchise into their own hands.[4]

However, free from the restraint of trying to conciliate the moderates,[5] Duncan launched into a series of heated articles against the middle class defectors. Typically, Duncan claimed that he did this because it was his moral duty ....

> it must be at a sacrifice of our personal feelings which makes us almost shrink from the task...(since the breakaway group embrace) as they do, so many of our leading colonists, we hardly know how to approach the subject.[6]

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[1] Ibid.

[2] A.C., March 3, 1842.

[3] A.C., Mar. 5, 1842.

[4] A.C., Mar. 31, 1842.

[5] A.C., Mar. 1, 1842. Duncan stated that he had been attempting to "smoothe down asperities".

[6] Ibid.

However, the vehemence of his demand for a wide franchise was in no way marred by these personal scruples as he vented heavy satire on Wentworth and other members of the A.P.A., comparing their current statements with their earlier support of a £5/0/0 franchise.[1] Duncan, in the heat of "betrayal" and, no doubt, also in response to the falling money values of the depression, now moved beyond his previous public position, that an approximation to the £10 English franchise would be equivalent to the demand that every householder or father of a family should be enfranchised.[2] He was thus highly critical of the recommendation of the committee established at the public meeting in February 1842. This committee suggested a £25/0/0 yearly rental franchise for Sydney (thus excluding the majority of the populace who were mobile or weekly tenants), and a £50 country rental franchise. The whole scheme, which weighed representation heavily against Sydney, Duncan found preposterous.[3] Though the eventual basis for the franchise given by Stanley's Representative Government Act, which arrived in the

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[1] Ibid.

[2] A.C., Dec. 13, 1839. Duncan accepted a £10 franchise because it would approximate to heads of households. cf. A.C., March 5, 1842. All heads of households should be enfranchised as such.

[3] A.C., April 12, 1842.

Colony in the following October, was somewhat more liberal, Duncan was still not satisfied.[1]

Duncan's previous argument for a wide franchise was generally based on the presumed egalitarian nature of N.S.W. society. Thus in 1840, in pursuit of the argument that wealth alone was a more than usually absurd basis for the franchise in a new country, we find him writing that:

> This is a community in which perfect equality of rank exists - as must be apparent from the fact that even that august body (the Council) can only be made up by placing side by side with the knight and the tradesman, the mechanic and the clerk, and, though it may happen that the latter class are the wealthier, it is at least unfair of them to betray the interest of their order.[2]

"Was not", Duncan asked, "their 'virtue and patriotism' as great in their early humble stations as when they were raised by a 'concatenation of favourable circumstances,'[3] to the company of the wealthy"?

In the heat of 1842 Duncan extended this argument to insist that wealth was the "worst of all tests" in New South Wales. Instead of being an index of superior class and talent, it was "for the most part the companion of ignorance and assumption, and often brutality

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[1] A.C., Oct. 18, 1842 The Act established that 24 of the 36 members of the Council were to be elected on a franchise of a freehold worth £200, or leasehold occupation of a house worth £20 p.a. The member's qualification was a freehold of £1000, or a house worth £100 p.a. Distribution was weighed against Sydney in favour of the rural districts.

[2] A.C., Aug. 11, 1840.

[3] Ibid.

and ignorance."[1] Duncan supported this contention by the argument that in New South Wales the competition for material gain was so great that the wealthy were generally exploiters of the poor, rather than possessed of the idea of public service which underlay the rationale of the English aristocracy.[2] Thus Duncan insisted

> You must allow every honest and intelligent householder a voice in the choosing of his representatives, or you can never govern this colony in security and peace.[3]

In taking this radical line, it is, however, important to note that Duncan was nevertheless concerned to defend his social conservatism. He wrote:

> We would subvert nothing that is established. We hold, for example, that every man has the right to select his own society; that men of refined character have a right to repel any intrusion that vulgar assumption may make upon them. We acknowledge the rights of birth, the rights of office, and the rights of education and talent....(The people) oppose not the distinctions of Queen, Lords, commons, governor, or judges, or any lawful distinction; but they do set their face against unfounded assumptions on the part of men who are, in a potential sense, their equals; and many of them, in a moral and intellectual sense, their inferiors.[4]

Duncan was already hinting at a subtle change that was to gradually modify the whole radical cause:

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[1] A.C., March 5, 1842.

[2] A.C., March 31, 1842. Duncan insisted elsewhere, e.g. A.C. March 3, 1842, that the association of wealth in New South Wales with the class assumptions of wealth in England was an insult to the aristocracy.

[3] A.C., March 31, 1842.

[4] Ibid.

> We should consider a representative government which excludes the entire operative class, amongst which we class the small farmers, as infinitely worse than the present system of non-representation.[1]

In other words, Duncan's radical programme could potentially become a conservative force in the situation, preferring to depend on the protection of British policy rather than on colonial politicians if these represented only the wealthier class.

However, the full development of this position did not come until some time later. Meanwhile, the colonial bill mooted in May 1842, to incorporate Sydney, and fill out one of the clauses of the 1842 Act, made evident a further breakdown in Duncan's assumptions about a popular front. After an initial hesitation[2], Duncan quickly assumed the position that the principle of this Bill should be supported, but that the "people" should put themselves behind a strong movement to ensure that it was a fully representative measure, and that all who paid taxes should have the franchise.[3] To this end, Duncan prepared a stereotype of his objections to the existing draft

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[1] A.C., March 29, 1842.

[2] A.C., May 5, 1842. He felt the Bill might be postponed until after Representative Government was granted.

[3] A.C., May 7, 1842.

and printed it in a number of issues of the Chronicle.[1]

Wentworth dominated a public meeting called by a number of colonists of all persuasions on May 30th.[2] He argued that the Bill involved the principal of taxation without representation, that the Corporation should be given some control over the land fund, and that in any case the Council was not competent to amend the Bill and therefore should dismiss it. The whole speech was delivered in a tone of angry recrimination against the Governor. Duncan, repudiating the attack on Gipps, arose at the meeting to propose an adjournment to discuss the provisions of the Bill in greater detail. With logic on his side, Duncan insisted that it was inconsistent to petition that

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[1] A.C., May 7, 10, 14, 17, 1842. Duncan's objections may be summarised as follows:
Franchise: He prefered to enact an adult male franchise as in New Zealand's recent measure, rather than seek an equivalent of the English £10 qualification.
He objected to the three year residence qualification. This would exclude many recent immigrants, and in any case people in the colony frequently moved around.
He objected to the £2000 Alderman's qualification as gross pretention. Even the English standard was only £1000. Gipps' last bill had indicated that it was unnecessary to increase this.
He objected to the principal of multiple vote, where an elector had appropriate qualifications in several wards, as a measure granting undue influence.
Special provisions: Duncan felt that to levy a special police rate outside the control of the Corporation; to frame special regulations for the good order of elections; and to enact that only the Mayor would be a J.P. ex officio, was contrary to the spirit of English municipal law, and to the dignity of the Corporation.

[2] A.C., May 28, 1842. W.A. Duncan, James M'Eachern, H. Macdermott, W.C. Wentworth and two Mr. Lyons were among the requisitionists.

the Council had no power to pass the bill and then suggest amendments to give the proposed Corporation some control over the land fund. His amendment lost by a large majority, and he clashed bitterly with James McEachern who voted against Duncan's group.[1]

The next month was to involve petition and counter petition. In his next editorial Duncan admitted that the operatives, the bulk of the last meeting, were politically naive. They had swallowed Wentworth's catch-cry of "no taxation without representation". They had allowed

> Mr. Wentworth to vent his spleen upon Sir George Gipps - to shake the dirt off his shoes at the Whigs - and to make his "friend" Mr. James Macarthur a "man of the people", by presenting their adopted petition.[2]

Moreover, they had made no statement about the cruicial interest of the franchise. The people should be at least suspicious when the old leaders of the A.P.A. joined hands with the members of Rowell's Club, and "affect a regard for the rights of the people".[3]

In fact Gipps virtually rejected the "Wentworth petition"[4]

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[1] A.C., May 31, 1842.

[2] Ibid.

[3] A.C., June 2, 1842.

[4] Ibid. Gipps stated that the Council did have power to pass the Bill; that it did not involve taxation without representation since the Corporation could tax its own members; and that generous aid had been offered apart from the land fund. He also signified his own support for a £10 household franchise.

in the interest of Duncan's view. Another requisition for a public meeting, made its appearance; this time not signed by Wentworth, but headed by J.A. Campbell. Duncan figured among a score of others, which included the more radical leaders, as well as well known emancipists and other middle class residents.[1] This time the victory went to Duncan's side, for the meeting endorsed a petition along the lines he had suggested in his articles,[2] and on the model of Corporation Acts in England.

Wentworth attended this meeting and tried to justify himself against Duncan's charge that he had betrayed the "people". However, he would not commit himself on the franchise, and even his tactic of trying to induce confusion did not bear much fruit, for the meeting voted in favour of the new petition and 1178 signatures were gained in

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[1] A.C., May 28, 1842. The list included radicals, such as Duncan, H. Macdermott and James McEachern; emancipist middle class merchants such as the Messrs Lyons; newspaper men such as James Tegg of the Herald and G.R. Nicolls of the Australian, as well as a score of others. It did not include W.C. Wentworth.

[2] A.C., June 7, 1842.
Franchise: £10, single vote, 1 year residence.
Members qualification: £30 p.a. or £1000 property.
Those below the voting qualification were not to be rated. Should they request to be rated they could become electors. The Mayor was to be given a rank higher than a magistrate, and the nomination of magistrates was to be left to the Borough Council, subject to the Governor's approval.

a day.[1] Duncan was one of the chief organizers of this petition. He distributed the sheets to collectors, wrote the petition, and prepared it for submission.[2]

This, however, was only the first round. On June 30th another public meeting dominated by Wentworth moved a petition from the landlords of Sydney, claiming that they were financially unable to bear the burden of a Corporation without greater endowment. Macdermott moved a counter amendment, seconded by Duncan, that Sydney should be incorporated, and argued that the meeting simply represented a selfish faction guarding their interests against those of their tenants who were forced to live in undrained, filthy surroundings while their landlords avoided the expense of municipal rates. The amendment which gained only twenty votes, lost by a large majority.[3] Wentworth was apparently jubilant and claimed to have broken up Duncan's party.[4]

In one sense Wentworth had scant cause for jubilation. Although Duncan did not appear to take an active part, the operatives

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[1] A.C., June 7, 1842. Wentworth insisted that the Bill was merely a taxation measure and would delay Representative Institutions. He suggested that if the new petition was adopted, the people should sign both petitions, and later threw out a tentative suggestion that the Sheriff only might sign the second one.

[2] A.C., July 2, 1842.

[3] A.C., June 30, 1842.

[4] A.C., July 2, 1842.

organised another meeting, and its delegation was received with praise by the Governor. The final Act (in which the franchise was reduced to £20 p.a., the office qualification to £1,000; which eliminated plural voting and provided that only the enfranchised were taxed) was very much to Duncan's pleasure. A "better municipal law does not exist in any country"[1], he wrote.

In another sense Wentworth had good cause to rejoice, for the events of the month had ended Duncan's honeymoon with the emancipist group. Duncan had quarrelled bitterly with M'Eachern, the doctrinaire radical who had supported Wentworth's "no taxation" slogan, and with some leading emancipists who were connected with the Proprietors of the Chronicle, and supported by the Catholic Vicar General.[2] He had not only compromised his chance of holding on to the editorship of the Chronicle, but he had lost his hold on a significant portion of the middle class Catholic and emancipist group, whose support was essential for his cause. In retrospect Duncan spoke of this time as the time when he had taken "the imminent risk, and more than mere risk, of political annihilation".[3] It was a good description of the eventual outcome of these disputes!

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[1] A.C., July 14, 1842. cf. the terms of the petition printed in A.C., June 7, 1842.

[2] See Chapter VI. p. 214.

[3] W.R., Nov. 15, 1845.

Duncan's chagrin and the ethical framework within which he viewed these events is well conveyed by his account in the Autobiography -

> It was by supporting these latter (the free immigrant operatives) when aggrieved that I was enabled to bring so much power to bear upon the case of the emancipists. Little did I think that these very emancipists would in a few months turn upon the working immigrants and endeavour to exclude them wholly from the elective franchise, which they themselves owed to the immigrants under my direction.[1]

In the Chronicle he was even more vehement as he anticipated Daniel Deniehy's celebrated satire

> We have supported the 'working man' and 'emancipists', against the would-be aristocracy just because we wanted to have a great and united people, and no aristocracy at all; and now that the union of classes in politics has been so far effected, while we have still to deal with the same aristocratic pretensions, it is not probable when we meet an embryo peer with a cat-o'-nine-tails upon his escutcheon that he will meet with greater respect from us than one who may be pleased to pride himself upon exhibiting a merino ram, or any other species of emblazonment.[2]

Duncan drew from the whole affair the immediate moral that he should never have mixed himself up with men about whose absolute integrity he had doubts,[3] and, as a further conclusion, that he should avoid the field of active politics:

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[1] Autobiography, op. cit., pp. 62, 63.

[2] A.C., June 21, 1842.

[3] E.g. A.C., July 5, 1842. "I have received a lesson from which I intend to profit, and the Herald is at perfect liberty to laugh at my folly in believing that a good house might be built with very indifferent bricks."

> For us, we neither have, nor have we ever had any connection with any 'party' (he wrote in answer to Wentworth's claim that he had destroyed his 'party') We have freely put forth our honest opinions on public events....In one thing we have erred - in taking an active part upon the political stage, a position for which God and nature, or at all events our individual tastes and habits, have unfitted us. Henceforth we leave oratory to the Wentworth's and our recent 'partisans'.[1]

In a sense, I think it can be argued that this was a retreat from the dilemmas posed by the situation. Duncan had allowed his optimism about the possibility of defeating the "Colonial Tories" to mislead his judgement about the sectional aims of the wealthy emancipists and others of the middle class. With colossal arrogance he had believed that he could have success in welding together all the non-elite group, in pursuit of the kind of society he himself believed to be morally good. Now, in opposition to the dominant middle class junta, he was at something of a loss as to where to turn.

(iii) Resistance - Radical Conservatism

Duncan's dilemma was based on the fact that he had never wished the radical programme to alienate the influential middle class - a fact clarified by his insistence that there should be a moratorium on party differences so that men of competence and moral worth should be elected to the Municipal Corporation in 1842.[2]

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[1] A.C., July 2, 1842. The remark about natural unfitness, refers partly to Duncan's diffidence about public speaking. See also Duncan to S.A. Donaldson June 28, 1856. (N.S.W. Papers 1812). Duncan felt he was "backward in oratory".

[2] A.C., Aug. 9, Oct. 29, 1842.

Having won the franchise battle, Duncan's innate moral conservatism rose to the fore in these elections. He objected to the graft, broken pledges, rancour and chaotic organization which marked the campaign[1] and appealed to the respectable and wealthy classes to take a lead. "Although we would wish to see it otherwise," he wrote in desperation, only the operatives seemed capable of running a well ordered meeting.[2]

When the result of the election was announced Duncan was inclined to believe that the tendency of the more wealthy and respectable elements in Sydney to ostracise the Municipal Council had been disastrous,[3] but later he became well pleased with the progeny of his franchise campaign.[4] He continued to encourage the Council[5] and in fact actually contested, unsuccessfully, a seat in 1844.[6] It was the result of the first experiment in representative

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[1]A.C., Oct. 29, Sept. 7, 1842.

[2]A.C., Sept. 17, 1842.

[3]A.C., Nov. 8, 1842.

[4]A.C., Nov. 17, 1842.

[5]E.g. W.R., Oct. 12, Sept. 28, 1844. Duncan's opposition to moves in the Legislative Council to restrict the Corporation's funds and function, particularly in relation to police expenditure, was vehement. See also W.R., Nov. 15, 1845. After 3 years the record of the Municipal Council, despite the opposition of many wealthy citizens, exceeded Duncan's "most sanguine expectations".

[6]W.R., Sept. 21, Nov. 2, Nov. 16, 1844. He contested a seat in the Bourke Ward, against Acton Sillitoe - the Chairman of the Proprietors and Assistant Drapers Association. Duncan had been recommended by a list of 62 people, the most significant being middle class men such as N.D. Stenhouse (solicitor, literary patron), G.R.Nichols (journalist) and I Nathan (musician). None of the dominant radical leaders seem to have been behind Duncan, and he later accused Alderman Wilshire of particular treachery in changing his allegiance.

institutions that was to bring his radicalism to its full conservative phase.

The campaign preceding the election of the twenty-four non official members to the Legislative Council in fulfilment of Stanley's 1842 amendment to the N.S.W. Constitution began in late 1842. Duncan had not been pleased with the relatively high franchise of this Bill, but he seemed determined to make the best of it so long as candidates were pledged to the fundamental planks of his platform: i.e. preservation of civil and religious rights; prohibition of coolie immigration; and preservation of the Crown's right to waste lands.[1] The "Liberal interest", in these matters, wrote Duncan, was "emphatically conservative".[2] Duncan was anxious that long residency should not be considered an essential qualification for candidates for this would emphasise the prejudice against new immigrants whom Duncan considered to be in many ways more fitted by education and familiarity with the workings of free institutions, than "old hands".[3]

During the election campaign Duncan directed his attack

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[1] He was thinking primarily of Aboriginal protection at this time.

[2] A.C., Dec. 20, 1842, Jan. 10, 1843.

[3] A.C., Jan. 10, 1843. Where these matters were equal Duncan was willing for the native born of fair education to be elected. However, he added "with respect to the other classes of 'old hands', whether they belong to the aristocratic or patriotic side, we confess we have no wish whatever to see them numerous in our Senate."

solidly against Wentworth. In a series of articles,[1] sarcastic and scornful in tone, Duncan accused Wentworth of having betrayed his previous principles; he criticised his personal arrogance, and dragged up his Norfolk Island background. Duncan was even prepared to play on Irish prejudice by insisting that Wentworth's remarks about the "low Irish mob" would lead one to suspect his adherence to the principle of religious equality.[2] Wentworth eventually published a reply to these criticisms. He objected to Duncan's "obvious malignity", "mendacious invention", and "aspersions to his character". To this defence Duncan stubbornly replied that he had attacked only Wentworth's public character, and although he now accepted Wentworth's pledge to defend the principle of religious equality, he insisted that in view of Wentworth's apostasies he could hardly be blamed for doubting his consistency. Actually Duncan had gone too far in trying to alienate Catholic support from Wentworth, for this was to be one of the issues that would force him from the editor's chair in the next month.

Two other issues during the campaign also got Duncan into hot water. One was his support for the liberal Anglican candidate

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[1] A.C., Dec. 22, 24, 27, 29, 31, 1842; Jan. 26, 1843.

[2] A.C., Dec. 22, 1842.

[3] A.C., Jan. 26, 1843.

Captain O'Connell,[1] against the Macarthur-Wentworth alliance of which Mr. Samuel Lyons was a leading promoter.[2] Duncan was the secretary of O'Connell's committee - a committee which included middle class men such as Dr. Nicholson and Roger Therry, but which drew its main strength from the more radical element represented by Duncan, and the members of the Sydney Corporation: Councillors Macdermott and Smidmore, and Alderman Wilshire.[3] The emancipist Catholic group whom Duncan had already offended in 1842 were opposed to O'Connell's candidature and this also had a bearing on Duncan's loss of the Chronicle.[4]

In the country districts Duncan's views brought him unpopularity when he criticised the "alliance" between James Macarthur (standing for Cumberland) and Roger Therry (standing for Camden). Duncan thought that their agreement for mutual support was a betrayal of the principle of religious liberty,[5] and although he did try to cast most of the odium on Macarthur,[6] it did not help his cause to have the leading Catholic layman in the community, heatedly

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[1] M. Roe. Society and Thought in Eastern Australia. 1835-51. p. 315. O'Connell's views were akin to Governor Bourke's.

[2] A.C., Dec. 20, 1842.

[3] A.C., Jan. 1, 1843.

[4] See Chapter 6.

[5] Roe. op. cit., p. 315, points out that Duncan was wrong about the similarity of principles between the two candidates. However, this is not quite the point for Duncan was suspicious of any cooperation with Macarthur.

[6] A.C., Jan. 14, 1843.

opposed to his editorship. Therry was convinced that the Chronicle was no longer the organ of Catholics but was "entirely under the control of Macdermott"![1]

Duncan's comments on the campaign were, however, cut short, for he lost the editorship of the Australasian Chronicle on Feb. 22, 1843, and it was not until July 29th that the first issue of the Weekly Register appeared. During the interval he had already become fearful that the new, partly elected Legislative Council would be just as much a threat to the radical programme for a "better life" as the old Anglican oligarchy. However, his dissatisfaction was not simply a matter of distrusting the elected candidates.

The prospectus of the Register pointed out that there had never been a greater need for a "Liberal" journal committed to the "popular cause". The depression had produced a period of great social change, Duncan wrote that:

> property is speedily changing its possessors, and new social and political interests are gradually arising out of the general confusion.[2]

In his reminiscences he expressed this in another way:

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[1] Diary of Thomas Callaghan B.A. op. cit., p. 371.

[2] W.R., July 29, 1843.

> This (the emancipist agitation) was about to be succeeded by a violent strife between the elements of aristocracy and democracy, when the monetary crash of 1843-4 interfered, and went far to heal all political distinctions.[1]

Elsewhere we have shown Duncan's sense of isolation and frustration when, in the crisis of the depression, he could not convince the bulk of the middle and working classes, that it was shortsighted to hitch their bandwagon to the need of the landowners and the squatocracy to extract themselves from the financial crisis by extreme economic legislation and by opposition to Gipps' land policies.

It was this phenomenon of multi-class support for the dominant junta of the new Representative Council that Duncan seems to refer to as the "healing of all political distinctions". This explanation is offered as a complement rather than a contradiction of M. Roe's comment that Duncan's rather puzzling remark probably meant that he thought that the depression had sharpened class consciousness and had spoilt Macdermott's chance of welding an alliance between official and radical elements against the squirearchy.

So it was that during 1843, we find Duncan taking an increasingly defensive line in solidly opposing the views of the elected

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[1] Duncan, Notes on Ten Years Residence op. cit., p. 147.

representatives and supporting those of the Colonial Office and Gipps. Now that the old oligarchy had linked hands with the squatters and the bulk of the colony supported them, it is not surprising to find Duncan's faith in democracy waning. Nor is it surprising, in view of the underlying stream of social conservatism in Duncan's make up, to find him turning to a paternalist safeguard for his concept of the better life.

In October 1843, he expressed his dilemma very clearly when he praised the official policy of the Home Government as being:

> invariably ...., in advance of the leading colonists in promoting the moral, social, and political welfare of the Colonies.[1]

Duncan cited religious educational and land policies, trial by jury, municipal institutions, and franchise extension beyond the demands of the petition committee in spite of "opposition from our side worthy of the ages of barbarism!" In writing this Duncan was clearly aware of his own inconsistency:

> With the political principles which we hold, (he wrote), we have felt great awkwardness in making these remarks - they ought to have proceeded from some of our "Conservative" brethren - but we have made them after the most serious reflection upon the subject and we trust they will receive due consideration.[2]

Although, on the one hand, Duncan still maintained an interest in democratic reform, especially removal of the high member's

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[1] W.R., Oct. 21, 1843.

[2] Ibid.

qualification[1] and rectification of the imbalance which gave the pastoral interest a stranglehold on the Council,[2] this no longer figured as a major part of his protest, and it was even more clearly offered as a second rate alternative to finding an "intellectual and moral" test of political responsibility.[3] He was far more interested in defending the existing constitutional arrangements from modifications in the interest of more local autonomy, as it was envisioned by the dominant faction of Legislative Council.

Thus Duncan opposed the Council's protest in 1843 against their lack of control of the land fund and the special schedules. Duncan considered that the Council's protest merely illustrated again his contention that a group of "coarse-minded wranglers", or "designing demagogues" had gained control of the Council in order to prosecute

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[1] W.R., Dec. 2, 1843. The high members' qualification left virtually no choice in some areas. See also W.R., May 10, 1845.

[2] W.R., Sept. 16, 1843. Dec. 2, 1844, May 31, 1845.

[3] W.R., Dec. 2, 1844. See also W.R., Oct. 18, 25, Nov. 1, 15, 1845 - the case of Mr. J.M. Grant whose property qualification was queried after his election to the Council. Duncan virtually argued that this man should be accepted because of his University education and respectability as a member of the upper classes in Scotland, although he backed his case up by showing precedents from the House of Commons. Grant was, of course, more favourable to Duncan's views than most of the members of the Council. See Heaton., op.cit., p. 81. Grant entered the Victorian Parliament in 1856 as an advocate of "land settlement, manhood suffrage, vote by ballot, and unsectarian education," and in 1864 became Minister for Lands.

their own interests. In support of this contention the Chronicle also pointed out that the Council's economising in dispensing with paid magistrates, and its willingness to risk the public peace by quarrelling with the judicial estimates, indicated their public irresponsibility.[1]

Only in their opposition to the Colony bearing the full cost of police and jail establishments would Duncan admit that the Council had justice on their side during these disputes.[2] However, he would never accept that there was a parallel between the attitude of Britain to N.S.W. and the grievances which had produced the American revolt.[3] He condemned firmly the report of the Select Committee on all Grievances not Connected with Land which saw the schedules as the major grievance - an "obvious and palpable invasion of the common birthright of Englishmen"[4] - and took an active part in supporting an address which deplored the tone of this report.[5]

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[1] W.R., Oct. 28, Nov. 4, 1843. The loss of paid magistrates would be a direct blow to the popular cause in Duncan's eyes for he regarded honorary magistrates as inevitably biased against those not of their social class and frequently oppressive in Master and Servant litigation.

[2] W.R., Feb. 8, Aug. 24, Oct. 21, 1845.

[3] W.R., Feb. 8, 1845.

[4] V.P. N.S.W. Council 1844, Vol.11, p.701. Quoted in Melbourne op.cit., p. 701.

[5] N.S.W. Governor's Despatches 1844. Vol. 46, pp. 1434-1443.

Significantly, it was in the matter of the Council's obstruction of the District Councils provision of the 1842 Act that Duncan prepared his major barbs on their constitutional irresponsibility. Duncan saw these provisions as a cornerstone of his hopes for the "better life". Local councils (where already the precedent of a low franchise had been set) would provide training in political skills on the grass root level. They would give education a filip by transferring this responsibility to local bodies and, possibly, Duncan hoped, they would sever Education from the denominational connection and prepare the way for Voluntarism. Local councils would probably help the unemployment problem by increasing the amount of public works. Finally, and this was perhaps their chief value, they would stimulate the spread of small scale cultivation when local taxation forced the sale of uncultivated lands.[1]

Duncan fought fiercely against the arguments by which the Council justified the opposition which finally made the local government provisions of the 1842 Act a dead letter.[2] He argued that the "arbitary" tax cry was a fallacy designed to deceive the stupid and help the wealthy landowners avoid the burden of local taxation - if local amenities were provided out of the general fund the burden

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[1] W.R., Sept. 16, 1843. Jan. 13, 1844.

[2] W.R., Oct. 14, 1843. The Bill was suspended for one year.
W.R., July 27, 1844. The Bill was thrown out of Council.

would be passed to the Sydney taxpayers who were also most hit by the depression.[1] He insisted that as the District Council provisions were part of an Imperial Act; the Council was bound to frame the regulations to implement them. This indeed, was the most significant part of the whole debate. Duncan supported his argument by insistence on the sanctity of law - as a "political axiom", the constitution should be viewed "like the Magna Carta of England, a sacred writing, not to be infringed or touched but in a proper constitutional way."[2]

Thus by the end of the career of the Weekly Register, Duncan's views on the relevance of democratic forces in laying the political foundation of the better life had been much modified. Where once he had made exaggerated claims about the intelligence and good will of the broad mass of the people, now in 1844 he wrote:

> We do not think that the representative principle is yet a sufficient check to that already too well displayed selfishness of our representatives in dealing with the property of the Empire. Our present constituency have not that knowledge of what is calculated to affect their political interests for good or evil, nor have they that rectitude and firmness of character which are essential in order that public opinion should be a sufficient safeguard against bad legislation.[3]

Later he wrote even more strongly:

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[1] W.R., Oct. 7, 1843, Jan. 13, July 27, 1844.

[2] W.R., Aug. 24, 1844, Aug. 10, 1844.

[3] W.R., May 4, 1844.

> Popular ignorance is certainly one of the greatest evils that can exist in a free state. Beautiful as is the principle of representative government, it must be acknowledged that to heap franchises on a people that neither know the value nor the uses of them is, after all, but to furnish them with the weapons of self destruction. To contemplate a people who are blind and deaf to their own obvious interests, is anything but an agreeable pastime.[1]

Where once he had insisted that the dominance of the Anglican elite was the major evil to be feared in the colony, now he was able to recognise that the Macarthur clique had never had such "deep oligarchical designs"[2] as the current Council with its erstwhile patriots such as Wentworth. The members of this Council - the first fruits of the responsible principle - he described as an "assembly of madmen"[3] and "desperate gamblers".[4]

Duncan, the popular radical was now widely criticised as a sycophant of the Governor.[5] Though this description had particular relevance to Duncan's support of Gipps' Waste Lands

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[1] W.R., Sept. 6, 1845.

[2] W.R., Jan. 11, 1845. James and William Macarthur had both refused to become candidates for the Camden seat until the Colonists showed some sign of being aware of the dangers of the course chosen by the majority of elected members and avowed "loyal and constitutional sentiments". On this Duncan commented: "Even we whose sole business it has been to watch the political movements of the time - and consequently who know all the facts by heart - (ask) whether it be a dream or reality we are viewing." He went on to remark that the Macarthur clique had never had such "deep oligarchical designs" as the current Patriots.

[3] W.R., July 27, 1844.

[4] W.R., Feb. 8, 1845.

[5] E.g. Thomas, op. cit., p. 78.

Regulations, there had been a gradual tendency in Duncan's views to find alignment with those of the Governor, especially since Gipps' defence of the Bill to Incorporate Sydney which we have discussed in some detail. Indeed the Register spent a good deal of its energy trying to vindicate the Governor from the opposition criticism that he was largely responsible for the economic chaos of the colony.[1] Duncan took it as a personal triumph when the Atlas campaign to boycott the Levée of June 1845 failed.[2]

However this seeming reversal of allegiance need not surprise us. We have already shown that Duncan's thought on social policies, in which he pursued his ideal for a better life in the antipodes, was far more an a priori and a moral statement of what he considered to be a "good life", than a political campaign mapped out with reference to natural colonial potential or with careful consideration of the desires of those he considered his constituents. Nowhere in it, even in the matter of education, do we find clearly individualist

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[1] W.R., Dec. 9, 1843. Against Dr. Bland's accusations, Duncan said that Gipps was not responsible for the economic state of the colony. He had tried to act as a break on speculation and the rash immigration flood.
W.R., Nov. 22, 1845 - Gipps was not a mere slavish adherent of instructions from home.
W.R., Dec. 20, 1845. Against the Herald's charge Duncan argued that Gipps was not indifferent to the economic sufferings of the colony.

[2] W.R., May 10, 17, 31, 1845. Duncan appealed to all to attend the Levée. W.R., June 6, 1845. Duncan was jubilant at the record attendance despite the feast organised by the dissidents on the same day.

assumptions on which faith in democracy, as a good in itself, might rest. We do find conventional laissez faire assumptions, but even these break down where the paternalistic element enters, e.g. in immigration, education etc. So too, Duncan's political radicalism did not rest on a doctrinaire belief in democracy, but on a calculation that the enfranchisement of the masses was the best method of breaking the political control of an elite. When this calculation was shown to be false, Duncan's inherent tendency to moral paternalism, made it relatively easy to substitute reliance on the Colonial Office to reliance on "the people" and when a fuller measure of self-government was conceded Duncan was entrenched as a member of the "triumphant bourgeoisie" - his radical days were behind him.[1]

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[1] See Chapter 7.

CHAPTER 6

The Radical Programme: The Personal Defeat

In the introduction to this discussion we pointed out that there was a central biographical puzzle in Duncan's life -- the puzzle of why, despite the manifest concern for the colony, he retired from the forefront of public life after 1845. The answer might be given fairly simply by stating that in the forties Duncan was defeated, not only by his idealism in promoting a blueprint for colonial institutions which had little hope of being implemented, but also by his personal inability to handle opposition in a way which preserved his chance to hold a public platform. His personal career on the Chronicle and the Register, which is the subject of this chapter, illustrates well the manner in which his consciencious and personal rigidities and his self-righteous inability to entertain the idea of diplomatic compromise eventually drove him from public life.

In undertaking to edit the Chronicle, he became committed to its proprietors: a group of largely uneducated, nouveau-riche, Irish Catholic emancipists, about whom he had been adequately warned:[1] with whom he refused to mix socially; and whom he later

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[1] Autobiography, op. cit., p. 53. Ullathorne had been wary of these men. He did not wish to see the advocacy of the Catholic body in such hands, but the more optimistic Polding persuaded Duncan to accept their sponsorship.

described as "supposed to be men of great wealth, extremely illiterate, and to the last degree unprincipled."[1] Although he had stipulated that he should be free to run the paper as he thought fit, inevitably clashes would occur. They occurred over the business ethics of the proprietors,[2] (especially Maher and Smith[3]) and almost assuredly over Duncan's supervision of other business aspects of the paper,[4] at which he never seems to have been adept.[5]

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[1] Ibid.

[2] Autobiography, op. cit., pp. 53-55. The proprietors did not wish to publically espouse their connection with the paper and hence gave Duncan the title of "Trustee Proprietor" and the status of "sole owner" as far as contracts with the paper were concerned. (See e.g. A.C., Sept. 3, 1839). However, Duncan refused to swear, alone, the affidavits required by the Press Laws. It required six months of correspondence, Duncan's threat of resignation, and Polding's intervention before the impasse was resolved by an agreement of the proprietors to sell out to eight of their number, who were prepared to comply with the law.
A.C., June 11, 1840. These men were: William Davis, Roger Murphy, Thomas Smidmore, Thomas Smith, Timothy Maher, Thomas Bossuet Coveny, John Murray and W.A. Duncan himself. The list was published for the first time on June 11, 1840.

[3] Autobiography, op. cit., p. 65. One of these, a tea dealer, had asked Duncan to alter his list of market prices in order to cheat country customers. The other asked for the insertion of reports of mythical coal finds in lands he was about to sell.
A.C., Aug. 2, 1842, implies that Maher and Smith were the men in question.

[4] See terms of the new agreements of August 1st 1841, p. 201.

[5] Autobiography, op. cit., p. 83. Duncan also had trouble with the business department of the Register, because of the "rascality" of employees.

Probably the expensive litigation in which Duncan on occasions involved the paper,[1] also got him into trouble with the proprietors. More importantly as the proprietors were associated with two groups in the colony which became opposed to Duncan's policies, objective and personal antagonisms coincided. These groups were the middle class faction who, anxious to cement the alliance with James Macarthur and the elite, were opposed to Duncan's radicalism, and the rabidly nationalistic Irish group whom Duncan also offended.

During 1841[2] and

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[1] A.C., Aug. 7, 9, 11, 1840; Feb. 22, 1842 - Watt v. Duncan and others. The Chronicle won the legal battle but it had previously paid damages after arbitration. The dispute concerned an advertisement in the A.C. which Watt claimed had prejudiced the sale of his property. See also A.C., Feb. 24, 1842 - Aaron v. Davis and others. The proprietors of the Chronicle had to pay £200 costs though the damages for libel amounted to only 1/-.

[2] A.C., Aug. 3, 1841. Duncan wrote in the Chronicle..."existing circumstances (a detail of which would almost tend to belie a portion of that which we have been all along and ever must be anxious to uphold) make it problematical whether or not the present writer shall have to greet his writers on another anniversary." See also A.C. March 3, 1843. On August 1, 1841 a new agreement was apparently signed between Duncan and the Proprietors by which Duncan agreed to vacate the editorship in a year and to give up control of all but "the matter" in the paper. The political issues which separated Duncan from many of the middle class group at this stage were: Duncan's attacks on Macarthur, who in February 1841 had signified his willingness to support a free and elective legislature and let the old divisions between emancipists and exclusives die; Duncan's opposition to immigration schemes, such as the importation of coolie labour, which would depress the immigrant and labouring classes; and his support of the Home Government's land policy. Even his defence of Irish immigration which reached a peak in September of this year, and his acrimonious defence of religious equality may not have suited some of the proprietors, now that new political groupings were appearing in the colony.

1842[1] there were various hints of Duncan's possible retirement, which coincided with the widening of the gap between Duncan's radicalism and the aims of many of the middle class emancipist group.

June and July 1842, the months of the fracas over the municipal franchise brought quarrels which were to seriously affect the strength of the Chronicle. One with James McEachern,[2] the editor of the Free Press, a doctrinaire radical (and incidentally, as the leader of the small operative faction who did support the anti-squatter case, later a supporter of Duncan's)[3] need detain us only long enough to note another example of Duncan's characteristically hot headed and self-righteous temper. However, Duncan's quarrel with some of the leading emancipists had more far reaching

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[1] A.C., March 10, 1842. This was the month of heated public meetings on the subject of petitioning for representative institutions, when Duncan wrote some searing editorials on the "Public Breach of Faith" directed against the A.P.A. and wealthy emancipists; when he had some hard words to say on the absurdity of wealth as a measure of political responsibility or social respectability, and when Duncan was labelled as a "leveller, Jacobin and anti-Royalist" by the Herald.

[2] A.C., May 31, 1842.
A.C., June 30, 1842. McEachern had suddenly decided to support Wentworth's "no taxation without representation" argument against the Municipal Bill. Duncan, in an angry exchange at the meeting, said that McEachern had broken his pledge and published a sworn statement of the agreement. The fact was that McEachern was technically in the right as the terms of Duncan's motion which McEachern had pledged to support, had altered. Duncan's bad temper made him look a little ridiculous.

[3] A.C., June 1, 1843. See also Chapter 6 p. 226. McEachern supported the foundation of the Weekly Register.

consequences.

The Australian had taken Duncan up on some of his sarcastic but covert side glances at the education and integrity of some of the leading emancipists, and had claimed that by deserting this group he was running the risk of ruining the Chronicle. Duncan replied in high moral tone. If the emancipists were in the position of being able to ally with James Macarthur, it was very largely due to him. "The man who could with such slight cooperation effect all this", wrote Duncan in self justification, "has not lived altogether in vain." However, if this group now deserted the Chronicle, which had done so much for them, to oppose "the people", the Chronicle would not betray its trust too -

> if it can only stand by keeping in favour with worthless persons, at whatever sacrifice of principle, then the sooner it ceases to exist the better. It shall never descend to this degrading subserviency while we have control of it.[1]

It was all very well to treat one's financial backers in such a cavalier fashion, but Duncan eventually had to pay the price of losing the Chronicle.

The antagonism which this kind of invective aroused may be gauged by the fact that at the next public meeting, the one representing landlord interests, Duncan himself was accused of political dishonesty by Mr. M. Gannon, a wealthy Catholic emancipist

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[1] A.C., June 21, 1842.

who had risen from the operative class. Gannon accused Duncan of collecting signatures from schoolboys for the petition in favour of Municipal government.[1] Duncan conducted an elaborate defence, which, while it successfully cleared him of the charge and placed it firmly on the head of a Mr. Coyle, another emancipist, a tailor, and one of Wentworth's requisitionists;[2] it apparently hardened the opposition of the significant clique of Catholics who opposed Duncan. The Catholic Vicar General, Murphy, entered the lists against Duncan by complimenting Coyle and Gannon the following Sunday.[3]

However, Duncan would give no quarter, and firmly rubbed in the point about his own integrity.

> If there is any circumstance, which has more than any other tended to ensure me a primary position in every society in which I have been placed since my school boy days till now, it is my strict adherence to truth, and by detestation of liars and their base habit of bolstering up one falsehood with another.[4]

His editorial of July 2nd, makes it clear that in his own mind the attack on his veracity had assumed central importance, though no doubt it was written to persuade the half of the Chronicle's supporters who differed from Duncan on the franchise issue that he

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[1] A.C., June 30, 1842.

[2] A.C., July 2, July 5, 1842.

[3] Duncan, An Appeal, op. cit., p. 6.

[4] A.C., July 5, 1842.

did not intend to set up a dictatorial position:

> We have done our best to dispel the illusion; (i.e. that the Municipal Bill was simply an illegal taxation device) we fear we have done too much for our individual quiet... We were not fully aware of the character of the men into whose hands we have fallen. We have never thought it necessary that our co-religionists should agree with us in all matters of politics. If the men who we have drawn from obscurity into notice, by bringing forward their names as orators at public meetings, tacking to each name (with a degree of patient labour which we now wonder at when we look back upon it) some scrap of a speech which the parties may have wished to deliver, but which in truth they were incompetent to spell - if these men had that strong moral sense which alone can make up for a want of education, they would not, in flying into the arms of Mr. Wentworth, have thought it necessary to "disclose the secrets of their prison house", far less would they have made an abortive attempt to ruin our character and credit, both of which however, are, thank God, beyond the reach of their malice.[1]

At least one emancipist, Mr. Samuel Lyons, a wealthy and influential auctioneer[2] who had acted as the go-between for Wentworth and Macarthur, was mortally wounded by this kind of attack,[3] and thereafter spared no attempt to ruin Duncan.[4]

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[1] A.C., July 2, 1842.

[2] Bertie, C.H., The Story of Old George Street, p. 18.

[3] Autobiography, op. cit., p. 67.

[4] A.C., Jan. 5, 10, 1843. S.M.H., Jan. 7, 9, 1843. Lyons accused Duncan of misappropriation of part of a public fund for a plate for Therry. Duncan gave a reasonable explanation; called Lyons a "deliberate liar", and implied that anyone who associated with him was necessarily corrupted.

In any case the effect of the strong line Duncan had pursued was soon reflected in the attitude of the proprietors. By the end of July 1842 they were about equally divided on the question of whether to allow Duncan to continue as editor. Three, William Davis, Thomas Smith and Timothy Maher, requested Duncan to resign and advertised for a new editor.[1] Three others repudiated this action - but in guarded terms.

> these gentlemen acted prematurely and hastily; whatever animosities may have subsisted between you and them, we consider it would be prudent for them to act a little more deliberately.[2]

The letter was signed by Thomas B. Coveny, Thomas Smidmore and John Murray.

A meeting of the Proprietors was then held. Maher and Smith held out against confirming Duncan's appointment.[3] Maher then took the key to Duncan's private room and Smith in the evening tried to stop the production of the Chronicle by taking the bolts to the printing presses. Both of them then "with a gang of ruffian like persons" beseiged the Chronicle Office until a late hour, while Duncan, the other proprietors, and a number of "young natives"

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[1] A.C., July 30, 1842 (Letter of July 21, 1842).
A.C., Aug. 4, 1842. Duncan later claimed that W. Davis refused to sign the advertisement and his signature was forged.

[2] A.C., July 30, 1842 (Letter, July 29, 1842).

[3] A.C., Aug. 4, 1842. Six proprietors voted for Duncan.

defended it. Mr. Fairfax of the Herald and Mr. Reading of the Teetotaller offered their presses for the Chronicle's use if necessary.[1] In the Appeal Duncan later wrote against his expulsion, he connects this incident directly with his quarrel with Gannon, who had attached a party of about twelve people who took his side in the signatures controversy.[2]

In the short run Duncan came out of the situation fairly well. The friendly proprietors organised a meeting of subscribers under the chairmanship of Lieutenant Small, which passed a vote of confidence in Duncan and organised a testimonial,[3] (signed by more than 200 people) which accompanied a watch and appendages valued at £90 - no mean sum at the time. The watch was inscribed:

W.A. Duncan Esquire
Editor of the Australasian Chronicle
By the Liberal portion of
The Inhabitants of New South Wales
In testimony of the zeal, fidelity, and talent
Displayed by him in conducting that patriotic journal
During the last three years
October 25th 1842.[4]

Duncan must have been even more pleased by the testimonial delivered by a deputation of Small, Coveny, Smidmore and Murray, which singled out the characteristics of independence and integrity on

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[1] A.C., Aug. 4, 1842.

[2] An Appeal op.cit., p. 6.

[3] A.C., Aug. 6, 1842.

[4] A.C., Oct. 27, 1842.

which he prided himself:

> We have been told by many of the latter (i.e. "many who differ both in creed and politics from you) that you are not only the best writer in Sydney, but also the most independent; and we are happy to state that this opinion is strongly confirmed and supported by the compliment paid to you by Sir Richard Bourke, who said that the Chronicle was not only the best paper in the colony but equal to any existant.....Your indefatigable exertions in advancing the cause of Catholicism and every other laudable public cause deserve not only our best thanks but that of all the friends of civil and religious liberty in the community; and we feel assured that our amiable Archbishop will on his return to the Colony warmly appreciate the battles you have won, and the great good effected by your labours.

Duncan's reply was characteristic and unyielding. He refused to see little else in the issue but what reflected credit on his own views and supporters, and discredit on the character and intelligence of his opponents.

> I am conscious of having performed a highly responsible duty fearlessly and conscientiously, to the best of my ability; and amid public opposition of a fair, but most determined kind, and under private annoyances of a nature hardly to be credited as existing among Christian men.[1]

However, the eulogy, with its slight on the Vicar General and its prophesy of better things when the Archbishop returned, and the magniloquence of Duncan's reply could not conceal the fact that much was wrong.

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[1] Ibid.

The subscription had taken some months to fill. Duncan insisted in the Appeal that the Vicar General Murphy and his partisans had tried to prevent the clergy and other responsible Catholics from contributing,[1] and in his response to the testimonial alluded to the fact that some names were missing. It was part of the irony of the situation "that a man's worst, and in this case his only enemies should be 'of his own household', "remarked Duncan, as he insisted that he was even more gratified by the list of those who had subscribed since

> some of those whom I had reckoned upon as my warmest friends shrunk from incurring the risk of obliguy in taking part in your proceedings.[2]

In the long run, however, the division in the Catholic community was fatal for Duncan's connection with the Chronicle and seriously affected its potency. Animosities had been aroused which Duncan could not weaken. Duncan would not admit that the organised attempt of the dissenters had much effect. However, he did recognise that the Chronicle which he considered "almost omnipotent" when it had the whole of the Catholic body behind it, was gradually weakening.[3] This indeed is reflected in the lists of

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[1] An Appeal ... op. cit., p. 81.

[2] A.C., Oct. 27, 1842.

[3] Autobiography, op. cit., pp. 69-70.

agents, which gradually grew smaller after July, so that despite finding new agents in some cases, there were eleven agencies vacant by January 1843.[1]

Much acrimony obviously coloured the dispute in private, some of it aroused by the Vicar General himself,[2] but publically the issue again crystallized around the matter of Irish Repeal agitation. Being non-Irish, a convert, well educated and choosing to make his personal friends mainly amongst the Protestant community,[3] Duncan must have appeared as a fervent though somewhat aloof member of the Catholic Community. Yet something of the hero worship he had gained in 1840 among the operatives, had clearly rubbed off on him at the meetings of the St. Patrick's Society until 1842.[4] However, Duncan repeatedly refused to report on the

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[1] A.C., July 2, 1842. 8 agencies vacant.
Aug. 2, 1842. Two agencies changed hands.
Jan. 5, 1843. 11 agencies vacant on list of 34.

[2] Appeal op. cit., p. 7 - Duncan mentions "an unimportant private misunderstanding" which Murphy "made a great handle of in his indefatigable gossip from house to house" - Also p. 9. Murphy's attempt to prevent people signing the testimonial cf. p. 26. See also A.C., Aug. 25, 1842 - Correspondence - an organised attempt of Duncan's enemies to have subscriptions withdrawn.

[3] A.C., Sept. 30, 1841.

[4] A.C., March 18, 1841, Feb. 23, 1841. Meetings of the Society of St. Patrick in which Duncan was prominent.
A.C., June 17, 1841. "Mr. Duncan was received with a tremendous burst of applause" - A motion was passed thanking Duncan for "his constant, and generous advocacy of the interests of St. Patrick's Society". Cf. A.C., June 28, 1842. For the first time Duncan was not elected to the Committee of the St. Patrick's Society.

agitation for Repeal in Ireland. In April and May 1841, he had tactlessly signified that he hoped that the agitation in England and Ireland would be unsuccessful,[1] and again in May 1842 before the quarrels just related, he had publicly reiterated his position, claiming moreover, that despite numerous deputations (including presumably those from the Proprietor, Thomas Smith) he had "invariably refused, and (had) made some pecuniary sacrifice and some enemies in consequence". To drive home the point Duncan continued:

> there are thousands in this colony who are advocates for repeal, and it is entirely due to our OBSTINATE resistance to the popular will that repeal associations have not been established in every district of New South Wales.[2]

This statement must have been as a red rag to a bull to some of Duncan's opponents, and when a Repeal Association was finally founded in November 1842, its Office bearers included the three dissenting proprietors as well as Mr. John Coyle, the man Duncan had accused of collecting Catholic schoolboys' signatures for the Wentworth faction's petition in the Municipal Bill[3] issue.

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[1] A.C., April 29, May 4, 1841. Duncan endorsed the Tablet argument, that without the Irish Members in the House of Commons, Religious liberty in the Empire would be threatened.

[2] A.C., May 24, 1842.

[3] A.C., Nov. 26, 1842. T. Maher, W. Davis and T. Smith. Others on the Committee included W. Cosgrove, J. Walsh, M.E.M'Encroe, M. Kelly and J. Lynch.

Duncan thought that this was the most successful means of attacking him,[1] and that although the association "ended in smoke", to the "evident chagrin of the Vicar General", many of the newly arrived Irish withdrew their support from him.[2]

Thus Irish patriotism was an even more powerful means of losing support for the Chronicle than the franchise issue and Duncan's attack on the emancipists, for it operated particularly among the group to whom "the better life" was meant to appeal - the new immigrants and poorer classes. It operated within the Catholic body as a divisive force; and it ensured that the issue of control of the Chronicle would be the vital internal issue of the Catholic Church during the years 1841-43.

The election campaign of 1842-3 brought the two issues, Duncan's radicalism, and his opposition to the transference of sectarian Irish nationalism, together. On the one hand, his support of Captain O'Connell's candidature despite an Irish sectarian attack

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1 Autobiography, op. cit., p. 69.

2 An Appeal, op. cit., p. 7.

precipitated angry attacks on his editorship.[1] On the other hand, his opposition to any alliance between the old "clique" and middle class "liberals" led him to attack Roger Therry's coalition with James Macarthur.[2] He was thus in the position of opposition to one of the most respectable and important Catholic laymen in the community, though he was probably fortified by the fact that the three Deans, Brady, O'Reilly and McEncroe were with him in this instance[3] and by Polding's encouragement of his general line on the election.[4] Nevertheless, the view which prevailed was Therry's - that the Chronicle had failed in its duty to be a representative Catholic paper.[5]

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[1] Colonial Observer. Jan. 8, 17, 1843. Two angry letters by "An Elector", objected to Duncan's opposition to repeal agitation, and argued that his policy was determined by his support for the Protestant O'Connell, a "place man" and army officer of the type that had "robbed Ireland", were published. The writer revealed his personal antagonism to Duncan by describing him as a "weed" the "Scots Kirk had ... thrown ... to Rome", and linked his chagrin to the events of June and July 1842, when Duncan had refused to allow the writer to answer the "discreditable" charges Duncan had made against "respectable citizens".

[2] A.C., Jan. 14, 1843. An Appeal, op. cit., p. 9.

[3] Suttor, op. cit., p. 25.

[4] An Appeal, op. cit., p. 9. Polding had told Duncan to watch the election carefully and to see that the principle of religious equality was not infringed.

[5] Callaghan, Diary, op. cit., extracts in J.R.A.H.S. Vol. XXXIV, p. 371. The Chronicle was under the "control of Macdermott".

On February 20th, 1843, the four supporting proprietors requested Duncan to resign, without further discussion in view of his "adherence to a self-willed line of writing."[1] Duncan's appeal to Murphy brought the reply that he sanctioned the change of editors "for the success of the paper and the interests of (the) shareholders."[2] Indeed, it was clear that Murphy had been a prime mover in the matter.[3] He was no doubt influenced by his close friend, Roger Therry, although Wentworth, (who had felt Duncan's worst barbs during the election campaign) or at least his close political allies among the emancipists, may have also taken a part in agitating for Duncan's removal.[4]

On February, 22nd, Duncan found himself kept out of his office by "hired ruffians"[5] and on the following day the Rev. McEncroe, as the new editor, published the Vicar General's criticism of Duncan's editorship: The Chronicle

> was never intended to be a political firebrand, or a rock of dissension, especially among Catholics, or liberal Protestants... (it was) a partial failure... the means of sowing discord among members of the same communion.

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[1] An Appeal, op. cit., p. 11.

[2] Ibid, p. 9.

[3] Ibid, p. 12.

[4] Duncan to Deas Thompson Sept. 21, 1847, ascribes his dismissal to the influence of "Mr. Wentworth and his Sydney friends".

[5] An Appeal, op. cit., p. 11.

Though overtly indifferent to the candidates for the Legislative Council, the Vicar General argued on grounds of prudence that the Church could not be identified with Duncan :

> we wish well of all men of liberal and enlightened views - we desire not to be active partisans of any, we want no dictatorship in politics or polemics and we feel it high time .... to dissever ourselves in the eye of the public from the imprudent and injudicious conduct of Mr. Duncan; we consider his zeal to have led him beyond "sobriety" of opinion... and that instead of defending the cause he has undertaken to defend he is seriously injuring the same. This is the opinion of every Catholic clergyman with whom we have consulted.[1]

The Vicar General concluded by quoting a letter of Polding's which privately warned Murphy against the incautious and overzealous conduct of Mr. Duncan.

There are indications that Murphy was not entirely candid in giving Duncan's authoritarianism on the issues of religious equality and political radicalism as the explanation of his removal. If the Vicar General had not had a special axe to grind he would surely have delayed Duncan's dismissal for a couple of weeks until the absent Benedictine superior, Polding, returned from Europe.[2] His "axe" was the Irish influence in the Church, and he apparently moved quickly to forestall intervention on Duncan's behalf by Polding

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[1] A.C., Feb. 23, 1842.

[2] The Australian, Mar., 10, 1843. Polding and Dr. Gregory had returned from Europe the preceeding day.

who had encouraged Duncan in many of the policies which Murphy criticised.[1] Both Polding and Duncan were critical of aspects of Irish Catholicism. Polding indeed saw the plan for a Benedictine monastery at the centre of the Australian Mission as a means of safeguarding the mission from the potential materialism of Irish secular priests.[2] Duncan admired the Benedictine scheme and he was also critical of Irish attitudes in which he believed the clergy often shared: the tendency to stress a "ghetto mentality; the predeliction for identifying Irish nationalism with religious fervour and the trend to philistinism in a poorly educated race.[3] Thus, in the

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[1] Autobiography, op. cit., p. 76. Duncan quoted a letter from Polding which illustrates his support for Duncan's strong line on the matter of religious equality. Polding wrote in reference to Duncan's attack on Dr. Lang's Question of Questions: "I am indeed glad the impertinent troublesome puppy has met with one who lays bare, and lays on with such goodwill. If you rid the colony of him and his nonsense, you deserve a record tribute of public gratitude ....Judge Burton appears quite tame...you have done your duty in his regard nobly and well". See also An Appeal, op. cit., p. 4 & 9, which gives extracts from Polding's letters supporting Duncan's attitude to the 1843 elections, at least in so far as Duncan was concerned with the maintenance of religious equality legislation. Evidence of Polding's earlier support for Duncan's policies may also be found on the manuscript emendations in Duncan's own copies of the Chronicle. Polding apparently wrote the articles. A.C., Aug. 27, & Nov. 22, 1839 (attacking the Anglican Oligarchy and Re-establishment) A.C., Dec. 6, 1839 (on the need for Representative Institutions) A.C., Dec. 10, 1839 (against H. Macarthur's attempt to use his social influence to prevent his son's conviction).

[2] Shannahan M., op. cit., p. 52 "Past experience alone convinces me", Polding wrote in 1842, "that in young missionary countries the vow of poverty alone can prevent the accumulation of wealth, the bane of the Church and the destruction of the individual." He was presumably thinking primarily of the Irish seculars.

[3] See Part IV.

years when three of the four Benedictines in the colony were absent in Europe[1], Duncan saw his editorship of the Chronicle as a major bulwark against certain tendencies in Irish Catholicism.

The years of his editorship were indeed crucial years and years in which Polding's scheme for a monastic mission was undermined[2]. During them the Irish element under Murphy as Vicar General came into its own. The flood of new Catholic immigrants were virtually all Irish. Murphy in many ways was the epitome of the Irish pastor[3] and ruled the expanding mission with a minimum of contact with his absent superior,[4] and in as much isolation as possible from the secular authorities.[5] He tried to limit the defence of

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[1] Suttor, op. cit., p. 12. Polding, Gregory and Ullathorne were absent. Lovat alone of the English Benedictines remained.

[2] The new social and political complexity of the colony, its rapid expansion both geographically and in population, and the flood of Irish made the monastic plan unrealistic. Ullathorne realised this at the time in 1842 that the mission would, and perhaps ought to, become an Irish field - "to do anything Benedictine in the Colony is now out of the question." (see Shannahan, op. cit., p. 52-3)

[3] Suttor, op. cit., p. 5. Ullathorne had judged Murphy's motive in their competition over the Vicar generalship as ambition bound to frustration by "want of breadth of mind and freedom of temper". However T. Suttor more justly considers that while the judgment of Murphy's character may stand, his motive was not so much ambition as a "belief, very intense because it ran in narrow channels in the vocation of the Irish secular priest."

[4] Suttor, op. cit., p. 9.

[5] Ibid, p. 9.

Catholicism, which Polding wanted sponsored, for fear of offending Protestants,[1] and he cultivated the expression of Irish national grievances relating to the home situation. He limited his political vision, in a way that Polding did not,[2] by the fear of offending the pretensions of the group that included the nouveau riche proprietors of the Chronicle. Even the three Irish Deans thought he was weak and vacillating in this matter.[3] Ullathorne who distrusted these men from the start, would perhaps have been more critical. To have had the Catholic organ edited by Duncan must have been an extremely irritating thorn in Murphy's side, for Duncan offered a direct contradiction of some of his policies. He pursued the attack on Judge Burton's book and the defence of Polding's criticism of the persecution of Catholics in the early days of the colony directly against the advice of the Vicar General (and it might be added, of Roger Therry, in the first case, and the tacit opposition of all the Irish clergy with the exception of Dean Brady in the last).[4] He organised a public defence of Irish immigration on the grounds of religious equality apparently against Murphy's better judgement, and virtually forced

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[1] An Appeal, op. cit., p. 4, p. 5.

[2] Autobiography, op. cit., p. 76. Letter from Polding August 1842. Polding preferred a lower franchise.

[3] Suttor, op. cit., p. 23.

[4] An Appeal, op. cit., p. 4-5.

the Vicar General into tacit agreement.[1] He pursued the anti-repeal line despite direct clerical opposition. He insisted on attacking the high franchise advocates though they included the wealthy Catholic group around Murphy.

Not only did Duncan differ from the Vicar General in all these matters but he felt that he should make no apology for this. Where Murphy was cautious Duncan was outspoken and indeed made it clear that he could not easily distinguish caution from cowardice in some cases closely touching the Vicar General.[2] In the opposite extreme to the Irish tendency to make heroes of their clergy, and to bow to their judgement in non-ecclesiastical fields, Duncan blatantly asserted his independence. Further, he took it upon himself to criticise this hero worship in the case of the visit of Fr. J.J. Therry to Sydney as "over-zealous and outrageous enthusiasm" implying criticism of Ullathorne and Polding who had deprived Therry of Sydney.[3] Finally, and possibly the worst tactical error, Duncan took it upon himself to criticise the lack of zeal in the Mission under Murphy, in failing to take more advantage of government subsidies for education and church building.[4] In the

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[1] A.C., Sept. 16, 1841, op. cit. Murphy's speech at the Meeting to protest to Immigration discrimination.

[2] An Appeal, op. cit., p. 4.

[3] Ibid. p. 4-5. Duncan records that he "made some enemies among the old hands".

[4] Ibid.

Chronicle Duncan insisted that this was not meant as a personal criticism of the Vicar General, but it quickly drew from the Rev. Mr. Brennan, Murphy's councillor, the public remark that "the Catholics were too liberal to some people" - meaning Duncan.[1] In fact Duncan was very critical of Murphy's zeal. In the Appeal he wrote:

> in all the efforts I have made on behalf of religion, by publishing pamphlets, Catechisms, prayer books, a directory, sacred music, etc., by which efforts I have wasted my slender means, and involved myself in difficulties, I can only say most truly that Mr. Murphy has not only not patronised me, but has invariably thrown cold water....Nor has that opposition to every good thing been restricted to my efforts. The Orphan school founded by Dean Brady, the various churches founded by your Grace, the expiring Institute (Duncan's baby), and every Catholic school in the colony will attest the utter want of zeal and Catholic spirit displayed by the Very Reverend Vicar General.[2]

In view of the general antagonism between Duncan and Murphy it is not surprising that Murphy was lukewarm about Duncan's self sacrificing efforts!

To the harassed Vicar General Duncan's opposition to Therry's candidature must have seemed like a heaven sent reason

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[1] Ibid.

[2] Ibid.

for getting rid of the troublesome editor. Possibly Murphy also calculated on Polding's general tendency to avoid open quarrels if possible,[1] and concluded that if Duncan's loss of the editorship was presented as a fait accompli Polding would accept it. If so, he calculated well.

When Polding returned he pursued a typical policy of attempting to smoothe over antagonisms by dalliance. He prevailed on Duncan not to publish his Appeal by assuring him that he would take steps to reinstate him[2] and then did nothing.[3] Duncan received only the solace of Legal settlement,[4] and perhaps the knowledge that

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[1] Shannahan, op. cit., p. 57 discusses this aspect of Polding's personality in reference to the later Therry-Wilson dispute. "Polding's desire to do things peaceably and to take the roundabout way, if the direct route would lead to dissension and strife, caused him often to change his plans".

[2] Autobiography. op. cit., p. 77 "The Archbishop received me in the kindest manner - unhesitatingly expressed his disapprobation of my removal, and his approval of the silence I had maintained; entered into detail of the difficulties in which he found himself placed by the state in which he found his diocese on his return; and assured me he would take the means to see me righted, but begged that I would not circulate my printed appeal which has been read by only three or four friends."

[3] Ibid. p. 80 "his timidity and the ruffianism of the men he had to deal with, got the better of his inclinations, and nothing was done. From this time I, who had been for three years his bosom friend ceased altogether to visit the archiepiscopal residence, though often indirectly solicited to resume the intimacy; at the same time I took care to intimate that it was not from any ill feeling to the Archbishop that I acted thus, but only to maintain my own character for consistency".

[4] Ibid. p. 76. There were several lawsuits over the financial settlement. Duncan felt cheated of £300-400, despite his general success in these battles.

the Chronicle could not survive better without than with him.[1]

In the whole affair, one cannot escape the conclusion that Duncan had been a poor tactician. He had undertaken a difficult task when he had decided to make the Chronicle a forthright radical journal, as well as the organ of the Catholic community. He was presumably aware that the two functions did not necessarily coincide,[2] and, although at first, the Chronicle was a great success, Duncan's

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1 At first under Duncan's guidance the Chronicle had had great success and, in a little over a year, gained a circulation second only to the Herald's. (See A.C., Jan. 21, 1840, Jan. 2, Mar. 30, 1841, Feb. 10, 1842). Duncan claimed that "at its peak", the Chronicle had 1600 subscribers (See Autobiography op. cit., p. 76). During 1842, however, in conjunction with Duncan's controversial policies, the circulation declined (See above p. 210), and in June 1843, the proprietors disposed of their now depreciated asset by giving it to the Archbishop (See A.C., June 1, 1843). Under the name of the Morning Chronicle (to 1846) and the Sydney Chronicle, it struggled on until 1848, but never again achieved the success of its first years.

2 With his views on the need for Catholic integration in the community Duncan was at pains to point out that the Chronicle was also the organ of liberal Protestants and that it would cease to have a specifically Catholic orientation when the need to defend religious equality against sectarian attack ceased. (See A.C., Nov. 19, 1839. See also A.C., Mar. 27, 1841 -- 1/3 of the Chronicle's supporters were Protestant.)

pugnacity aroused opposition on numerous sides.[1] He was so committed to his several aims -- to defend religious equality against Anglican attacks; to prevent the expression of Irish nationalist feeling; to produce a liberal attitude among Catholics; and to further the radical political programme -- that he was not prepared to moderate his tone in any one area in the interest of consolidating support.

In addition, the strong moral righteousness with which Duncan invested his opinions on social-political matters and his intolerance of any self-interest which interfered with the radical programme, made it difficult for him to handle opposition diplomatically. His quick temper, his tendency to impute moral

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[1] There is a notable correlation between the rise and fall of the Chronicle's circulation and Duncan's political policies. The period of most rapid expansion seems to have occurred in mid-1840 - the time when Duncan was defending the immediate interests of immigrants and emancipists; when he was in the thick of debate over the Bounty v. Government systems of immigration, Emancipists' rights and Irish immigration; the time when he had begun to believe that since bigotry was less rampant he could give less emphasis to answering sectarian attacks which displeased some of his Protestant readers. The period of rapid decline occurred in mid-1842, after Duncan had taken the wealthy emancipist body to task over the high franchise issue, and had some hard things to say about the poor characteristics of the wealthy in N.S.W. By this time also his opposition to lowering the price for land, or importing cheap labour (schemes favoured by many of the wealthy colonists) had become clear, as had the limitation of his support for specifically Irish grievances.

guilt to opponents, and his genuine difficulty in finding common ground with fellow colonials if they were men of very limited eduation like the Catholic emancipist body, strained the lines of communication between Duncan and his associates. His inability to find a working relationship with Murphy was symptomatic of Duncan's personal difficulty. Between the two there were genuine, objective issues of dispute, but this cannot hide the fact that Duncan was an extremely poor tactitian in flaunting all their differences, at a time when the support of Polding was absent. If he had been more moderate he might have avoided the implacable opposition of the small group of antagonists - Lyons, Smith, Gannon, Coyle and Maher, who had gained the Vicar General's ear. Had he been more diplomatic Therry might not have joined hands with this group in opposition to the Chronicle. Despite Therry's part in cementing the Macarthur-Wentworth alliance, and his close friendship with Murphy, Therry and Duncan shared common ground as educated Catholics. They were currently working together on O'Connell's committee, despite the opposition of the Irish and Wentworth's group.[1] There was by no means a unanimous concensus of opinion

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1 Australian, Feb. 27, 1843.
Duncan Diary, op. cit., Jan. 11, 1856. Their association had lasted for Duncan undertook to write part of Therry's reminiscences.

against Duncan's editorship.[1] However, his tactless independence had undoubtedly created an atmosphere of suspicion, on which Murphy could capitalise.[2] It was no wonder that the colonial press generally saw in Duncan's dismissal the lesson of zeal which outstripped discretion.[3]

Duncan's next venture, the Register, which declined "the advocacy of any sect or party"[4], was a better vehicle for one of his independent outspokenness. However, it was not easy to keep journals

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[1] An Appeal op. cit. Dean Brady and O'Reilly complained that they had not been consulted about Duncan's dismissal. See also Australian March 8, 1843. Despite differences with Duncan on political issues and dislike of his heated remarks, the editor wrote "we nevertheless but faithfully reflect public opinion when we say that Mr. Duncan had ably and entirely discharged his duty towards his constituents; and the Catholics and working men of the colony are bound by gratitude to rally round him to a man." See also ibid., Letter, "from a Lover of Fair Play" pointing out that the Catholic Clergy were not solidly in favour of Murphy's action.

[2] This is typified by the attitude of Dean Brady, who, with Dean O'Reilly, agreed with Duncan's general line on the elections, yet did nothing to help him. Brady's attitude to Duncan had hardened when Duncan's opposition to the total abstinence movement became clear. Duncan had also been tactless when Brady's orphanage was expelled from the government building in which it had illegally taken up residence. (see Suttor op. cit., p. 22, 25).

[3] The Australian op. cit., March 8, 1843.

[4] Autobiography op. cit., p. 78.

solvent in the colony in the best of times[1] and the Register was founded during the depression. When its prospectus appeared the Chronicle prophesied[2] that it would fail since, in contrast to the "four respectable" papers, the Register did not have wealthy friends who could keep it financially afloat[3]. The prophesy was fulfilled when two and a half years later financial reasons made it imperative for Duncan to give up a struggle, which had involved considerable material sacrifice. He was forced to sell books including those of his own library,[4] and probably also resorted to

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[1] The proprietors of the Chronicle had, for example, invested £5000 in it in the boom period and expected no return -- only that it would pay its way. (See A.C., Jan. 2, 1841, April 23, 1842) Costs were very high. (A.C., May 11, 1841 - £100 per month on the Chronicle) It was difficult to collect subscriptions. (See A.C., March 10, 1840, Oct. 27, 1840, July 20, 1841, Feb. 26, 1842, Aug. 11, 1842) Heavy competition especially for advertizers led to the instability reflected in the number of colonial newspapers during this period, and the number which came to an ignominious end. (See Normington Rawling, op. cit., p. 72.) In 1839 Sydney had more newspapers than Edinburgh. The Gazette, Monitor, Australian, Herald, Colonist, Commercial Journal, Standard, Australasian Chronicle and the Government Gazette. See also A.C., March 6, 1841 Duncan listed his competition: Herald, Australian, Gazette opposed to the land reforms, and Monitor and Free Press with him supporting "Mr. Mother Country". W.R. April 6, 1844 Herald, Australian (now a daily) two shipping journals, Chronicle and Guardian.

[2] A.C., June 3, 1843.

[3] A.C., June 1, 1843 Advertisement for the Weekly Register. Apart from H. Macdermott who chaired the meeting to raise funds for Duncan and G.R. Nichols of the Australian and Captain Carter who moved the main motion of support, the other members of the committee were generally colonial non entities - they included Cooper (Snr) M'Carthy, Morley (Snr) Lenehan, Walt, Carruthers, Celta, Costella, Murphy, O'Brien, Driscol, Smith, Vercoe, McEachern, the radical although not a member of the committee, took a prominent part at the meeting.

[4] Advertisements for the sale of his library appeared in the Register during most of 1844 and 1845.

teaching[1] and moving to a smaller house[2] to make ends meet. Even so the loss was not less than £1500, of which £600 was Duncan's private debt. It took him until November 1847 to repay it.[3] It was no wonder that he spoke of the decision to end the Register as one

> brought with great reluctance after the most persevering efforts, and sacrifices more than commensurate with his means, made with the desire of giving a permanent existence to the Weekly Register.[4]

It was also a period of personal tragedy. Of Duncan's seven children, at least three had died since he had arrived in

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[1] W.R., Feb. 22, 1845 - an unnumbered advertisement (The only other unnumbered ads. were for Duncan's books) "Married gentleman who is qualified to instruct in Greek and Latin for entrance to University....and to impart the advantages of a comprehensive English Commercial and General Education.... offers tuition to young ladies or gentlemen...at residences in Surrey Hills or Wooloomooloo."

[2] W.R., April 5, 1845. Another unnumbered advertisement "To Let, A desirable Residence...Apply W.A. Duncan."

[3] Autobiography, op. cit., p. 83.

[4] W.R., Dec. 27, 1845. Also Duncan to Deas Thompson, September 21, 1847, op. cit. Duncan's pride was later to be wounded by R. Lowe's description of him as a "stationer". Duncan wrote "if I sold books....it is well known that I was driven to it by the sudden loss of a salary of £400 a year... Still I am not ashamed to say that I would turn "stationer" or shepherd even, to avoid insolvency."

Sydney,[1] including Lewis, his only son, in October 1845. Duncan records that:

> my spirits had been greatly cast down and my interest in public affairs much weakened by the death of my only son, a fine boy of twelve years.[2]

Disillusionment was to be expected, however, even without family tragedy. Duncan had begun his journalistic career in the colony in high hopes that he would be able to markedly influence the course of colonial affairs. He had found the situation on his first newspaper intolerable when his editorial independence was threatened by the opposition of the Irish Catholic and emancipist groups to whom the paper was tied. On the Register he had been independent enough. He had, indeed, scornfully rejected attempts to compromise his freedom[3]

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[1] Death Certificate of W.A. Duncan; shows seven children. Autobiography, op. cit., p. 92. Four children had died by 1845. The three deaths I have seen recorded in Sydney are: Cecelia, aged three years, (A.C., May 20, 1841). Juliana, aged one year seven months, described as his fourth daughter. (A.C., Feb. 19, 1842). Lewis, aged twelve (W.R., Oct. 11, 1845). Of the other children, two were at school at the Lady's Seminary, Parramatta for some time (A.C., Dec.10, 1842) and another daughter was born in May 1844 (A.C., May 25, 1844).

[2] Autobiography, op. cit., p. 91-2.

[3] Ibid p. 87. Duncan quotes Gipps' despatch to W.E. Gladstone, May 28, 1846, which confirms that attempts had been made by the squatters to bribe him to support their case. (See also W.R., July 5, 1845) In reply to Lowe's charge that Duncan was a sycophant of Gipps, Duncan wrote: "The stand we made against the pastoral movement in April 1844 was the most perfect act of editorial independence ever performed in New South Wales. In taking that step we lost much, we expected to gain nothing -- we have gained nothing".

and had been praised for his integrity[1] -- but the price of such independence was financial ruin. Although, a modern historian has rated this independence highly - "had the Weekly Register continued it would have contained the wisest commentaries on the radicalism of later years"[2] - Duncan could have drawn on little such comfort in the days of squatter political ascendancy. He could see that his endeavours to mould colonial society were defeated. In closing the Register, one wonders whether Duncan thought back on the statement he had made in 1842, at the height of the franchise struggle:

> We have freely put forth our honest opinions on public events....In one thing we have erred -- in taking an active part upon the political stage, a position which God and nature, or at all events our individual tastes and habits, have unfitted us.[3]

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[1] E.g. Autobiography op. cit., p. 85. Here Duncan quotes one of these compliments -- a letter from T.A. Murray, the Catholic Magistrate who had opposed Duncan's campaign against the alleged discrimination against the Irish in 1841. Murray wrote of the Register: It certainly was an able paper, its articles were occasionally rather too strong in their opposition to the old and large settlers, but still they bore an air of honesty, and sincerity, which entitled them to respect, and they were free from scurrility and dogmatism -- two prominent features of the character of our Colonial papers. An unprincipled press is a curse to a country, and I do not like to see that while some worthless papers here flourish, one of the very few good ones which we had falls to decay."

[2] Roe, op. cit., p. 319.

[3] A.C., July 2, 1842.

In many ways Duncan's nature was unsuited to an active role in politics. He liked to think at a fairly abstract level at some removes from immediate political effectiveness. This was true of many of his views we discussed in Chapter 4, for example: his advocacy of separation of Church and State; of concentrated small farming communities as the basis for N.S.W. 'society'; and of a comprehensive National System of education. In the political sphere, as we saw in Chapter 5, his dedication to these social objectives had made him naive at first in estimating the nature of political alignments in the colony. He had made a bad misjudgment when he calculated that the middle classes would stand as a body with the new immigrant operatives in demanding a wide franchise. His attack on the middle class defectors also illustrates that moralistic and undiplomatic authoritarianism by which Duncan roused antagonism. His whole career on the Chronicle and Register, which we have reviewed in this chapter, in fact, illustrates this point - that Duncan's authoritarianism and inability to move diplomatically made it difficult for him to maintain a public platform. He was in fact unusually acute about himself when he wrote that "God and nature" had not fitted him for an "active part on the political stage"!

His immediate qualification of this statement-"or, at all events our individual tastes and habits have unfitted us" - also contains a pertinent germ of insight. With the Register Duncan

had moved far from his original optimism about the success of democratic forces. He had become a firm supporter of the Governor. He had come to believe that only among the "more intelligent and reflecting classes"[1] could the real issues be understood. The path was thus cleared for his submergence in the respectable establishment group of later years; the group to which he had most social affinity, and in which his "individual taste" for that important colonial quality of "respectability" was most assured. Duncan's satisfaction with this result of his career on the Register is conveyed in the Autobiography:

> It was to me a period of poverty and privation on the one hand; and on the other of honour such as the greatest literary men might have been justly proud... my subscription list contained the names of nearly all that was respectable in the colony.

Duncan went on to point out that even the squatters' abortive attempt to bribe him was not an unmixed blessing for "while it reduced my subscription list on the one hand (it) raised my reputation considerably on the other."[2] One of the main themes of Duncan's later life was here set - his absorption into the respectable establishment.

Duncan's boast of his enhanced reputation was no idle one.

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[1] W.R., March 8, 1845.

[2] Autobiography, p. 85.

Gipps had clearly marked the career of the Register. On the request of Mr. Hastings Elwin and one or two others Duncan was promised the Secretaryship of the proposed Crown Lands Board[1] and when this had come to nothing[2] Gipps appointed him to the new post of Sub-Collector of Customs at Moreton Bay. Gipps' despatch on the matter is illuminating:

> Mr. Duncan is a young man of very great ability and assiduity. As editor of this paper (the Register) he alone of all persons connected with the Public Press of the Colony supported the policy of the Government in the issue of the Squatting regulations of 2nd August....It is within my knowledge that large offers were made to Mr. Duncan by the Pastoral Association or its agents to induce him to alter the politics of his paper, and then on his refusing it was determined if possible to ruin him.[3]

Duncan accepted the post and took up his duties on June 13, 1846. His appointment was not received without opposition in the colony. Robert Lowe in particular raised the cry of jobbery[4]

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[1] Autobiography, op.cit., p. 86. The Atlas Jan. 1846, reports the rumour to this effect and comments that it was fitting that the advocate of "the debasing tyranny of the Colonial Office", should be appointed.

[2] Ibid., p. 86. No authority to create the Board arrived, and Gipps' declining health also prompted a change of plans.

[3] Gipps to W.E. Gladstone, May 28, 1846. Despatch No. 106. (M.C.) Duncan also quotes part of the despatch in the Autobiography p. 87.

[4] S.M.H. Sept. 2, 1847. April 28, 1848. Autobiography, op.cit., p. 97-99. Lowe objected to the alleged misuse of patronage - the elevation of a man from "a small stationer's shop" to a position "over the heads of old officers of a department of the business and details of which he could know nothing". He had also made some insinuations against Duncan's moral character.

but Duncan found an ample number of defendants.[1] His career for the next thirty five years as a senior customs official was established.

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1 Ibid., p. 98. Duncan to Deas Thompson, Sept. 21, 1847. The Attorney General, Deas Thompson, and Captain O'Connell defended Duncan's character and ability.

PART III

The Civil Servant

INTRODUCTION

Because of the significance of Duncan's early journalism in N.S.W. it is worthwhile to pursue the history of his later life. Our first aim is to show the process by which the sapping of Duncan's radical initiative was achieved in the secular sphere; our second is to complete the argument that Duncan's personal rigidities and extreme willingness to loudly impute moral weakness to opponents, made it nearly impossible for him to play a constructive role as a politician.

CHAPTER 7

Moreton Bay - (1846-1859)

Writing to Henry Parkes in October 1846, four months after his arrival in Brisbane, Duncan implied that he was something of an isolate in this "uncivilised" frontier town, and indeed, was little interested in its concerns.[1] The same theme of quiet retirement pervades the notes Duncan wrote in 1854, at the end of the Autobiography in which he had already recorded his decision of 1846[2] not to interfere in politics:

> I have reason to believe that I stand well with the Government and all the respectable portion of the public. My time, when not engaged in official duties, is passed in my library, my music room, or my garden, varied by just as much visiting as the forms of society require.[3]

Yet, when he departed from Brisbane in 1859, the Moreton Bay Courier, suggested that despite the respect Duncan had won for his

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[1] Duncan to Parkes, Oct. 20, 1846. (Parkes Correspondence M.C. A881) "I keep myself very little in the way of local information, except what is indispensable to the discharge of my duties. The duties of my office would indeed be simple, if I had civilised men to deal with, but the inhabitants have given me all the little opposition in their power which will, perhaps, be of advantage to me in causing me to adopt a more decided course than I should have otherwise thought necessary.

[2] Autobiography, op. cit., p. 97.

[3] Ibid., p. 101.

private character and the work he had done for the School of Arts, his career at Moreton Bay had set an important and dangerous precedent for the interference of government officials in public affairs:

> Government officials are entitled to respect, and to the rights of citizens in the exercise of the franchise... but whenever they are thrust prominently forward as leaders of parties of chairmen of political meetings, they are out of their places, and in a new community like this, a dangerous precedent is evoked.....Mr. Duncan had earned for himself fame, which if he is wise, will content him, so far as his political life goes, for the remainder of his days.

The editor went on to advise that "sweet retirement and non-interference even by secret diplomacy" would be the best future course.[1]

The fact was, that Moreton Bay was far too small a community to allow a man of Duncan's capacities and outspokenness to remain uncontroversial. Six years before his arrival, the area had been little more than a repository for the worst convicts, and although in the early forties land sales and free immigration had added to the population of the Brisbane district and the squatting hinterland, in 1843[2] it was not more than 2,000[3]. Duncan's arrival in June 1846 actually coincided with two elementary stages in the development of

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[1] M.B.C., May 4, 1859.

[2] M.B.C., March 29, 1851.

[3] Sutter, op. cit., p. 274.

the area. In 1846 Moreton Bay became a port of entry[1] and gained a newspaper.[2] In 1849, there were less than 100 people in the borough of sufficient property or income to qualify for the 1842 franchise.[3]

In this community Duncan was inevitably conspicuous as a leading member of society. Apart from his appointment as a Sub-Collector of Customs, he held twelve other minor Government posts,[4]

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[1] M.B.C., June 20, 1846.

[2] The Moreton Bay Courier founded in 1846.

[3] M.B.C., April 21, 1849. The number grew to 142 in 1850 (M.B.C., May 11, 1850).

[4] Duncan, Diary op. cit., Jan. 1, 1856. Duncan records 13 offices. These were: Member of the Immigration Board with the Police Magistrate, Captain Wickham, and Dr. Ballow. (The board was formed following receipt of the information that the Colonial land and Emigration Commissioners had despatched a migrant ship direct to Moreton Bay. (Col. Sec. to Duncan, Oct. 20, 1848))
Emigration Officer (He was appointed because a ship was about to embark emigrants for California at Moreton Bay). (Col. Sec. to Duncan Jan. 8, 1850).
Water Police Magistrate. (Col. Sec. to Duncan March 7, 1850, also Government Gazette 1850 p. 358)
Magistrate of the Territory. (Government Gazette 1850 p. 335).
Member of the Navigation Board with J.S. Ferriter, J.P., J.E. Barney, J.P., W. Thornton of the Customs establishment and J. Richardson. (Col. Sec. to Duncan, June 28, 1851).
Guardian of Minors. (Col. Sec. to Duncan, July 28, 1851).
Chairman of the Steam Navigation Board. (Col. Sec. to Duncan, May 10, 1853).
Deputy Sheriff during the sittings of the Circuit Court. (Col. Sec. to Duncan, Nov. 15, 1853).
Commissioner of the Supreme Court for the taking of affidavits, examining of witnesses, issuing of writs and summons, etc. (Letter to Duncan under the seal of the Supreme Court, March 1, 1856). (When not in the Mitchell Library these letters may be found in the Duncan Papers, Catholic Archives).

some of them, such as Water Police Magistrate and Immigration Officer, were directly connected to his work in customs, but others such as Commissioner for the Supreme Court of N.S.W. were of a more general nature. He was a very busy official[1] and he was also prominent in various voluntary bodies: Benevolent Society,[2] Hospital Committee,[3] Botanic Gardens Committee,[4] School of Arts,[5] Education Boards,[6] Music Society,[7] and Choral Society.[8]

In some of these posts, notably those concerned with intellectual cultivation, we notice one of the themes of the "better life."

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[1] Duncan, Diary, op. cit., Jan. 25, Feb. 9, 15, 18, 29, 1856. Duncan sat at Petty Sessions, Water Police Court, Police Court, Immigration Board, and Police Court in turn. See also M.B.C., Jan. 10, 1852 for a satirical attack which reflects Duncan's reputation for being overworked.

[2] Member of the Benevolent Society Committee. (M.B.C., Jan. 30, 1847)

[3] M.B.C., Aug. 19, 1848. Duncan was prominent in agitation for a General Hospital. Autobiography op. cit., p. 100. Duncan records that he had been Treasurer to the Hospital for six years. M.B.C., May 3, 1856. Duncan had also donated a large number of books to the Hospital Library.

[4] Government Gazette Index. 1855. Member of the Botanic Gardens Committee.

[5] M.B.C., Oct. 6, 1849. Inaugural meeting of the School of Arts W.A. Duncan, President.

[6] Government Gazette Index, 1849. Member of Denominatorial School Board. M.B.C., Dec. 21, 1850. Duncan chaired a meeting to discuss the foundation of a National School.

[7] M.B.C., May 10, 1851. Duncan was chairman of the Music Society.

[8] M.B.C., May 3, 1856. Duncan was chairman of the Choral Society.

Duncan certainly worked hard to make the frontier town of Brisbane something less of a cultural desert! As a foundation member, and for the most part President of the School of Arts, he put much of his energy into establishing the institution, organizing funds, donating books to its library, giving lectures, exorting support for a body[1] which, as his early Lecture on Science and Commerce pointed out, might leaven the current materialism of the community with a little more elevated fare.[2]

As a competent enthusiast, Duncan also added a certain stature to the educational debates of the town. He was clearly recognised as the local authority on the subject[3] and his Lecture on National Education delivered to the School of Arts in 1850, (incidentally the first book or pamphlet published in Brisbane,) has been described by an authority on the history of education in Australia as, "perhaps the best single pamphlet on the subject".[4]

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[1] M.B.C., Oct. 6, 1849. Inaugural meeting - Duncan was elected President. See also M.B.C., Oct. 13, 1849; June 1, 22, 1850; Jan. 22, Sept. 17, 1853, April 10, 1856, April 9, 26, 1859.

[2] Manuscript in Michell Collection. p. 29 ff. - Science, i.e. intellectual cultivation corrects the evils of commercial materialism by elevating minds to worthy things, above the level of physical comforts.

[3] M.B.C., Dec. 21, 1850 - an open letter on the subject to W.A. Duncan

[4] Austin, A.G., George William Rusden and National Education in Australia 1849-62 p. 22. See also:- M.B.C., April 30, 1853. Despite Duncan's work, the Moreton Bay Courier commented that there was no National School in North Brisbane three years later, and that the difficulty of keeping interest alive in such projects was typical of Brisbane.

However, the reason for the Moreton Bay Courier's censure of Duncan on his departure was not connected with these cultural activities. The paper had been founded to promote the opening up of the new area. It appealed particularly to the commercial and squatting interests, and supported the noisy element's agitation for more local autonomy.[1] When Duncan (whose fame, as a supporter of Gipps in his war against the squatters, had arrived before him[2]) undertook to defend some conservative aspects of official policy, he became very unpopular with the local press.

The aboriginal problem provided the first focus for some local bitterness against him. At various stages Duncan claimed to have an expert knowledge of the Australian Aborigine,[3] and on arrival in Brisbane, he wrote that he spent a good deal of his spare time "studying the manners, and collecting a vocabulary of the language of the aboriginees of the district."[4] He even tried to find

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[1] M.B.C., June 16, 1849 - policy declaration.

[2] M.B.C., Aug. 22, 1846. Duncan's attempt to organize a testimonial for the departing Gipps emphasized his connection with the unpopular anti-squatting cause. Only £8.0.0. was collected from officials and 2/3¼d. from sundry minor ferrymen.

[3] E.g. A.C., Feb. 20, 1841. He claimed to have a "rather intimate knowledge of the character of our aboriginees." It is difficult to assess the extent of his knowledge. His Manuscript Annals of Australia provides only three pages of fairly conventional descrption of the natives, and its projected appendix on native dialects which would have provided the best clue is missing.

[4] Autobiography, op. cit., p. 93.

a son to adopt from among the local tribes now his own son had died,[1] and was sufficiently confident of his relationship with the natives to call them "my people."[2] Some of the natives in turn spoke of him as "Corbon Commandant of Brisbane Town," and "Brother belong to Blackfellow,"[3] and clearly came to him for redress when wronged.[4]

As a journalist Duncan had been carpingly critical of official lethargy in dealing with the problem of providing a comprehensive and positive policy for native welfare; and he had been vitriolic in his attacks on squatter barbarity towards the natives.[5] In Brisbane he

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[1] Duncan, Annals of Australia, Chapter 11 p. 4.

[2] Reports on the Aboriginees, 1847, (D.C. Add. 81, 82) Duncan to Burnett Feb. 13, 1847, protests against the insolence of the Surveyor's team towards "me and my people."

[3] M.B.C., March 3, 1847.

[4] Reports on the Aboriginees 1847, op. cit. Duncan's evidence at the Brisbane inquiry. He had prior to this time dealt with a number of minor native complaints, - e.g. that of a native who had been struck and fired at by a police officer. See also M.B.C., March 6, 1847, Oct. 23, 1848.

[5] A.C., Oct. 8, Nov. 5, Dec. 17, 1839. Jan. 14, March 24, 1840; Feb. 20, April 22, May 6, June 15, 1841. Jan. 11, April 21, 1842; W.R., Feb. 17, March 2, Oct. 12, 19, 1844; June 21, 1845. Duncan's views fall into two general categories - protests to maltreatment especially by squatters, and pleas for more constructive measures to help the aborigines. He considered the Aboriginal Protestorate scheme inadequate, but beyond praising the theories of some religious settlements he could not produce a constructive solution.

found himself in the midst of the squatter-black struggle. The native population in and around Brisbane was large, and in the hinterland there were a sufficient number of fatal black attacks on white people to produce an amount of local hysteria on the matter of their control.[1]

It was in this context that Duncan, with his background of native knowledge and distrust of the squatters, assumed the role of aboriginal protector. His most dramatic stand for native rights occurred when he undertook to bring to justice some local constables who, he alleged, had maliciously raided the local native camp on the pretext of looking for the native murderer of a local squatter and his household. Despite its other limitations, official policy, in an attempt to "put a stop to the atrocities... so extensively committed beyond the boundaries,"[2] had at least affirmed the principle of legal equality of black and white in murder trials. Duncan called this law into operation when, in late 1846, he wrote to the Colonial Secretary alleging that the raid of the constables had resulted in two native fatalities.[3]

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[1] Reports on the State of the Aboriginees (D.C. 52/5689). Four white men had been killed by natives in the Brisbane district between 1847 & 1849. The Moreton Bay Courier's reaction to Duncan's activities is a good example of "local hysteria."

[2] Proclaimation of May 22, 1839.

[3] Reports on the Aboriginees 1847 op. cit.
Captain Wickham to Col. Sec. Feb. 25, 1847, identifies Duncan as the instigator of the inquiry.

An official inquiry was thus instituted in February 1846. During its course Duncan, who was not satisfied with its impartiality, wrote to the Police Magistrate, J.C. Wickham,[1] who was conducting the proceedings, insisting that false evidence had been given and that the evidence of himself and some others who had heard the native and the police account immediately after the raid, should be taken.[2]

At the inquiry the constables, Connor and Murphy, maintained that they had gone to the native camp to apprehend a native, Jacky Jacky, suspected of the murder. Jacky Jacky, together with the other 200 to 400 natives, had run away unhurt when some shots were fired. Duncan's evidence, mainly based on hearsay from the natives and a subsequent visit to the camp, amounted to the fact that at least two natives had been wounded by the shots; that one of them, Jacky Jacky, had died; that the camp had been wantonly sacked; that a native woman in labour had subsequently died as a direct result of the raid; and that a number of natives had been wounded in their nocturnal flight from the police. His contentions were substantially backed by McAllister, who allegedly heard the

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[1] Autobiography, op. cit., p. 93. Duncan records that on approaching Wickham on the shootings Wickham had said in reference to the natives "the brutes, I would shoot them myself."

[2] Reports on the Aboriginees 1847, op. cit., Duncan to J.C. Wickham Feb. 9, 1847. The other suggested sources of evidence were the Chief Constable, James McAllister, Duncan's boatman, and Rev. Mr. Hanley, Catholic Priest and a close associate of Duncan's.

constables boasting of the devastation they had caused. However, Duncan's case was undermined by the changed account, derived by a squatter, Le Breton, from a native called Bobby (the other native presumed wounded) who now claimed that no natives had been hurt.[1]

In addition to two other incidents of police maltreatment, Duncan also introduced evidence to the discredit of two other official groups in Brisbane - the Survey Department and the Pilot crew - who he claimed, had been abducting native women.[2]

Burnett, the head of the Survey Department, simply denied the charge against his men and insisted that it was hardly necessary to use force to get a "Gin" when a small gift would suffice.[3] Wickham, as a Magistrate enquiring into his own department, dismissed Duncan's charges against the police on the grounds that they were based on native evidence, "always so fraught with ontradictory and false assertions that it is impossible to place any dependence upon it."[4]

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1 Ibid., Duncan's Sworn Statement
Abstract of Evidence. (D.C. Add 81).

2 Ibid., Abstract of the Evidence taken at the Inquiry.
Duncan claimed, again on hearsay from the natives, that some prisoners attached to the former department had gone, armed, to the black's camp and had taken two women away by force to the Surveyors camp where they still resided. The Pilot and his crew had similarily abducted ten women.

3 Ibid., Burnett to Wickham Feb. 15, 1847.

4 Ibid., Wickham to Col. Sec. Feb. 25, 1847.

When the report of the enquiry reached Sydney it was annotated with the remark:

> It appears that the statements which reached the government respecting the outrages committed on blacks were greatly exaggerated, if not strictly untrue. Mr. Duncan's motives were undoubtedly good, but it is evident that he was misled.[1]

However, at the same time some terse messages passed from the Colonial Secretary to Wickham and Burnett to the effect that loose conduct of their subordinates towards the natives would not be tolerated.[2] Duncan had undoubtedly done some good, although he was certainly less effective than the Freeman's Journal later suggested.[3]

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[1] Ibid., Note dated April 5, 1847, on depositions transmitted from Morton Bay Feb. 25, 1847.

[2] Ibid. Col. Sec. to Wickham and Commissioner Simpson Jan. 7, 1847. "most strenuous measures may be adopted for restraining any further aggressions on the blacks." See also Burnett's deposition. The Col. Sec. also reacted strongly to Burnett's implication that his men's liason with native women was inevitable. His remark was annotated: "I must positively disallow any such knowledge, on the contrary, the government has endeavoured....to discourage....by every means in its power any such connection."

[3] F.J., Feb. 21, 1847. L.A. "It was mainly through the present Collector of Customs in New South Wales that protection was extended to the blacks of Brisbane, and wholesale poisonings and other outrages diminished if not entirely prevented." In the following issue an article on the Native Mission in the Burragorang Valley, signed by Ikolmkill, one of Duncan's pseudonyms, appeared. From internal evidence, (including its style in describing the primitive habitat, remarkably derivitive from Chateaubriand, whom Duncan admired greatly,) the article is assuredly Duncan's.

In Brisbane the official whitewashing of the constables' conduct placed Duncan in a difficult position. He had to face, in this and other incidents[1], an amount of ridicule for his self-adopted role as the protector of the natives. The Moreton Bay Courier wavered between ironic pity for his credulity; fear that his meddling in native affairs would encourage native violence; and (when reports of outrages against the blacks appeared in the Southern newspapers) angry attacks on Duncan as a slanderer of the settlement.[2] One article went so far as to suggest that Duncan should be ostracised from local

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[1] E.g. M.B.C., March 6, 1847. Duncan defended an aborigine who alleged he had been forced against his will to undertake work for W.T.C. Richards. See also M.B.C., Oct. 23, 1848. Duncan defended another aborigine wounded in a knife fight.

[2] E.g. M.B.C., March 6, 1847. "I would wish to impress on the minds of persons who interest themselves so much in the cause of the blacks, the danger of letting a fellow like Canary (a native whom Duncan had defended when he refused to go in a boat with a Mr. W.T. Richards), or any other black, be under the impression that they can do anything they like when they are away from the settlement, thinking they can get the protection of Mr. Duncan, whom they call 'Corbon Commandant of Brisbane Town and Brother belong to Blackfellow. I do not wish it to be supposed that he would endanger the lives of people who obtain a livelihood in the Bay by holding conversations with the blacks - but would endeavour to let him know the absurd notions the blacks get into their heads from such conversations with people who do not understand their habits."
See also M.B.C., Feb. 13, April 24, 1847.
Reports on the Aboriginees 1847, op. cit.
Duncan to Wickham Feb. 9, 1847. Duncan denied that he had written the letters in the Chronicle.

society.[1]

Duncan steeled himself to disregard the "weekly par of abuse"[2] in the local newspaper, and, although in private he insisted that the contradictory native evidence was the product of bribery, he was aware that the Colonial Secretary could do little else than accept the conclusion of the enquiry at face value. However, he consoled himself with the belief that he had, "had some effect in putting a stop to bloodshed, at least under the tacit approbation of the magistrate." Duncan recorded that he had afterwards heard from the Colonial Secretary, "that the government did not disapprove of the steps he had taken in the view of accomplising so desirable an end."[3]

At this distance it is difficult to form a firm opinion on the event. The legal verdict produced by interested parties, after an

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[1] M.B.C., April 24, 1847. Duncan had been accused of maliciously writing a letter to the Australian concerning the poisoning of natives with arsenic. The Courier described Duncan as one of "a class of offenders against society, which though not punishable by law, is by public opinion...(which) quietly ostracises the offender from society." The paper's antagonism became more moderate under a new editor in 1848, (at least in so far as the native question was concerned). The editor changed again in Jan. 1856. (See M.B.C., Jan. 19, 1856).

[2] Autobiography, op. cit., p. 92.

[3] Ibid., p. 96. M.B.C., Feb. 10, 1855 - Duncan was a member of the Board to enquire into the Management of the native police - he was not too disgraced as a native advocate!

enquiry conducted in a cursory manner, and with obvious attempts to underemphasise at least certain minor changes[1], does not necessarily imply that Duncan was misled by the natives. However, it does produce another incident of the type common to Duncan's later life, in which, motivated by his rigid hatred of moral injustice, he called for an enquiry, only to find that his allegations could not be legally substantiated, and he himself was a butt for the wits. It was not the best way to produce reforms in society!

Duncan found it very difficult to weigh intangible personal elements in situations such as this. He may have felt that a more subtle approach to altering local attitudes towards the natives was impossible, and that, in the circumstances, a well administered scare was the best result which could be achieved. If so, the limited result was accomplished at considerable cost to Duncan's reputation and to equitable relations with the other senior government officials in Brisbane.[2] One feels that Duncan was more shortsighted than self-sacrificing; or rather, that his self idealised role as a moral mentor

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[1] Reports on Aboriginees 1847, op. cit. There are subtle differences between the Abstract of the evidence, (D.C. Add. 82,) and Duncan's sworn statement, (D.C. Add. 81.) E.g. the former omits that the Constable had refused to hear an aboriginal sent by Duncan with the first report of the shooting. It also omits that force had been used by the pilot crew in obtaining women.

[2] Ibid., Burnett and Wickham complained of the slight in their depositions.

in society, made him blind to, and unable to wait for, the most seasonable time to conduct an onslaught on evils which undoubtedly needed remedy. This is certainly the interpretation which best fits with his general character.

During his residence in Brisbane, Duncan's officious moral selfrighteousness seems to have become something of a local byeword.[1] This was, perhaps, especially so when, by an unlucky chain of events,[2] the correspondence dealing with the controversy over the site of the local customs house in Brisbane, was published in 1852.[3] Duncan's decision had caused a certain amount of dissatisfaction among antagonistic business interests[4] in 1850. Although the plan to put the establishment on the North side seems to have been

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[1] E.g. M.B.C., Sept. 14, 1846 - a satirical piece of Duncan's officiousness, titled "A Fragment from Duncan's History of Grease". It presents Duncan as a John Gilpin-like figure, leading an army of officials looking for illicit stills. It begins:

> "A hog in armour is a noble subject for contemplation; so is a lapdog in breeches; so is a cat in patterns. But what are all these to our Sub-Collector armed to the teeth."

[2] M.B.C., Sept. 13, 20, 1851. Duncan opposed his old "bete noir", Richard Jones, at the hustings. When elected, Jones tried to ruin Duncan's credit with his superior, Colonel Gibbs, by accusing him of having published certain anonymous letters which had damaged Jones' campaign among Catholics. (See M.B.C., Jan. 3, 6, 1852, for the relevant correspondence and Duncan's denial.) This having failed, Jones then engineered the production, in the House, of the Custom's House Correspondence.

[3] M.B.C., May 8, 1852.

[4] M.B.C., Feb. 9, 1850.

justifiable[1] the published correspondence reveals a certain high handedness on Duncan's part in dismissing local opposition as coming from a self interested

> faction who though utterly contemptible in character, are in a position in a small place to annoy any public servant who will not have his office subservient to their interests. [2]

The Moreton Bay Courier commented:

> It would be equally allowable, and we are convinced, equally unjust, to attribute similar motives to the Sub-Collector himself, merely because he has property in the immediate neighbourhood of the locality he favours. What other public servant here has made a similar complaint of being annoyed because he would not betray his trust? There are some who have managed the affairs of this little community for many years, and have given the most unmingled satisfaction, yet no person can accuse them of having made their offices subservient to the interest of a faction, whether 'contemptible in character' or otherwise. The Sub-Collector of Customs is not the only Government officer whose motives are above suspicion. [3]

There were others who rushed to Duncan's defence[4] as well as interested

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[1] M.B.C., May 8, 1852. Captain Wickham had supported Duncan's decision.

[2] Ibid.

[3] M.B.C., May 15, 1852. The property referred to was "Dara", Duncan's home.

[4] M.B.C., March 9, 1850 Letter from "Lover of Justice" "The efficient management of the department over which he presides, although it has occasionally supplied matter for mirth for the laughter-lovers among your readers, is nevertheless... generally acknowledged... A ready testimony to the business ability liberal sentiments, courteous behaviour, and uniform gentlemanlike and efficient conduct of Mr. Duncan would be given by all who know him, not even excepting the very gentlemen, who in the warmth of vexation, have suffered injudicious expressions of censure to escape their lips." The correspondent claimed to speak for "the most respectable and respected people in town."

parties who broke into scurrilous invective in the dispute in 1850 and in 1852[1], but one feels that the Courier had put its finger on the crucial point. This intransigent selfrighteousness was probably Duncan's greatest personal handicap in achieving equitable relationships with his contemporaries.

The final area in which Duncan cut a controversial figure with the popular press in Brisbane was in that of general politics. Though according to his resolution to eschew controversy[2] he remained aloof from the inflammatory debates on transportation and separation from N.S.W. which were the big political issues of the northern settlement, his modest conservatism was sufficiently well known to cause conflict[3]. He had made it clear that he would not consent to the School of Arts becoming a debating forum for those with Chartist or Republican ideas[4], and eventually resigned the

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[1] M.B.C., Jan. 10, 1852. Mr. W.M. Smith complained that Duncan had implied that he wanted to land goods anywhere, and called Duncan an "upstart." M.B.C., Feb. 23, 1850. An angry letter implied that Duncan had put the Customs House on the northern site to increase the value of the land he had bought there.
M.B.C., May 15, 1852 - An advertisement in the form of a letter addressed to W.A. Duncan from James Powers, who had previously complained that Duncan had been absent from his post for three days in 1851, suggested that Duncan's land speculation was the real reason for the site chosen for the Customs House.

[2] Autobiography, op. cit., p. 92.

[3] M.B.C., Jan. 10, 1852 suggests that Duncan had told visiting officials that Brisbane was infected with Chartists and Socialists.

[4] M.B.C., Oct. 13, 1849.

presidency of this body when his proposal to raise the subscription (and one suspects, exclude some of those radicals) failed.[1] He thereby gained the intractable opposition of Mr. Cribb,[2] the interim President of the School of Arts, and later, in 1858, the member for Stanley Boroughs (Brisbane and Ipswich) in the Legislative Council.

Duncan was in fact very much out of sympathy with the main radical stream in the north, inspired as it was by J.D. Lang, whose immigration scheme had done much to strengthen the radical element and who for a time was the local member.[3] Duncan privately wrote that it would be impossible for him to hold office under the "Lang mob", in the event of separation,[4] and for a short while toyed with the idea of offering himself as a candidate for Stanley Boroughs in opposition to this group. He refused, partly for financial reasons,[5] and instead supported the rather colourless and "very respectable" candidature of Mr. Holt.[6]

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[1] M.B.C., Sept. 17, 1853. However, the subscription was raised in 1858. (See M.B.C., April 26, 1859).

[2] M.B.C., April, 10, 1856. Cribb opposed Duncan's re-election as President of the School of Arts. M.B.C. April 9, 1859, for another clash between them. Cribb challenged Duncan's chairmanship of a meeting to petition for Municipal Institutions. See also M.B.C., April 26, 1859, and Duncan, Diary op. cit., April 10, 1856.

[3] In 1854 J.D. Lang was elected.

[4] Duncan Diary, op. cit., Jan. 4, 1856.

[5] Duncan Diary, op. cit., Jan. 2, 1856. He could not afford to pay someone to fulfil his official duties when in Sydney, even if he was elected.

[6] Ibid. March 8, 1856. He had presided over Mr. Holt's dinner to electors. (Heaton op. cit., p. 95. Holt, a large squatter in the North, was Colinial Treasurer under Donaldson's short lived ministry. He was later an associate of Duncan on the Council of Education.)

The day after his decision not to stand, however, he recorded his intention of writing the pamphlet A Plea for the New South Wales Constitution,[1] which, in a sense, was another means of attacking more democratic elements. It is a key document for evaluating Duncan's later conservatism.

The "plea" of the pamphlet was that the current 1856 constitution of the Upper House as a nominated assembly, should be preserved in spite of those who wanted a more democratic elected second chamber.

Duncan reflects the typical Whig attitude that the "all but perfect"[2] English Constitution, with its aristocratic House of Lords, was the product of English political genius which resists changes in fundamental" laws. His main argument, however, is based on an analysis of the excellence of the archaic concept of a "mixed constitution," with its balance of aristocratic, monarchic and democratic elements. To those who might contend that Australia had no natural aristocracy, Duncan replied, in true conservative form, that an "aristocracy" was one of "Nature's wise provisions" which remained in force despite false "modern" doctrines such as "the rights of man" and the sovereignty of the people.[3]

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[1] Duncan Diary op. cit., Jan. 3, 1856.

[2] Duncan A Plea for the New South Wales Constitution p. 6

[3] Ibid., p. 9.

The change in Duncan's attitude to the "elite" of the colony may be gauged by the fact that, in the Plea, he professed himself well satisfied that the new Upper House was in "safe hands." He insisted that innovation in the direction of an elective Upper House, even one based on a high franchise, would probably produce less worthy people, whilst election on a democratic franchise would be fatal to the essential aristocratic element in government.[1]

Certainly the elite from which the Upper House was drawn in 1856 was not synonymous with the old colonial elite which Duncan had first opposed as a radical journalist. The great increase in population and the political changes of the previous fifteen years had diluted the concentration of the old "convict masters." But there were a sufficient number of these old landowners and squatters in the Upper House to give some weight to the charge of "presumption and inconsistency" that Duncan feared for throwing a doubt upon....." the fitness of a people to govern themselves."[2] He thus inserted a justification into the Plea:

> An ardent admirer of the constitutional liberty from my earliest youth, when I found this colony struggling to emerge from its degraded state as a penal settlement, the right of its people had no more active and willing advocate during seven years of that struggle. But I believe that every reasonable right has now been conceded...The abstract rights that some profess to advocate are incompatible with the very existence of civil society.[3]

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[1] Ibid., p. 9.

[2] Ibid., p. 3.

[3] Ibid., p. 22.

Duncan's justification should not be taken simply at face value. However, I think we have shown clearly enough in Chapter 5 that his constitutional radicalism was based on political opportunism rather than a deep faith in the individualist premises of democracy. He had supported the "people" as a means of preventing the concentration of power in the hands of the old landowner elite. He abhorred the class structure that would result from the possible transition from a penal to a pastoral "plantation" type colony and he had helped call forth the "people" to redress the balance of power. Yet despite some unguarded expressions in his early days as a journalist, he had always been careful to safeguard his social conservatism - his belief that an elite of integrity and intelligence should be recognised.[1] It was this that he was defending in this pamphlet, and in this sense he was right when he defended his political consistency.

Yet the tone of the essay is in marked contrast to Duncan's early journalism. The pamphlet is another expression of the fear of popular stupidity which had developed in Duncan, especially during the battle against the squatters; but it is more than this. Duncan's Diary allows us to penetrate his motives for engaging in this piece of political debate. The motive of his own self-interest seems to be much more dominant than in his idealistic early days as a journalist.

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[1] E.g. Chapter 5 p. 198.

After a fortnight[1] of hesitation about whether or not he would write the Plea, Duncan recorded:

> I have determined to commit myself to the Press once more. I thought I had done with it. But two reasons urge me. I fancy I can throw some light on a difficult question... (and it is important that) those in authority should not forget me in any distribution of offices either here or at Sydney..... I'll publish right or wrong.[2]

This was not the end of his misgivings about the decision[3], but we find him consoling himself with the hope that although he expected to be "abused by the Democratic press", he hoped that he would have the "approval of all the really respectable men."[4] He was not disappointed[5], but there is some irony in the picture of the former radical's delight in the Herald's praise[6] and his immunity to criticism of the more democratic press.[7]

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[1] Duncan Diary, op. cit., Jan. 3, 1856. Duncan wrote to Judge Dickinson "to sound him out on the probable utility of such a brochure."

[2] Ibid., Jan. 15, 1856 - the day after Judge Dickinson's encouraging reply.

[3] Ibid., Jan. 18, 1856. "I do not feel at ease about the matter, but am committed to the task and must now go through with it." See also Ibid., Feb. 11, 1856 Duncan recorded "misgivings about its reception..... Spero in Deo." In the context of his fears of the "Lang mob" in the north, these misgivings had some practical justification.

[4] Ibid., Jan. 15, 1856.

[5] Ibid., Feb. 14, 1856. The "Government Resident expresses great approbation."

[6] Ibid., March 8, 1856. The Herald in praising A Plea... described Duncan as a "scholar and a gentleman". Duncan congratulated himself, "there is nothing greater in the world than that."

[7] Ibid., Feb. 23. The review of the Plea in the Moreton Bay Courier was "short and silly, but intended to be severe." (See M.B.C., Feb. 23, 1856)

Moreover, the importance Duncan attributed to the chance to gain the approval of the establishment, indicates a significant feature of his later life. During his time in Brisbane he had tasted the delights of being accepted by the governing elite. In his Autobiography he comments with obvious pleasure: "I have reason to believe that I stand well with the Government and all the respectable portion of the public."[1] His association with the Supreme Court had brought him in contact with all the Judges of the Court,[2] and in reminiscing on the highlights of the period, it is interesting that he singled out the fortnight he had spent on an arduous boating excursion with Lord Henry Scott (son of the Duke of Burleigh) and Lord Schonberg Kerr (son of the Marquis of Lothian) as a leading event of the period.[3] He seems to have enjoyed the social activities that were associated with his position[4]

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[1] Autobiography, op. cit., p. 101.

[2] Duncan to S.A. Donaldson, June 28, 1856. (N.S.W. Papers 1812 - 63.) Duncan wrote requesting a rise in salary. He states that he is known to all the Judges of the Supreme Court, as well as to most of the Administration. He also suggests, as a reason for approval, that he had helped Mr. Holt in his recent contest.

[3] Autobiography, op. cit., p. 102-3.

[4] Duncan Diary op. cit. Duncan records a number of these activities in 1856 e.g. a dinner and a trip to Cleveland, to mark the arrival of Judge Milford (Jan. 23); and dinner at the Brown's to meet Commissioner Manning (Feb. 14). Although Duncan said he visited only as much as the "forms of society require" (Autobiography op. cit., p. 101) he seems to have thrown himself into these occasions with enthusiasm, e.g. he records that a party at Dr. Hobbs' "went with great glee", (Diary, April 14, 1856) and that at a picnic to farewell Mr. I.D. McLean he had raced against the young men and "kept pretty well but not so swift as I was 30 years ago." (Ibid., April 14, 1856).

and freedom from the penury of his recent life in Sydney must have also been pleasing. His salary in Brisbane was not large,[1] but he had done well in land dealings,[2] and had established himself in "elegant"[3] surroundings there.

From an historian's point of view it is a disappointment to find Duncan's reforming zeal, or more accurately, his desire to play a large role in the shaping of colonial society, giving place to more mundane considerations of financial and social gain. But there is no doubt that in his later life Duncan was able to satisfy personal needs that were thwarted when he was a popular journalist. He did not like

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[1] Duncan to S.A. Donaldson June 28, 1856, op. cit. Autobiography op. cit., p. 101. His salary was £525 p.a. and an additional £100 for his work as an agent for the Supreme Court, a function terminated in 1856 when a more permanent court was established in Brisbane.

[2] "William Augustine Duncan." Notes by J.H.C. McClung (manuscript copy obtained from A.J. Gray, Sydney.) Three purchases of land are mentioned;

1. 8 acres bought in 1856, of an area now bounded by part of Wickham St. Duncan St. (Valley) and Gotha St. (Centenary Park).
2. 30 acres, now marked by All Hallows Convent, once called "Duncan's Hill."
3. 5 acres bought in 1856, adjoining the present Wickham St.

Duncan also owned 35 acres near Cleveland (See Darvall to Duncan Sept. 27, 1859, Duncan Papers, Catholic Archives). He had also purchased other allotments in 1848, for this was the point of the charge that he had manipulated the site of the Customs House to raise the value of his land. The correspondent of the M.B.C. (see M.B.C. Feb. 23, 1850) claimed that the value had risen from £3 to £100 per acre in two years! If so, Duncan had done well. Duncan also did some land dealing for friends like W. Pickering. (See Duncan Diary, op. cit., Jan. 8, 1856.)

[3] Autobiography op. cit., p. 101. "Dara" his home is now a school.

being shunned by the "respectable." Even for a Victorian, he seems to have had an abnormally strong drive to be well regarded by the accepted. He was big enough to put this behind him when the occasion demanded,[1] yet the sacrifices of his journalistic life probably took their toll psychologically, and may explain why his son's death in October 1845 was the occasion of a general depression and a weakening of his "interest in public affairs." At least in his life as a senior public servant, who put his spare-time energy mostly into intellectual pursuits and the fostering of cultural institutions, Duncan was spared some tension between his general social conscience and his desire to be socially acceptable.

The foregoing paragraph must, of course, be accepted as tentative in view of the limited documentation. It must also be regarded as subsidiary to the more objective reasons which explain Duncan's failure to return to the active stage. The first of these is the one he gave himself: that "every reasonable right "for which he had struggled as a journalist had been conceded.[2] The second is an argument which has been a theme of this thesis, and one which we shall pursue further in the following chapter; i.e. that Duncan was inadequate as a politician. He saw issues too neatly and he lacked subtlety in dealing with other men.

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[1] We have already indicated that Duncan made a personal sacrifice when he determined to stand with Macdermott in the politics of the early forties despite the criticism of "respectable" people.

[2] Duncan, A Plea op. cit., p. 22.

CHAPTER 8

Sydney 1859 - 1855

Duncan returned to Sydney in mid 1859 to take up the position of Collector of Customs. He had been anxious to gain the post[1] and his work was essentially an extension of that he had done in Brisbane. As one of the highest civil servants in the colony he controlled a considerable staff, and was responsible for collecting the major part of the colonial revenue in the days of indirect taxation. His work was often of a quasi-legal and discretionary nature. He was responsible for a number of shipping matters such as the registering and legal sale of vessels but the "greatest portion of his time (was) taken up by references made to him and by interviews with merchants and others".[2] Duncan held the post, with two minor

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[1] Duncan Diary, op. cit., Jan 16. 1856. Duncan recorded the rumours of Colonel Gibbs' retirement and wrote: "I must not forget to urge my claim to succeed him if I can find out the fact in time. I hinted at the matter to Mr. Thompson and hope that he will not altogether forget me." Duncan had written to Thompson two days prior to this, congratulating him on his safe return to the colony. See also Duncan to S.A. Donaldson, June 28, 1856, op. cit., pointing out that he was well qualified for the higher post.

[2] N.S.W.V. & P. 1857. Progress Report of a Committee to inquire into the Management of the Customs Department. Appendix C. Statement of Duties by the then Collector of Customs.

interruptions[1] until he retired in July 1881, after having been thirty six years in the Custom's department. Just before he retired he was awarded the C.M.G. for "long and faithful service",[2] an honour only slightly reduced by the large extension of the Order in 1877.[3] There is ample evidence to suggest that his integrity and efficiency were widely respected.[4]

However, the very nature of the work sometimes dramatically brought into play those traits of Duncan's character, which were partly responsible for his failure to fulfil his early promise to become one of the most significant figures in New South Wales history: his rigidity, his inability to choose the diplomatic approach, his propensity to pass

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[1] The two interruptions were in 1868, when Duncan was suspended, (see pp. 272-280) and 1877 when Duncan was granted twelve months leave for health reasons. (see Col. Sec. to W.A. Duncan Nov. 22, 1877 (Duncan Papers Catholic Archives).

[2] The award was officially confirmed on Aug. 4, 1881 but Duncan had received the news from Government House on May 23, 1881 (Duncan Papers, Catholic Archives).

[3] The Order of Saint Michael and Saint George. p. 2. (Pamphlet among Duncan Papers, Catholic Archives). The Order had been enlarged from 65 to 355.

[4] Letter from the Treasurer to W.A. Duncan, July 28, 1881, accepting his resignation, and stating that his conduct had been "uniformly marked by unwavering honour and integrity". (Duncan Papers, Catholic Archives).

sweeping moral judgements on other men - traits which were the counterpart of his own narrow preoccupation with his own integrity.

His appointment in Sydney had been preceeded by the discrediting of the previous Collector, Colonel Gibbs, and other officers, and by revelations of extreme laxity in the organization of the Customs Department which had encouraged defrauders of the revenue. Duncan was appointed with a clear mandate to reform the system.[1]

Unfortunately his first attack on these abuses brought him solidly up against the Colonial Sugar Refining Company, a company which contributed a quarter of the colony's revenue.[2] On May 3rd this company exported a consignment of sugar and claimed the appropriate "drawbacks", or refunds from the revenue. On May 24th it was discovered that the consignment had been short weight, and that the company's agent had thus made an excessive claim for rebate. On enquiry, in Duncan's first week of office, he found that the Custom's Officer, Russell, had simply accepted the figures of the Company's

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[1] N.S.W. V.P. Leg Ass. 1857-59. Two Progress Reports of the Committee set up to Inquire into the Management of the Customs Department on Oct. 31, 1856. Board of Inquiry set up in October 1858 to Inquire into Fraud in connection with the "Louisa". Correspondence concerning the Misconduct and Resignation of the Collector of Customs, Colonel Gibbs.

[2] N.S.W.V.P. Leg. Ass. 1859. Report of the Board to Inquire into disputes between the Collector of Customs and Others. Enc. 7 - J.C. Ross to Col. Treas. Aug. 15, 1859.

agent, Metcalfe, without any independent check. Duncan determined to stop this lax system and ordered on July 6th that all sugar must be weighed by the government's officer. The Company, however, disregarded this order and Duncan refused to allow the drawbacks on the next shipments.[1]

At this stage the dispute was presumably still open to amenable solution. The Company had a reasonable case to show that the new regulations were excessively inconvenient in their current form. They could also excuse their disregard of the regulations on the grounds that, as the only refining works, they had normally had special arrangements made for them.[2] However, on receipt of a letter written by J.G. Ross, Manager of the C.S.R. to the Treasurer, complaining of Duncan's conduct, Duncan became intractable.

> I will not allow (the C.S.R. Co)... to force me to retain a system from which, if the Revenue had not suffered enormously, it must be because the exporters have resisted a temptation such as never existed in any other port.[3]

To defend his determination, and possibly as a result of the increasing acrimony in the exchanges between Duncan and the Company, in which Duncan saw the plot of a large company to undermine his authority,

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[1] Ibid., Duncan's evidence p. 73-74. Enclosure 2. Duncan's comments on the letter - Metcalfe to Duncan 1 July, 1859. Evidence of Mr. J.G. Ross, Manager of the Sugar Company p. 114-116.

[2] Ibid., Evidence of J.G. Ross P. 115.

[3] Ibid., Enclosure 4. Duncan to Sec. to Treasury 13 July 1859.

Duncan produced a series of allegations. They amounted to the charge that the Company had in the past perpetrated frauds on the revenue to the extent of some thousands of pounds and that Metcalfe and Powell, Custom's Agents, were involved in a conspiracy to weaken Duncan's discipline in his own department, in order to maintain the opportunities for illegal evasion of revenue.

In fact, all Duncan was able to show at the official enquiry was that the more than £2,000 rebates the Company had received, were the result of an ad hoc and inefficient system of stocktaking. His evidence on this count amounted to the conclusion, already established, that customs procedures were lax, and not to any intention to defraud.[1] With regard to the agents conspiracy with minor officers, Duncan

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[1] Ibid. Report p. 6-7; Duncan's evidence op. cit., p. 108-112; Appendix p. 17; and Further Papers p. 8-9. Duncan claimed that the C.S.R. Co. by "false declarations" to the Executive Council had written off 260 tons of 10,377 tons of sugar which had passed through Custom's in the two years prior to 1854; that another 141 tons had been illegally written off by the late Collector between Oct. 1855 and Feb. 1856; and that the duty on another 231 tons had currently to be accounted for. The Company naturally took refuge in the fact that agreements existed to consider 3% of their exports as waste and thus free from levy. Duncan's case depended on the fact that these agreements had been fraudulently or illegally obtained. The charge of fraud was relevant to the deputation made to the Executive Council. Duncan was unable to produce incontestable evidence on this count. The charge of illegality in reference to the late Collector's decision was admitted by the Board, but it was not considered that the Company was at fault.

could produce no evidence of legal weight.[1]

Duncan's statements before the Board set up to enquire into the matter in November 1859, are an extraordinary mixture of rigidity, and emotionalism[2] almost amounting to paranoia.

> "I admit" (said Duncan in one outburst) "that I am unable to convey to the Board by any direct evidence any adequate conception of the almost supernatural perseverence with which Mr. Powell, aided by the social and commercial influence of his partner has pursued his object. I can only say that it has wasted my time, injured by health and spirits, and caused me again and again to deliberate with my family on the prudence of resigning an office which I have attained by long and faithful service, which is my sole dependence, and which I honestly believe myself peculiarly qualified to fulfil with advantage to the public. What has pained me most in my intercourse with Mr. Powell is his incessant lying"

Even when advised by the Board to retract this last remark, Duncan refused to do so.[3]

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[1] Ibid., Duncan's evidence p. 73-79. The charges against the Agents involved a number of counts concerning loose practice in form filling, such as that which had led to the dispute; and alledged remarks of Powell's which complained about Duncan's officiousness, and threatened to oppose him. The Report, rather than recommending Powell's dismissal, mildly rebuked him on the first count. The Board considered that he had been severely provoked by Duncan. (Report p. 10).
Note. Duncan seems to have actually suppressed a minor piece of evidence in favour of Powell. (see Duncan's evidence p. 58) Powell claimed to have written to an officer pointing out a discrepancy. Duncan had conveniently forgotten this and when faced with the evidence said: "But the very fact of writing to one of my officers upon such a subject was a gross breach of discipline".

[2] The Board consisted of the Deputy Master of the Royal Mint (E.W. Ward). The Immigation Agent (H.H. Browne) and the Inspector General of Police (J.N.O. M'Lerie).

[3] Ibid., Duncan's evidence p. 74.

With a certain amount of self knowledge, he went onto say, when pressed by the charge that he had refused to hear Powell at one stage during the controversy:...

> I am in the habit of speaking out rather unguardedly what I might happen to think at the moment, on all public matters and public men, and I constantly say things that, reported by a mendacious auditor like Mr. Powell, might well bring something more dangerous about my ears than a speaker's wig. Unless, therefore, I could adopt a habit of circumspection, which I despair of ever attaining, I must, at whatever cost, keep walls of space between me and such men as Mr. Powell. I am happy to believe that few such men exist. [1]

Duncan came out of the whole affair badly. The Board found no evidence of fraud. Duncan's evidence amounted to no more than his private suspicions about the character of the defendants, and to evidence of extreme laxity in the administrative arrangements in the department, for which the previous Collector had already been convicted. The Board's final statement was, in fact, a censure of Duncan:

> several parties[2] have just grounds to complain of the treatment they have received at the hands of the Collector.

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[1] Ibid., Duncan's evidence p. 75.

[2] Ibid., Report p. 9, Duncan's evidence p. 25.
Another party was Towns and Stuart, merchants. Stocktaking in Sept. 1859, revealed a large amount of tea missing from Bond. It was also alledged that the Landing Surveyor had reduced the weight of some cargoes of tea by a total of more than 10,000 lbs. The Board accepted the argument that the tea removed from bond would be eventually paid for, since that bond charged was twice the amount of duty. It also approved the weight reductions, on the instance of the owner's agent, for the tea was not packed in the standard packages on which the higher figure had been calculated.

> Many expressions used by him, which are scattered through the correspondence and evidence, and more especially many of those, in his letter to the Government which bear on Messrs. Metcalfe and Powell, and his reply (pages 73-78) to the defence of the agents are altogether unjustifiable.

While recognising Duncan's zeal for the good administration of his department the Report went on to say that he had:

> expressed opinions formed in haste reflecting on the integrity of others. Without knowledge of the practices existing in the Customs under sanction of authority, at the time he took office, he has found fault with those who acted in conformity with them; and thus having been led into altercations with the Sugar Company and their Agents, he has, without consideration, charged them and others with disgraceful practices, of which he had failed to produce any evidence. [1]

It was a fair report on the evidence given. The Executive Council accepted it, but with an addendum of regret, as they thought it

> due to the Collector to bear in mind that he had to contend with great difficulties.....At the time of his appointment to the Department he unquestionably experienced opposition in making these reforms which were necessary. [2]

The Sydney Morning Herald was less kind. It considered that the exhibition of Duncan's lack of temper, discretion and technical knowledge had shown that his appointment was a mistake; it expressed the view that:

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[1] Ibid., p. 25.

[2] Minutes of the Executive Council, 1860. No. 17, April 5.

> after what has happened the presumption will be the next time Mr. Duncan is in hot water, that he has put himself in the wrong, and his wonderful discoveries will be heard of with incredulous mirth as another of Duncan's mare's nests.[1]

Duncan was clearly stunned by this turn of events. He wrote to Parkes sending him a detailed criticism of the "report of that dishonest and contemptible Board."[2] The letter is a typical example of Duncan's ability to grasp abstract detail with great clarity, while remaining completely unaware of his lack of acuteness in dealing with other men. It expostulates against the Board's willingness to accept the irregular procedures which produced the great stocktaking deficiencies in sugar and tea; the influence of interested parties in establishing weights; the waste agreements; the practice of removing goods from bond without payment on the grounds that the debt will show up in later stocktakings; etc. Duncan was undoubtedly right that these procedures were lax, and he might also have been right in quoting an alleged statement of the Governor General's to the effect that "there are sufficient grounds for the Collector's charges the opposite opinion of H.H. Browne and Co. notwithstanding".[3] However, what Duncan had failed to see was that, in passing from the realization of

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[1] S.M.H., April 21, 1860.

[2] Minutes of the Executive Council, 1860. No. 21, May 7. Duncan had praised this Board's work in the previous inquiry into Custom's frauds.

[3] Duncan to Parkes, April 20, 24, 1860. (PARKES CORRESPONDENCE M.C. A 881)

irregularity to the allegation of fraud, and in vehemently attacking the character of the Agents without legal evidence, he simply destroyed his own credit. He may have been right when he decided that the large companies were none too scrupulous about paying the optimum amount of duty, and he may have been right when he judged that the bonhomie between the Custom's employees and the commercial agents was a challenge to his discipline, but to alter these arrangements required tact and diplomacy and a willingness to understand that, in resisting change, his opponents also had a claim to sympathy for increased inconvenience. Duncan was too rigid and too ready to judge all matters in relation to a depersonalised code of ethics, for such subtleties in human relations to be apparent to him. In the end the Executive Council had to threaten him with dismissal to quieten his objections to the Report.[1]

In fairness to Duncan, however, it must be added that apart from the problems caused by his own rigidity, he was in a difficult position. The knowledge that frauds were committed was widespread after the scandalous revelations which led to the disgrace of the previous Collector. On the one hand, there was public indignation over the loss of revenue and a demand for tighter control,[2] but on the other

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[1] Minutes of the Executive Council, 1860 No. 21. May 7, 1860, p. 309.

[2] E.g. S.M.H., May 4, 1860.

hand, sympathy for those who were affected by a rigid enforcement of the law. A case of seizure of opium in 1859 illustrates the popular ambivalence well. Duncan seized the consignment - worth more than £1,500 - because it was not declared. Three petitions for redress, one from 400 members of the Sydney Chamber of Commerce, were then submitted to the Legislative Council.[1] The owners of the opium, if they had not meant to defraud, had lost a great deal of money through the carelessness of the ship's Captain. They could not recover their money from him, since he had taken shelter under the insolvency laws, and an appeal against the ship's owners had failed, for the ship had disappeared and the owner was an American. The Select Committee set up to inquire would not accept Duncan's submission that there was evidence to prove intention to defraud,[2] and censured him for the arbitary though legal seisure. The conclusion of the committee was that:

> The seizure of the officer was no doubt warranted and proper; but the Collector appears to have taken a narrow view of his duty when he assumed that in deciding upon its confirmation, he had only to inquire whether the law had been infringed. Your committee would be loath to

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[1] N.S.W. V. & P. Leg. Ass. 1859-60. pp. 695-699. The other petitions were from Chinese Merchants in Victoria and from the owner of the opium, Lei Afoo.

[2] Ibid. Report of the Select Committee on the Seizure of Opium per Kate Hooper. Duncan's evidence pp. 25, 6. Duncan gave as evidence the fact that the opium was not clearly marked, that it was not included in the customs declaration, and that it was mentioned on a separate bill of lading.

> discourage an officer surrounded by so many difficulties, and who seems to be zealous in the performance of his duties, but these difficulties must be increased if the administration of law necessarily giving very large powers is conducted as arbitarily, and with as little judicial care, as it seems to have been in this instance.[1]

It is not the intention of this chapter to pursue Duncan's career in the Customs department in detail, but only to illustrate, with the evidence available, some interesting traits in Duncan's character, which stand out clearly in the disputes just discussed. However, we cannot leave this subject without brief reference to another event in his career in this department; his dismissal in 1868 when he had the temerity to censure Eager, the Colonial Treasurer, his immediate superior, for illegally waiving the customs law in the interest of a Sydney merchant, Mr. Ebebeza Way.

On July 2nd 1868 Duncan seized a consignment of Way's goods.[2] He accused Way on two counts of dishonesty: first, that he had undervalued the goods in the customs declaration, and, second, that he had not declared a quantity of spirits.[3] The second count was

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[1] Ibid., p. 8.

[2] V.P. N.S.W. Leg. Council 1868 Vol 2. Correspondence Respecting the Removal of W.A. Duncan Esq., from the Office of Collector of Customs. This is the main source used for the account of this affair in the following pages.

[3] Ibid., Appendix A. Duncan to Under Secretary for Finance and Trade, July 13, 1868.

the most damaging[1] but the quantity of spirit in the perfume involved amounted to 12/32 of a gallon; duty 3/9![2] Duncan held out against repeated orders from the Treasury to give up the seized shipment[3] and eventually wrote to the Treasury, pointing out that the only method of recovery was by appeal to the Supreme Court, and offering the opinion that the "act of the Treasurer in ordering the goods to be given up is ultra vires and illegal, as I understand the matter."[4] It was not until July 21st that Duncan capitulated to the Treasurer's order to give up the goods.

A meeting of the Cabinet the following week suspended Duncan and ordered him to show cause why he should not be dismissed

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[1] Ibid., Treasury Minute, Aug. 15, 1868 (G. Eager Treasurer) There was no penalty immediately applicable for undervaluation of goods. Machinery existed for adjustment of claims where value was disputed. The crux of the matter was the alleged concealment of spirits. cf. Papers printed on December 9th 1868. Treasury Minute, November 6th, 1868 (Saul Samuel, Treasurer). The seizure made by Duncan was "warranted" and Eager's action countermanding it was "illegal". Way habitually undervalued his goods.

[2] Ibid., Way's Invoice. See also, Duncan to the Under Secretary of Finance and Trade, July 13, 1868.

[3] Ibid., Duncan refused on three occasions to give up the goods.... On July 14, 16, & 20. 1868.

[4] Ibid., Duncan to Treasury July 20, 1868.

for "insubordinate" and "insulting" conduct.[1] Under the misapprehension that this was simply Eager's order, Duncan refused to accept suspension only to find the order confirmed again by the Cabinet on the following day and backed by the threat of police assistance if he had to be bodily removed![2]

The self-righteous rigidity of Duncan's conduct in this affair, and his determination to fight a petty issue to the death, is explicable in light of the fact that this dispute was the culmination of a series of differences between Duncan and Eager.[3] Eager may have been a particularly difficult superior, but we have seen before that interference in the equitable administration of the Customs

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[1] Ibid., Eager to Duncan, July 27, 1868. Eager listed the four counts on which Duncan was dismissed....
1) He had disobeyed the instructions to release the goods.
2) The note of July 17th, was "an improper and insubordinate minute under the pretence of reporting upon a letter of Mr. Way's".
3) Duncan's note of July 20 was an "insulting and insubordinate minute", particularly as it had accused the Treasurer of "maladministration".
4) "generally, for offensive and insubordinate conduct towards the Treasurer as Ministerial Head of the Department."

[2] Ibid., Minute of July 28, signed H.P. (Parkes).

[3] Their inability to work harmoniously together was well known: (See Martin to Parkes Sept. 17, 1868, and Duncan to Parkes July 27, 1868 (S.M.H. Oct. 14, 1868 [illegible]dence) Martin had told Duncan to consult him when differences arose with Eager. See also F.J., Sept. 26, 1868, which suggested that Duncan had long been in an unenviable position under Eager's cantankerous, overbearing supervision of minutia. See also S.M.H., Sept. 18, 1868, which described Duncan and Eager as "two avowed enemies." See also S.M.H., Sept. 19, 1868.

Department, when backed by political power, was intolerable to Duncan and led him to act with ill-considered intransigence.[1]

Whatever the private feelings of the members of the Government on the matter, the Executive was determined that Eager's authority over the civil service must be upheld.[2] Duncan was brought to realise the seriousness of the matter and apologised[3] when he realised that even Parkes would not support him.

Indeed, in reply to Duncan's request for Parkes to interfere,[4] Parkes sent Duncan a note which seems to illustrate an ironic reversal of their roles in earlier days:

> I wrote to you last Monday, from a sincere desire to point out to you, so far as I might presume to remind you of what you should know quite as well as myself; that Governments must govern and that it is not for the servants of the Government, whatever their rank, to dictate the course of action which should be pursued....It has often appeared

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[1] See above p.269. A good example of this type of incident is Duncan's intransigence when he discovered that the C.S.R. Co. was lobbying against his regulations in 1859.

[2] Martin to Parkes, Aug. 2, and Sept. 17, 1868 (Parkes Correspondence) Belmore to Parkes, Aug. 26, 1868. The Governor wrote that he agreed with Eager's principle that "subordination (in the public service) must and will be maintained by the executive"...However, he would prefer that a course "short of absolute and unqualified dismissal might be adopted consistently with the dignity of Ministers". See also Parkes to Belmore Aug. 26, 1868. (Copies of the Correspondence of the Earl of Belmore 1868-1872.)

[3] N.S.W. V. P. Leg. Ass. Vol II, 1868. Correspondence op. cit. Duncan to Eager, August 7th, 1868.

[4] Duncan to Parkes, July 27, 1868. (Parkes Correspondence)

> to me that the public servants in the colony have failed to comprehend the full force of the change that has taken place - that all power of local government has been transfered to the Responsible Ministers of our Legislature... I repeat now all I said to you when I last saw you of my respect for your personal character and attainments; but if I had received the Minute you sent to the Colonial Treasurer, I should have suspended you instantly, and I am quite sure that Mr. Martin would have done the same.[1]

However, the dispute did not end with Duncan's apology. Eager, with a vindictiveness that was ultimately most damaging to his own political career,[2] refused to accept the apology, and the affair attained wider political significance. The current Martin Ministry was not in a strong position.[3] Henry Parkes, probably its most

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[1]Parkes to Duncan, July 27, 1868 quoted in the S.M.H. Oct. 14, 1868.

[2]S.M.H., Oct. 15, 1868 "We are shocked by the virulence of his hatred, shocked at his recklessness of consequences. He has not only destroyed his own political position, but he has drawn down the Government."
S.M.H., Sept. 21, 1868. Eager could also be blamed for not carrying out the recommendations of the recent Customs Commission, in order to allow himself greater scope for interference in the Customs Department. He never again attained office.

[3]Belmore to Under Secretary of State for the Colonies, Jan. 28, 1869. (Copies of the Correspondence of the Earl of Belmore) analyses the position. The Government was a coalition - Martin (Protectionists) and Parkes (Liberal Free Trade) They still carried the burden of the previous Martin Government's deficit but had managed to meet current expenditure out of ad valorem duties and borrowing. The land and railway problems of 1867 had nearly led to the resignation of the Government but Sir John Young had advised against it. At this stage Parkes had wanted to resign, and Belmore thought that Martin would have done so too, had he not been influenced by Sir John Young and the need of two of the Cabinet to keep their salaries. Parkes decision to resign over the Duncan crisis was thus not taken without forethought, and the Government fell quickly after his defection.

powerful light, was in trouble over the Kiama Ghost incident[1] and, for a mixture of motives, probably least of which was the call on his old friendship with Duncan, resigned from the ministry when Eager's intransigence blocked the way to Duncan's reinstatement.[2] It was a death blow to Martin's government,[3] and thus ironically, Duncan, in a

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[1]See above p. 278, footnote 2.

[2]S.M.H., Oct. 14, 1868..."he left the Government partly because he could not assent to the dismissal of Mr. Duncan, still more because he could not assent to the arrangements made consequent upon that dismissal, partly because he did not choose to put up with the unjustifiable and offensive conduct on the part of the Treasurer, and in an important degree, because he considered no satisfactory business could be done by a Cabinet, which came to a result without carrying out their honest convictions on the subject".
This is a fair summary of the implications of Parkes letter of resignation quoted in the S.M.H. and read in the Legislative Assembly on the previous day. (The new Collector, Duncan's previous second in command, had been appointed on a lower salary. Another office in the Customs Department had been abolished to provide funds for a provision for Duncan.)
F.J., Sept. 16, 1868 was not so complimentry. It considered Parkes had resigned because he realised that the days of the Ministry were numbered and because he wished to avoid the possibility of being questioned about his "revelations" of a Fenian plot connected to O'Farrell's attempt on the life of the Duke of Edinburgh, (The Kiama Ghost). The editor warned Catholics not to be duped by the picture of Parkes standing by his Catholic friend.

[3]Belmore to Duke of Buckingham Sept. 30, 1868 (Copies of the Correspondence of the Earl of Belmore) conveys the view that the resignation of Parkes and the sectarian animosities which came into play on the dismissal of Duncan, were the primary cause of the fall of the Government. See also, Belmore to Under Secretary of State, Oct. 28, 1886. Belmore thought that the Robertson Government would not last long, and that, if Martin found a new Treasurer, his party could come back to power stronger than ever. He also wrote, again with accurate foresight, that Parkes "might head a combination, when his unpopularity with the Roman Catholic party may have somewhat abated".

completely passive way, achieved his most dramatic impact on the politics of later years. Yet it was a result not without significance for his general hopes in politics. Parkes, with whom Duncan sympathised as a free trader, had extracted himself from a sinking boat. This was a step to his dominance of the political scene in the seventies,[1] and Duncan, in gratitude to his defender offered (with what hope of success it is difficult to judge) to lobby for Parkes especially among Catholics nursing a sectarian grievance against him on account of the Kiama charges.[2]

However, although Duncan may not have been sorry that the petty quarrel he had begun with Eager had helped to bring down the Martin Government, privately he had to face five months of uncertainty

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[1] The Robertson Government collapsed in Jan. 1870. It was succeeded by a Cowper Ministry (until Dec. 1870) and then by another Martin Ministry. In May 1872 Parkes formed his first ministry and throughout the seventies the political scene involved a duel between Parkes and Robertson, who alternated in the Premiership.

[2] Duncan to Parkes. Undated. (Parkes Correspondence, M.L. A921) Duncan wrote deprecating the Catholic sectarian attack on Parkes and suggesting that Parkes should try to conciliate the Irish over the Kiama affair... "there are many who to my certain knowledge would be glad of an opportunity of placing themselves on your side if you could do or say something that would form the basis of a reconciliation" Re Parkes immediate prospects, Duncan wrote "I have ascertained that several members of the opposition would have no difficulty in joining you, and as you are the only member of the Martin Ministry who had any following you would soon have the nucleus of a strong party and the support of the country".

and worry as he watched the political wranglings over his dismissal.[1] The Martin Government resigned on October 21, 1868, but the new Robertson Ministry took until January 1867 to fight its way through the difficulties in the path of Duncan's reappointment.[2]

The Sydney Morning Herald had seized on the affair as an occasion for a homily on the correct conduct for a public servant under a difficult Minister. It pointed out that a wise public servant would bide his time until the removal of a superior "whom accident, corruption or party connection had placed.....in a position for which he is morally as well as socially unfit."[3] Such a course was almost beyond Duncan's capacities. He had not even bothered to check on the quantity of spirits involved before making a major

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1 Belmore to Under Secretary of State, Dec. 30, 1868. The original plan had been to restore Duncan on the understanding that he would apply for superannuation. See also, Belmore to Col. Sec. Jan. 18 1868. The original plan had been thwarted by the rejection of the Duncan Superannuation Bill. Belmore was concerned that justice be done to Mr. Berney and Mr. Jones who would be demoted if Duncan returned. (Copies of the Correspondence of the Earl of Belmore.)

2 Duncan to Parkes - undated, but in relation to Parkes resignation, is an indication of Duncan's distress (Parkes Correspondence). "I am in tolerable health, but in bad spirits and for the first time in my life wholly unable to read - the severest part of my penance."

3 S.M.H., Sept. 19, 1868.

stand on the issue.[1] In his quick tempered selfrighteousness he had assumed that Martin's promise to mediate between himself and the Treasurer[2] would hold whatever indiscretions he allowed himself, and he had taken a stand against Eager with ill-considered intransigence.

The whole affair provides the paradigm case of the main point we have been making in this chapter - viz. that Duncan's obstinate intensity in assuming rigid and selfrighteous stands on issues he viewed from a narrow ethical perspective often placed him in a disadvantageous position. This narrowness of perception; this undiplomatic drive to censure; this tendency, as expressed in his own symbol to "keep walls or space" between himself and less scrupulous men, are the aspects of Duncan's personality which explain many of his weaknesses as a manipulator of men.

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[1] N.S.W. V. P. Leg. Ass. Vol II, 1868. Correspondence respecting the Removal of W.A. Duncan from the Office of Collector of Customs. Papers sent to the Under Secretary of Trade and Finance by A. Berney on October 9, 1868. Evidence of H. Spinks, and A. Willis.

[2] Ibid., Duncan to Parkes, July 27, 1868.

CHAPTER 9

The Colonial Scholar and Bibliophile

The academic bent was established, as we have seen, very early in Duncan's life, and although he wrote modestly that the promise of his precocity had been belied,[1] the inner drive to study remained with him throughout his life. Among the sources of this drive, one cannot help feeling, was Duncan's need for an outlet from the tensions of day to day life. He, himself, came close to recognising this on at least one occasion when he wrote to Parkes:

> I am glad you still keep up with your literary taste, which is, according to my experience, the greatest earthly blessing a man can possess. For my part, without it, I should never have been able to get through the storms and troubles of life, of which I too have had my share.[2]

Duncan was certainly a very well-read man. Writing to S.A. Donaldson in 1856, he claimed:

> My reading includes nearly everything that has been written on political economy; French and English, all the great historians from Therodotus and Livius, to

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[1] Autobiography op. cit., p. 7.

[2] Duncan to Parkes June 23, 1859. (Parkes Correspondence M.C. A881)

> Thiers and Alison; and most of the Philosophers from Plato and Aristotle, to Schlegel and Sir William Hamilton.[1]

A comprehensive list! Nevertheless the catalogue to Duncan's library helps substantiate his claim.

This library was possibly the best private library in nineteenth-century New South Wales. Although it is described in G. Nadel's Australia's Colonial Culture as one of the four outstanding libraries of the time,[2] in size and weight it overshadows these others.

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[1] Duncan to S.A. Donaldson, June 28, 1856 op. cit. Both Schlegel and Hamilton would seem to be particular favourites of Duncan's. Hamilton, whose influence Duncan may well have imbibed fairly directly, as did N.D. Stenhouse, in Scottish intellectual circles, supplied the heading for the Register: "It is of great importance in a State, not only to guard Society against the oppression of its rulers, but to guard one part of Society against the injustice of the other part. Justice is the end of Government. It is the end of civil Society." Schlegel's Philosophy of Life is one of the few books from which we have evidence of Duncan transcribing certain passages (See Memoranda and Literary Journal pp. 27-28).

[2] Nadel, op. cit., p. 79-80. The other ones were: Lang's library, sold in 1846 (636 works of which half were theology and church history and the rest, history, biography, voyages, general literature, science, jurisprudence, and philosophy) D.H. Deniehy's library; (771 works and 14 magazines. It included most of the standard works of post-Renaissance philosophy, "almost all the standard literature of the eighteenth-century...(and)..what must have been the colony's most extensive collection of works in French, German, Italian and Spanish.") Parkes' library; (the 300 works of current literature and political debate put up to auction at one bankruptcy). Nadel does not notice the library of N.D. Stenhouse which was also outstanding.

The haphazardly organised auctioneer's catalogue of 77 pages, prepared for its sale on Duncan's death, mentions 3,236 items, but the actual number of volumes was probably well over 7,000.[1] However, even this figure does not accommodate all the books Duncan acquired during his lifetime. As we have seen already, he was forced to sell a number of the books he had brought to the colony during the lean

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[1] A count of the volumes included in items on a sample of pages revealed an average that would indicate 6468 vols. (see table below). This does not make allowance for special categories e.g. "Miscellaneous Literature" listed as one item (No. 3219) but containing "about 500 vols" or music listed as thirteen items but containing 291 vols. Periodicals, were of course listed under titles as single items but many contained large numbers of volumes e.g. No. 624 Dublin Review 93 bound volumes as well as others unbound - a complete set from 1836. Some of the "library" collections also contained large numbers of volumes e.g. No. 448 Library of the Fathers 23 vols; no.18 English Historical Society 29 vols; no. 1151 Bohn's Standard Library 34 vols.

Table 1.

Catalogue page.	No. of items	No. of vols. in excess of items.
2:2	44	94
2:3	43	43
3:2	41	24
3:3	49	16
4:2	42	34
4:3	42	12
5:2	47	38
5:3	45	16
6:2	41	53
6:3	38	85
7:2	41	10
7:3	42	68
	515	493 = 1,008 vols.

1,008 x 77 = 6,468 vols.

financial period of the Register.

Apart from its size, the library was also one of considerable quality. It contained at least one rare fifteenth-century publication - Raineri de Pisis, Opera, Pantheologia Sive Summa Theologia (1486)[1]; more than a score of sixteenth-century editions;[2] perhaps a hundred seventeenth-century works[3] and many more from the eighteenth-century. A great deal of Duncan's savings must have been spent on the accumulation of such books, for in 1885 the library was valued at £5000,[4] more than half the value of his whole estate.[5]

The greatest bulk of the books are, not unexpectedly, on ecclesiastical and historical subjects. Among the former is a broad selection of Christian theology ranging from Patristic writers to nineteenth-century theologians. To quote, almost at random, we

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[1] Catalogue of the Rare and Valuable Library of the Late W.A. Duncan Esq. Item no. 5.

[2] Ibid. e.g. Nos. 2, 8, 16, 23, 47, 127, 130, 152, 166, 182, 183, 200, 215, 228, 232, 233, 259, 269, 271, 272, 275, 476, and 636.

[3] Ibid. In the first twenty pages of the catalogue there are at least seventy of these.

[4] The English Catholic Times Sept. 2, 1885. The Library was worth £5,000.

[5] Will of W.A. Duncan. His estate was worth not more than £8,000.

find Tertullian, St. Chrysostom, St. Augustine, St. Athanasius, St. Gregory, St. Cyprian among the Fathers, as well as secondary works on them ranging through the centuries.[1] Nineteenth-century works are balanced heavily towards apologetics and the debate between the churches. Here again Duncan's selection is wide: Tracts for the Times,[2] Wiseman,[3] Newman,[4] Manning,[5] Pusey,[6] Milner,[7] Moehler,[8] and Dollinger,[9] to mention just a few English and Continental sources. Duncan was of course interested in the English Catholic Renaissance but his interest in the French Catholic revival is also reflected in a good selection, for example, from

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[1] Catalogue, op. cit., e.g. no. 13 Du Pin, History of Ecclesiastical Writers from the 1st to the 17th Centuries. 16 Vols., 1725; no. 238 Polycarpi et Ignatii Epistolae, Jacoboi Usserii Archiepiscopi Dissertatio...1649; no. 2785 Tertulliani Liber Apologeticus edited H.A. Woodham, 1850.

[2] Ibid., e.g. 2542.

[3] Ibid., e.g. 2978, 2996, 3091, 3031, etc.

[4] Ibid., e.g. 2961, 2994, 3145, 2793, 2700-2702, & 2713 (Works 20 Vols., etc.)

[5] Ibid., e.g. 3121, 2936, 2937, 2945, 2950, etc.

[6] Ibid., e.g. 2875, 2892, etc.

[7] Ibid., e.g. 2721, 2641, etc.

[8] Ibid., e.g. 2883, 2726, etc.

[9] Ibid., e.g. 2965, 2826, 2845, 2658-9, etc.

Chateaubriand[1], (a particular favourite of Duncan's)[2] Lamennais[3] (whom he considered somewhat extreme[4]) and Lacordaire.[5]

The collection of editions of the Bible[6], taken in conjunction with a comprehensive selection of commentaries suggests that Duncan was abreast with developments in biblical scholarship,

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[1] Ibid., e.g. no. 2976 Génie du Christianisme

[2] Memoranda and Literary Journal of W.A. Duncan: op. cit., pp. 7, 10, and 25, records praise for Chateaubriand's works. On the Génie du Christianisme, Duncan noted, typically, that it had the "merit of recalling the French men of letters to a reconsideration of the grounds of Christianity."

[3] Catalogue Op. cit., e.g. no. 3114 Paroles d'un Croyant or 2759 Essai sur L'Indiference 4 vols.

[4] A.C., April 5, 1842. Duncan printed an extract from a Parisian journal on Lamennais' imprisonment for libel, and commented: "the writer of the foregoing sketch we believe to be M. Alphonse Esquiros, one of the most charming writers in France, but, unfortunately, in political matters as little checked by sobriety as the venerable but mistaken subject of his sketch."

[5] Catalogue, op. cit., e.g. no. 3100 Conferences: God and Man, Life, Jesus Christ.

[6] Ibid., Nos. 282-331 consist mainly of editions of the Bible or parts of it. The editions range from the Biblia Hebraica, et Novum Testamentum Graecum...1584 (no. 282) to Lingard's new edition of the Gospels 1851 (no. 318); from a rare first edition of the Douay Bible 1609-10 (no. 302) to a Polyglot Pentateuch in Hebrew, Greek, Latin and German, edited by Dr. Steele and Dr. Theile with notes in German...1854 (no. 296). Commentary ranges from contemporaries such as Loweth, Gunter (nos. 349-50, 355-6) and Dr. Leander von Ess. (no. 330) to Figure del Vecchio Testamento 1554 (no. 271)

while his interest in liturgy and rubrics was also well catered for. Devotional works, such as a Kempis, Lives of the saints, and Lives of Christ also bulk large among the ecclesiastical selection. However, the largest group of books in this category is probably church history. Given Duncan's interest in the development of ecclesiastical institutions and in history in general, this is again not surprising. Current works such as those of Maitland[1], Sanders,[2] Bowden,[3] Butler,[4] Lingard,[5] and Dollinger[6] rest side by side with a large number of antiquarian works published in the sixteenth[7] and seventeenth[8] centuries. Concilliar and Papal history and the history of the Early Church, of course, form a large part of this area of the Library, but Reformation and post-Reformation developments are well documented.

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[1] Ibid., e.g. 447.

[2] Ibid., e.g. 418.

[3] Ibid., e.g. 435.

[4] Ibid., e.g. 2693.

[5] Ibid., e.g. 2695 Duncan relied heavily on Lingard for his essays on the Reformation in the Chronicle e.g. A.C., Oct. 18, 1839. On Lingard's History of England Duncan commented elsewhere, that it was "above all praise." (see Memoranda and Literary Journal p. 7).

[6] Ibid., e.g. 347, 434.

[7] Ibid., e.g. 200, 215.

[8] Ibid., e.g. 106, 142, 218.

Secular history probably forms an even larger section of the library than sacred history. Among the eighteenth and nineteenth-century historians represented are Gibbon, De Tocqueville Schlegel, Von Ranke, Lamartine, Palgrave, Gardiner, Kingsley (Charles) Lingard, Leckey, Michelet, Maitland, Macaulay, Prescott and Carlyle.[1] Duncan's taste in the subject matter of the history he bought was also practically universal. All told, the books dealing with the British Isles probably form the largest single group of a selection which includes pre-history, classical antiquity, the Christian European era, and the new and eastern worlds. Australian history naturally had a small place in his library too.[2] Nor was Duncan simply interested in secondary works. The considerable collection of historical tracts,[3] eyewitness accounts and traveller's records[4] attests well to this dimension of his reading. Biography of

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[1] Ibid., e.g. See pages 22-29.

[2] Ibid., p. 49. The histories of Collins, Lang, Flanagan, Barrington, Therry, Wentworth and the Official History (1884); The Bigge and Molesworth reports; and Heaton's Dictionary, form the basis of the collection.

[3] Ibid., e.g. no. 3197-3211; no. 133.

[4] Ibid., Nos. 1611-1692. Many of these are admittedly nineteenth-century works. Others were more rare e.g. no. 214 Prevost (Abbé) Histoire Générale des Voyages, ou nouvelle collection de toutes les rélations des voyages, par mer et par terre qui ont été publiés jusquà a présent.....76 vols. 1774.

past and contemporary figures also provided for a large number of books in the collection.[1]

Even though N.S.W. and especially Moreton Bay may have seemed like cultural deserts to a man of Duncan's interests, the library shows that he was not cut off from the intellectual currents of the day in the old world. Works of current philosophical, political and social comment abound in the collection - to illustrate, again practically at random: Hamilton, (Sir W[2]), Mill (J.S.)[3] Ricardo,[4] Liebnitz,[5] Ruskin,[6] Schlegel,[7] Arnold (Thos),[8] Bentham,[9]

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[1] Ibid., e.g. pp. 51-56.

[2] Ibid., e.g. no. 1235.

[3] Ibid., e.g. no. 1232.

[4] Ibid., e.g. no. 1198.

[5] Ibid., e.g. no. 1167.

[6] Ibid., e.g. no. 1211.

[7] Ibid., e.g. no. 1174, 1245-6.

[8] Ibid., e.g. no. 1484.

[9] Ibid., e.g. no. 1535.

Berkley,[1] De Maistre,[2] Chateaubriand (in abundance)[3] Cobbett,[4] Gladstone,[5] Wilberforce,[6] - the list could be much longer.

In literary matters it was not true to say that Duncan's library "contained no nineteenth-century fiction".[7] Apart from the five hundred volumes of unclassified literature, his library contained editions of some of the English literary giants of the century - Tennyson,[8] Scott,[9] Dickens,[10] Thackeray,[11] etc. and Duncan's reading also extended to the Americans such as Longfellow[12],

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[1] Ibid., e.g. no. 1555.

[2] Ibid., e.g. nos. 1592, 2969.

[3] Ibid., e.g. nos. 1584, 1588-90, 2825, 1460 (works)

[4] Ibid., e.g. nos. 2710, 1931, 945.

[5] Ibid., e.g. no. 924.

[6] Ibid., e.g. no. 989.

[7] Nadel, op. cit., p. 79.

[8] Catalogue op. cit., e.g. no. 1401.

[9] Ibid., e.g. no. 1932, 1295.

[10] Ibid., e.g. no. 1934-5, 1960.

[11] Ibid., e.g. no. 1936.

[12] Ibid., e.g. no. 1972.

Washington Irving,[1] and Herman Melville.[2] Major works from the preceeding centuries of English literature, are also liberally sprinkled through the catalogue,[3] while Continental literature is well represented too. In the latter, Duncan's eighteenth-century collection dominates. The writings of Madame de Genlis[4], a particular favourite of Duncan's[5] run into some dozens of volumes, while the classics of the Enlightenment account for a large number of the French books in the collection.

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[1] Ibid., e.g. nos. 1956, 2135-6.

[2] Memoranda and Literary Journal, op. cit., p. 56. (Nov. 9, 1851) After reading 2 vols Duncan commented: "considering it is the work of a common sailor it is the most singularly interesting volume I have ever read."

[3] Catalogue op. cit., e.g. Shelley, Shakespeare, Crabbe, Byron, Goldsmith, Pope, Keats, Dryden, Coleridge, (pp. 34 & 35) Cowper, Chaucer, Milton, Crashaw, Burns, Sheridan (pp. 36-37).

[4] Ibid., e.g. nos. 1376-7, 1562, 1603, ("Oeuvre 19 vols") 1604-5, 2277 (Memoires Inedits. 10 vols) 2445-6, 2463, 2465-7, 2470 etc.

[5] Memoranda and Literary Journal op. cit., p. 17. "I am engaged in a reperusal of the works of my early benefactress, Madame de Genlis, which from some cause or other, do not appear to me to have received justice from the literary world..... They have certainly the merit of inculcating good principles and a pure taste, rare merits for the turbulent period in which she lived." He goes on to remark that he has 40 volumes of her works some of which he has been reading for the fourth time.

Even a rapid perusal of the catalogue forces an awareness of Duncan's linguistic gifts. He would seem to have a good knowledge of the classics, although his library in this field, apart from secondary works in English, contains mostly Latin works and Latin translations of Greek authors.[1] Latin, too, is the language of much of the antiquarian collection and many of the ecclesiastical works. In modern languages, Duncan was certainly very fluent in French.[2] German[3] and Italian[4] books also figure prominently in the catalogue, while we know also from other sources that Duncan had a reasonable knowledge of Spanish.[5] However, his linguistic interests did not terminate here. The catalogue indicates that he was sufficiently

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[1] The few Greek editions are almost universally accompanied by a translation, e.g. no. 47 Platonis Opera Omnia, Greek and Latin, (1590) or No. 570 Anacreon, Odes of, in Greek and English.

[2] Apart from the very large number of French editions in the catalogue, we have Duncan's own testimony on this point. (See Duncan to S.A. Donaldson June 28, 1856 op. cit.)

[3] Catalogue op. cit., p. 50 contains mostly German language books. Duncan's German may have been weak. Some vocabulary written into spare pages of the Memoranda and Literary Journal contains mainly elementary words.

[4] Ibid., p. 57 a selection of Italian works. Duncan was proficient in Italian - See Chapter 11 p. 28 and also his translation of Aroldo and Clara. An Historical Poem. Translated from the Italian of Silvio Pellico (1840).

[5] Duncan published his translation of the Account of a Memorial Presented to His Majesty by Captain Pedro Fernandez de Quir in 1874.

interested to acquire dictionaries or reference books (some of them seventeenth-century works) on Sanscrit, oriental languages, Hawaian, Syrian, East India words, Anglo Saxon, Maori, Gaelic, Hebrew, and Arabic.[1] Duncan may have been interested in the comparative aspects of language - there were books on comparative philology in the library[2] - but, in any case, this picture provides an interesting background to his attempt, already described, to collect data on the language of the Australian Aborigine.[3]

Three remaining sections of Duncan's library still demand comment. One is what might loosely be called his "scientific library". In view of Duncan's advocacy of multi-dimensional education,[4] it is interesting to see what he himself thought necessary to acquire in this field. Medical subjects especially Homoeopathy,[5] (but not notably Phrenology,) and Anatomy; Botany and Materia

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[1] Catalogue op. cit., pp. 45-6.

[2] Ibid., no. 1884 Clarke, Comparative Philology (1873) or no. 1191, Johnes (J.A.), Philological Proofs of the Original Unity of the Human Race 1843; See also no. 35, a seventeenth-century octa-linga dictionary, or 588, Baretti, Introduction to European Languages 1772.

[3] See Chapter 7, p. 241.

[4] W.R., July 20, Aug. 27, Sept. 14, 1844.

[5] Catalogue op. cit., Nos. 366, 651, 654, 1916.

Medica; Zoology; Natural History; Mathematics; Physics; and Geology, make up the bulk of the small collection;[1] but Duncan's interest in these fields would seem to be of a secondary nature.

We have already said that Duncan was a competent amateur musician and musical arranger[2] and thus it is not surprising to find a rider to the auctioneer's catalogue which lists 291 volumes of oratorios, masses, motets and hymns, together with organ, harmonium, vocal and pianoforte music.[3]

The final comment we wish to make on the catalogue is to point out that it also shows that Duncan kept up with periodical literature. A list of some of the periodicals he collected will illustrate the point: North British Review (No. 336, 3 vols.); Dolman's Magazine (Nos. 377, 627, 8 vols); Retrospective Review (No. 335 12 vols.); American Catholic Quarterly Review (No. 338, 7 vols.); Quarterly Review (332, 57 vols.); United States Catholic

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[1] Ibid., p. 32.

[2] Chapter 4, 144. He continued to arrange music for Church Services (see Diary op. cit., March 12, 21, 27, 1856.) The Catalogue to his library also contains a number of works on musical subjects such as harmony p. 74-5.

[3] Catalogue op. cit., p. 76-77.

Magazine (No. 457. 4 vols); Rambler (No. 334 16 vols. of the new series 1854-1862); The Contemporary Review (No. 529 11 vols.) Month and Catholic Review (No. 528 16 vols.); Notes and Queries (No. 622, 62 vols. from 1849-1880); Nineteenth Century (No. 623, a complete set from its beginning to 1885); Dublin Review (No. 624, a complete set to 1885 - more than 93 volumes); The Month (No. 625, 18 vols.) and Brownson's Quarterly Review (No. 628, 10 vols.). Again there is a weighting towards Duncan's ecclesiastical and historical interests.

While the procedure of using a catalogue such as this as a guide to Duncan's intellectual interests has certain drawbacks; - it would be impossible, for example, to state that Duncan had read every book in the library, or even that he had selected each book personally - the validity of the procedure is enhanced by the evidence that indicates that Duncan was both a systematic and avid reader.

On occasions he kept records of his reading, for example the "Course of History undertaken..during an interval of leisure" (Jan. 5 - May 12, 1846) in which Duncan set himself to read 28 works. Beginning with the Old Testament, he listed a number of ancient histories, Gibbon's Decline and Fall, Bossuet's Discourses, some Voltaire, a number of works on the Middle Ages, Lingard's

History of England, Chateaubriand's Etudes Historiques, and a number of current works. All together this represents a considerable number of volumes and Duncan later noted that he had read all but three.[1]

Again, although Duncan may have had to rely on the judgement of his friends or booksellers in acquiring some of the library,[2] he was such an ardent bibliophile that no doubt he scrutinised carefully each new addition to his collection. One nice vignette of his day-to-day life is supplied by his Diary. On March 12, 1856 he recorded that a long looked for box of books had arrived from London. He spent the whole afternoon unpacking it and noted with pleasure that he "found an excellent selection therein."

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1 Memoranda and Literary Journal op. cit., p. 7. Duncan's comments are also illuminating. Bossuet, Lingard and Chateaubriand alone gained high praise.
See also: p. 11 - reading on Iceland and Persia;
p. 15 - lists of Reformation history;
April 28, 1847 - three books on the reign of Elizabeth;
May 14, 1847 - three on the period of the Civil War.

2 E.g. the box of books mentioned below. See also Duncan to Parkes October 20, 1846. (Parkes Correspondence, M.C. A831) Duncan referred to arrangements for sending some books; whether they were ones he had already bought or new ones is not clear. He also asked Parkes to acquire for him some books advertised by Moffitt - Schlegel's Philosophy of History, Bennington's Literary History of the Middle Ages and others.

The next day he wrote:

> Still engaged in examining my treasures in the box. Have at length plenty of Sacred Music and much of the right sort. Shall I be content to practice what I now have? I believe not. The miser is never satisfied with his hoard, nor is the bookworm ever satisfied with his collections.

The following day we find in the Diary:

> Have now examined carefully all my new books and they are indeed admirable. Now to peruse and perform the books and music respectively.

This brief glimpse of Duncan's domestic life probably supplies a pattern for large tracts of time in his later years - the times he spent quietly in his library, music room or garden. We have seen that, although the basis of Duncan's intellectual formation was supplied by history, theology and what might be loosely called philosophy, his library was not simply a specialist library, and we hark back to our early discussion on the Scottish educational system, to point out how well Duncan, despite the fact that he had not actually attended a university, exemplified the ideal described by C.E. Davie. If the Scottish Universities aimed to produce people with a humanist cast of mind, capable of taking a "broadly philosophical and historical approach"[1] to multifarious subjects, then Duncan's interests as illustrated by his library provide a good example of the theory in practice.

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[1] Davie, op. cit., p. 14.

As Davie also points out, one of the sociological results of Scottish educational methods, which also stressed the relevance of learning to every-day life, was to popularise the value of intellectual cultivation in a "bourgeois mercantile age",[1] and indeed one of the striking aspects of many of Duncan's writings is his ability to describe broad sweeps of history and point their current relevance. Such is the case, for example, with his Plea for the New South Wales Constitution, which ranges easily from classical to medieval to modern political theory in its argument for retaining the nominated upper house in the colony. It is also the case with his Lecture on Science and Commerce delivered to the School of Arts in Brisbane. Here Duncan incorporates material on Biblical, Greek and Phoenecian traders; the voyagers of the sixteenth and seventeenth-centuries; the theories of Adam Smith; and the scandals off the East India Company; into his general argument that science (learning) has always been an ancillary to commerce. Nor is the current moral missing, for a major point of the lecture was to arouse support for the School of Arts, and the local endeavour to temper commercial materialism with intellectual cultivation!

However, as Davie also points out one of the major criticisms levelled at the Scottish system which emphasised the

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[1] Ibid., p. 14.

importance of extracting broad humanitarian principles from the study of any particular subject, was that it also tended to encourage a slipshod attitude to scholarly exactitude.[1] Now on occasions Duncan could be excessively painstaking about detail, as for example with his analysis of the problem of whether the French, Dutch or Portuguese first discovered Australia, in his Account of a Memorial Presented to His Majesty by Captain Pedro Fernandez de Quir concerning the Population and Discovery of the fourth part of the World, Australia the Unknown.[2] The first part of Duncan's unpublished Annals of Australia, which he wrote when Collins, Barrington and Wentworth were the main published works in the field,[3] also shows scholarly characteristics. It would not meet present standards in matter of annotation, and it is organised on a drearily chronological basis,[4] yet it is clear that Duncan took considerable pains to seek out his material among official sources, parliamentary papers,

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[1] Ibid., p. 14.

[2] It was published in 1875 and well reviewed in the Herald, Freeman's Journal etc. (See Newspaper cuttings Mitchell Library Q 920/W Vol. 1.)

[3] W.R., Aug. 5, 1843. Duncan had been collecting material before this date. His Memoranda and Literary Journal also mentions his writing of the Annals e.g. Jan. and March (probably 1847)

[4] It is written in yearly sections. Such phrases as "The events of this year which remain to be noticed"...are common!

statistical registers, etc.[1] However, on other occasions he was excessively careless of scholarly techniques. Some of his judgements on the Reformation, are appalling, sweeping, biased and inexact. An early article in the Chronicle e.g. presented the Reformation in England as a movement leading to the supression of the Catholic Church, "ever the friend of the people" and the rise of Protestantism the "constant and bitter enemy of everything patriotic and popular". The pre-reformation Church which Duncan represented as previously separate from the State then became a supporter of "tyranny", when the Clergy and Commons gave up their rights![2]

The fact that Duncan made such a judgement so lacking in justification and so obviously revealing a failure of historical imagination, cannot be laid simply at the door of the tendencies encouraged by the Scottish intellectual climate. It is clearly a piece of propaganda, and was influenced by Duncan's own bias in religious matters. Nevertheless, its connection with the broad sweeping judgements encouraged by the Scottish system is clear.

The tendency to hold firmly to too simple a model, so often hampered Duncan's intellectual effectiveness. The simple model

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1 Although not annotated, this is clear from the text.

2 A.C., Oct. 15, 1839.

of the Reformation cited above is analagous to the dualistic pattern Duncan read into colonial politics in his early days as a journalist. It is similar too, to the oversimplification he wanted to impose on the problem of reforming the Catholic Mission in the colony which we will consider in the following part of this thesis. One feels there is a connection in spirit if not in cause between this kind of fundamentalism and Duncan's ethical rigidity for this too was a tendency which led him to oversimplify, particularly as we have seen in interpersonal problems. Interestingly too, it also led him at times to make some rather superficial judgements on literary matters.[1]

We have spent some time on this picture of Duncan's intellectual formation, not only for its bearing on the biographical picture, but also because it may add a little to a theme of colonial history yet to be fully studied i.e. the disproportionately strong influence exercised by Scottish immigrants on our intellectual

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1 Many of his judgements as we have already seen in his newspaper reviews, tended to be based on strong moral prejudice. See also Memoranda and Literary Journal p. 22 Duncan's sole comment after reading Byron was: "an extraordinary genius prostituted to the service of vice and irreligion." He liked the third and fourth cantos of Childe Harolde best.

and cultural institutions.[1] Apart from the influence Duncan exercised in this field as a journalist, it was the field of secular history in which he continued to play a significant part in his later life as a public servant.

The aspect of Duncan's activities which we wish to notice briefly here is not his influence on the development of juvenile education, but his contribution to the building of institutions intended primarily for adults. In speaking to the School of Arts in Brisbane, Duncan had argued that it was basically necessary to enunciate the "general principles" underlying such subjects as Astronomy, Chemistry, Natural Science, Painting, Music, and Architecture :-

> in so far as it is necessary for the ordinary purposes of life; and so far as it is necessary for developing the latent sparks of philosophical genius in the young and interested mind.[2]

The statement is sufficiently similar to Professor George Jardine's already quoted description[3] of the aims and methods of the Scottish University system, for comment on Duncan's transference of these ideals to the colonial milieu to be superfluous. However, the passage has been quoted to indicate one aspect of the rationale which

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[1] Nadel, op. cit., p. 39. "Dr. Lang and the Scotch ministers and teachers he brought to the colony in 1831 formed the core of the ablest thinkers and writers the colony was to see for the next quarter of a century." The vein of later Scotch influence is a theme of Australian history yet to be fully opened up.

[2] Lecture on Science and Commerce, op. cit., p. 43-44.

[3] Chapter 2, p. 27.

undoubtedly lay behind Duncan's insistence that good public libraries should be available in the colony.

The need for libraries was an old theme of Duncan's[1] but in 1869 he was given a chance to do something more positive about it. In that year the debt-ridden Australian Subscription Library[2] was finally taken over by the Government, and Duncan, who was one of the committee of eight who had administered the old institution, became one of the ten Trustees of the newly named Free Public Library of Sydney.[3] In June 1883 he became Chairman of the Board of Trustees, following the retirement of the original chairman Professor Badham.

The new Trustees took their duties in laying the foundation stone for a national library seriously. They removed a large number of "ephemeral" works from the collection of 20,000 volumes they had inherited, as being unsuitable for an institution which did not intend

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[1] A. C., Dec. 19, 1840; March 26, June 30, 1842. W.R., Feb.24, 1844. Lecture on Science and Commerce op. cit., p. 42.

[2] F. M. Bladen, The Public Library of New South Wales: Historical Notes p. 37. It had actually been called The Australian Library and Literary Institute, since 1866.

[3] Bladen, op. cit., pp. 39, 40. The other Trustees were: Professor Badham, Rev. W.B. Clarke, Rev. Dr. Lang, Sir William Macarthur, W.B. Dalley, W.S. McLeay, Robert Owen, N.D. Stenhouse and Professor Stephens.

to present "temptations to the idle and frivolous".[1] The 1871 Report pointed out that:

> the Trustees, being strongly impressed with the necessity of stamping the institution with an educational character, and insisting...on its taking a high place in the scheme of public instruction have... endeavoured to encourage....earnest students seeking intellectual improvement."

Although the records are not specific about the contributions of individual Trustees, it is clear that Duncan was a very hard working member of the Board and that he was also responsible for acquiring most of the new editions to the library[3] - about 1,500 volumes a year[4]. In this way his knowledge as a bibliophile had a specific bearing on the development of one of our important cultural institutions.

Duncan must have liked this work, which was quite onerous in the days before a fully skilled and professional librarian was

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[1] Report of the Trustees of the Free Public Library 1871 p. 4

[2] Ibid., p. 4.

[3] Walker, R.C. (in the name of the Trustees) to Duncan Feb. 27, 1885. On receipt of Duncan's resignation of the Chairmanship the Trustees had passed a motion recognising the "sense of great service rendered by him during the last fifteen years, in the selection of books; and for his continued work in assisting to make up the Library."

[4] Bladen, op. cit., p. 43.

appointed to do the greater burden of the work[1] for it was one of the last public offices from which he retired, when failing health forced him to curtail his energies. He received a handsome accolade for his services when he did resign as Chairman in February, 1885, four months before his death.[2]

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[1] Richardson, The Sydney Free Public Library - History, Importance and Policy. pp.15, 22. The early Trustees had to devote much time and personal interest to the everyday running of the library, doing the work which would now be done by an administrative librarian. Robert Cooper Walker was the first Librarian. H.. C. Anderson was not appointed until 1893.

[2] Walker to Duncan, Feb. 27, 1885 op. cit.

PART IV

The Liberal Catholic Layman

INTRODUCTION

Liberal Catholicism is a term that may be fairly loosely used in a number of ways. It may be used to describe the alignment of Catholics with progressive political groups, or it may be used to describe the acceptance by Catholics, of the Liberal concept of the separation of Church and State. In terms of both these usages we have already in Part II described Duncan as a Liberal Catholic. However, the term may be used more specifically as by Professor Altholz,[1] or by R.D. Cross,[2] to describe those in the Church, who proposed a greater involvement of Catholics in nineteenth-century culture. Against the conservatives who stressed the authoritarianism of Catholicism; the superational elements in Christianity; and that "otherness", which made the Church distinct from "the World"; the Liberal Catholics viewed contemporary culture with optimism, and stressed that no harm could come from freedom of the mind in search for answers to contemporary problems. In this sense Duncan has a fair claim to the title of the leading Liberal Catholic layman in the nineteenth-century Australian church, and the following two chapters, which discuss his attitude to education and internal reform in the

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[1] Altholz, The Liberal Catholic Movement in England.

[2] R. D. Cross., The Emergence of Liberal Catholicism in America.

Church, may be partly taken as an attempt to substantiate this claim.

Hitherto in this biography the importance of Catholicism in Duncan's life has tended to be underemphasized. Among colonial lay Catholics Duncan had an almost unique position due to his education and independence of mind- qualities not usually found together in the poorer Irish stock who formed the majority of the Church. He was knowledgeable, as we have seen, in the fields of Church History and Theology. He was in touch with a wide range of current thought on Catholicism in England, the Continent and America and, in the context of his Liberal Catholicism, it is interesting to note that he subscribed to the Rambler,[1] the journal that forms the basic source for Altholz' book, The Liberal Catholic Movement in England. Indeed, Duncan was possibly the most informed layman in the community of Catholics, and his ability to comment intelligently on current developments in the colonial Church was also aided by the effects of formation in a background foreign to most Australian Catholics. Because he was a Scot, he could see the value of the vigorous and critical lay participation in church affairs that he had, no doubt, experienced through his family's

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[1] Duncan, Diary op. cit., April 15, 1856. See also Catalogue op.cit., no. 334 (16 vols. of the new series 1854-1862).

involvement in Scottish Presbyterianism. Because he had come to the Church through his own unaided inquiry, he was not fearful of the effects of intellectual examination of the Church's position. Because he was not Irish, he was not emotionally involved in the specifically Irish qualities of Australian Catholicism, and could judge these aspects with some detachment. Thus Duncan was in a position to make a unique contribution to the growth of Australian Catholicism.

CHAPTER 10

A Liberal Catholic Attitude to Education

Although Duncan wrote a great deal on the problem of Education as a journalist, his general principles are most neatly summarized in his Lecture on National Education delivered, as we have already said, to the School of Arts in Brisbane in 1850. There he argued that Education in secular fields was primarily the responsibility of the State and not of the clergy.[1] It was a responsibility of the State since a good general education was essential for the "enlightened exercise of the public will" and the general peace of well-being of society.[2] Duncan supported this contention with the

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[1] Lecture op. cit., pp. 3, 5. See also Duncan's evidence to the 1844 Committee on Education op. cit., p. 24.
"Education - secular education - is more the business of the State than of the Church."

[2] Lecture, op. cit., pp. 3, 22. See also V & P. N. S. W. Legislative Council 1844. Evidence of W. A. Duncan at the Committee on Education, par. 66. "Ignorance and vice are almost inseparable, and ignorance of the individual is not only to his own detriment but also to that of the State in which he lives; therefore it is the right of the State to do away with that ignorance as far as practicable. On the other hand, I think with Montesquieu, that a good legislator ought rather to prevent crime than to punish it - to impart morals than to punish the absence of them; therefore I think it is the right and duty of the State to educate the people."
See also W.R., July 6, 1844.

historical argument that prior to the Middle Ages education had been a lay responsibility. Its later monopolisation by the clergy was the product of lay default, and had been complicated by the fact that, since the Reformation, education had become a "party" matter, and hence standards had gradually declined.[1] He maintained that in New South Wales, with its small and widely scattered population, it was impossible to continue to leave education in the hands of the various churches.[2] A system of National Education, on the Irish pattern, was the only means of co-ordinating the available resources to provide an adequate, comprehensive education for all.

In answer to the opposition to National Education on religious grounds, Duncan consistently argued that not only was it the only feasible solution to the economic problem, but that it would involve neither secularization nor the dangers of proselytism. Such a system would still be Christian.[3] It would focus on the

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1. Lecture, op. cit., pp. 3, 5.

2. Ibid., pp. 6, 7. See also, A.C., Sept. 3, 1839; April 7, 1840. W.R., July 6, Aug. 3, 1844.

3. Lecture, op. cit., p. 9. "No wise legislature", said Duncan without thought of the later secularist movement, "would for one moment think of separating Christianity from moral instruction."

extensive common ground between various Christian bodies in secular learning and in Christian ethics or the history of revelation.[1] It would present the child with lessons based on Scripture, which emphasised charity, tolerance and love of neighbours (even if they held erroneous doctrines.)

Since the general system would present to the child the view that it was a personal duty to seek truth and hold fast to it,[2] the teaching of dogmatic beliefs or Bible reading[3] by the various Christian denominations could be fitted into the framework of the general system, in periods specifically set aside for the purpose.

Duncan's argument for the feasibility of National Education rested on two assumptions which he confidently asserted; that it

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[1] Ibid., pp. 7-8. See also Committee of the Legislative Council on Education 1844 op. cit., Duncan's evidence par. 10.

[2] Lecture, op. cit., p. 9.

[3] On this point Duncan met strong opposition, especially from the Dissenting Protestants, who wanted to use the Bible as a general textbook. He would not concede their case and argued that the Bible was not a suitable "class book" on grounds of size, obscurity etc. and that a concession on their side would be more than outweighted by Catholic concessions to the principle of National Education. See Committee of the Legislative Council on Education 1844 op. cit., Duncan's evidence par. 40; W.R. Oct. 14, 1844, and Lecture, op. cit., p. 12.

was possible to enforce guarantees against proselytism,[1] and, further, that to make a distinction between general Christian ethics, Natural Religion, and the History of Revelation, on the one hand, and dogmatic theology on the other, would not weaken faith in the latter.

Well before 1850 Polding had made clear what was to be the basic Catholic objection to mixed education - that dogmatic instruction could not be separated from the rest of the school curriculum because of the need for "that daily and hourly moulding of disposition which should follow and become the practical application of doctrinal instruction."[2] However, since Duncan believed there were no differences among Christians on the principles of Christian morality, he would not admit there was a problem in integrating general morality with specific dogmas,[3] and he was inclined to equate this argument with the proposition that "pure mathematics have some peculiar connection with pure religion so that they cannot be studied separately without

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[1] A. C., Feb. 25, 1840, W.R., Feb. 3, July 13, 1844. Lecture op. cit., pp.11-12.

[2] Committee of the Legislative Council on Education 1844 op. cit., Polding's evidence par. 22.

[3] Lecture, op. cit., p. 7.

sacrilege".[1] He answered in an oversimplication that it was a normally accepted practice for specialists to teach different subjects.[2] In any case, he pointed out, there would be very adequate time for denominational instruction.[3]

By 1850 Duncan was of course fighting a losing battle as far as convincing the Catholic hierarchy was concerned. In 1839 when he began to put forward these views in the Chronicle Ullathorne[4] and Polding were, substantially, supporters of National Education, and probably McEncroe too; though he denied it later.[5] By the time of the 1844 Committee in which Duncan and Polding both gave evidence the rift was evident. Polding was very reserved;[6]

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[1] W.R., July 13, 1844.

[2] Lecture op. cit., pp. 10, 11.

[3] Ibid., p. 11. One day or part day per week, and also at other times during the week, would be set aside for this purpose.

[4] W.R., July 27, 1844. This reflects Ullathorne's opinion before he left N.S.W.

[5] W.R., July 27, Aug. 3, 1844. Against McEncroe's denial Duncan insisted that he had written a pamphlet in favour of National Education and spoke in favour of it at a meeting on Feb. 2, 1835.

[6] Committee of the Leglislative Council on Education, 1844, op. cit., Poldings evidence p. 29. Polding evidenced grudging acceptance of the possibility of National Education only at a secondary level and in outlying areas. See also Suttor op. cit., p. 318. At the stage Polding had privately declared his opposition to the National System.

Duncan appeared as the crusader for National Education; while the Chronicle, now edited by McEncroe, vigorously criticised Duncan's position.

Then it was that McEncroe accused Duncan of promoting religious indifferentism. But Duncan, declaring that it would be better to have "ignorance and vice predominating (than) wretched, hopeless unbelief," repudiated the charge, insisting that these were but the "fears of weak minds".[1]

However, there was also the bite of anti-clericalism in Duncan's rejoinders, for example to McEncroe's question

> Does he (Duncan) forget that he represents himself as fighting the battle of education against the Archbishop of Sydney and his Clergy, whom one should think it would be only decorous to consult, ere he put forth his plan which was to respect the conscientious scruples of all.

Duncan, no doubt still chafing under the disappointment of having lost the Chronicle, replied curtly that he had never felt that it was necessary to consult the Archbishop on all politico-moral decisions even as editor of the Australasian Chronicle, and further, that he had only dealt with political aspects of the question, leaving religion to the clergy.[2]

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[1] W.R., July 13, 1844.

[2] W.R., July 27, 1844.

Here Duncan was trying to enforce a distinction between secular and religious spheres, in which the layman should be left to decide moral aspects of political questions free from the dictation of the clergy. He severely criticised the Chronicle for its lack of independence:-

> They cannot even hold a political meeting, but some snuff man or sweep must rise up and represent the Archbishop. [1]

When McEncroe later organized a Catholic protest to the recommendation of Lowe's 1844 Committee for National Education (a recommendation for which Austin holds Duncan's publicity partly responsible)[2] Duncan attacked the laity for their subservience. Describing what he alleged was McEncroe's manipulation[3] of the "bellowing crowd", he wrote with some heat:

> If these are the effects of denominational education, we thank God that we have escaped its influence, and nothing shall be wanting on our part, that the country of our children be not cursed with it. No, let the sanctuary be sacred against the intrusions of laymen, but let clergymen either absent themselves from the political arena, or if they claim their political rights as citizens, let them exercise them simply as individuals, without abusing their sacred influence to control public assemblies. [4]

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[1] W.R., July 27, 1844.

[2] Austin, op. cit., p. 22. Lowe in the Atlas, however had also written strong articles on National Education.

[3] W.R., Sept. 7th, 1844. A word from McEncroe was sufficient to reverse the vote on a motion when it was explained that he did not object.

[4] W.R., Sept. 7, 1844.

As we have seen Duncan seemed almost despairing when the clerical opposition of all denominations in 1844 shelved the implementing of National Education even as a parallel system to the denominational one already existing.[1] He felt, perhaps rightly, that the acceptance of the inadequate denominational system, because of fears that the National Board might be hostile or that morals might be endangered, involved a lack of vitality and a willingness to by-pass a major national development because of the weak assurance that "the clergy had already done much in the matter at a little expense," and that, in any case, Ireland had "continued to get a good moral and religious education" before the National System.[2] Finally, he was impatient with the defeatism involved in the proposition that the clergy had neither the time nor the numbers to visit all National schools in the country were they established. Duncan implied that this was a simple failure of moral stamina, and that the clergy were lacking in zeal or devitalised by accumulation of wealth. A similar system had been worked in Scotland, by dedication, hard work, and the use of trained lay catechists - why not in New South Wales?[3]

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[1] Chapter 4 p. 141.

[2] W.R., Sept. 14, 1844, reflects these Catholic justifications.

[3] Ibid.

Duncan's practical defence of his views, as far as Catholics were concerned, depended heavily on the success of experiments in mixed education overseas, particularly in Ireland. But the trend in Ireland was against the system, and culminated in the Bishop's repudiation of National Education in 1863, after pressure from the Vatican.[1] The Australian trend ran parallel. After Duncan lost control of the Chronicle, the Catholic newspapers took up the opposition case.[2] The Freeman's Journal made a speciality of defending the Denominational schools against alleged discrimination from the supporters of National Education.[3] Successive Pastorals showed the Hierarchy's dissatisfaction with education policy[4] - a dissatisfaction which culminated in the Joint Pastoral of the N.S.W. Bishops in 1879, which formulated the Catholic decision to build their own entirely separate system of education even it state support was withdrawn.

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[1] Suttor, op. cit., p. 320. The Irish Bishops were suspicious of Stanley's system in the 40's and virtually repudiated it in 1850 at Thurles. See also R. Fogarty Catholic Education in Australia 1806-1950. p. 177 for the Irish Bishops statement of complete opposition to National Education in 1863.

[2] Suttor, op. cit., pp. 320, 618. The newspapers were the Morning Chronicle 1843-46, and the Sydney Chronicle 1846-48 and the Freeman's Journal after 1850.

[3] E.g. F.J. Nov. 13, 1850; Aug. 15, 1857; July 6, 1859; Aug. 10, 1868. See also p. 312.

[4] Suttor op. cit., pp. 225, 631.

Duncan's estrangement from the general Catholic point of view,[1] highlights two important underlying issues in his approach: the role of the laity and the optimism of the Liberal Catholic outlook. Expressed in the terms of today his view on the role of the laity was this: theirs was the role of creating and ordering the social milieu; theirs was the responsibility for politico-moral decisions. True, the clergy had a pastoral role to advise on moral matters, but it was not primarily their role to influence politics - certainly not to provide authoritarian and ex-cathedra solutions by evoking blind obedience.

In one sense, it was a problem of democracy similar to the problem worked out in the secular sphere during the 40's and 50's. Duncan's solution did not leave room for a highly paternalistic role for the clergy, just as in politics he could not accept a secular oligarchy. His solution also evoked the problem, evident in the secular state, of the need for a balance between education and responsibility. In secular affairs Duncan fought strongly for compulsory general education to ensure an intelligent and responsible

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[1] Ibid., pp. 624, 631. Other prominent Catholics who agreed, substantially, with Duncan in the 50's were Davitt, Macdonnell, and Plunkett. Plunkett, the most prominent of these, became a supporter of Denominational education, in deference to authority, after the Pastoral of 1862.

use of the franchise, but in the last analysis he found that he had risked popular control without a strong guarantee that it would be balanced by popular responsibility. He later modified his opinions in a conservative way. In the Church he took the same risk, but because his opinion was not accepted, he was spared the problem of possibly having to modify his beliefs when they were put to the test!

Secondly, Duncan's belief in National Education involved distinct propositions about the function of reason and faith, and the relation of Catholics to the modern world - a stand which involved him deeply in the Liberal Catholic optimism defined earlier. It was not necessary, Duncan insisted, for Catholics to live in a ghetto to protect their faith:

> It is a libel on religion to say that it is endangered by the progress of science. On the contrary, we believe their connection to be most intimate, and that where the one flourishes, the other will flourish also, if left without restriction. [1]

Duncan wrote this in 1840. Ten years later he appealed to virtually the same principle, in criticising those who feared the effect of open contact with secular culture in the National System. He wrote:

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[1] A.C., April 14, 1840.

> Have they no faith in the prevailing power of truth? Is Christianity so unamiable a thing that they must imprison it in order that it may not escape? Must it be sealed like a bottle of Champagne, lest its vital powers should evaporate. Will they trust nothing to its native beauty and holiness? Nothing to its admirable adaption to man's spiritual necessities? Will they trust nothing to the grace of God? [1]

Duncan was, in fact, postulating that reason would make religious truth, at least in certain areas, self-evident, if given freedom to work. He was definitely out of sympathy with the spirit behind the Syllabus of Errors in 1864, and probably with the Decrees of 1870. Like the Liberal Catholic movement in England and France, Duncan moved incautiously ahead of his time.

As for Duncan's later views we have no continuous record after 1850. Duncan had thrown himself into voluntary organization for national schools[2] in the 1840's and he continued to be active; first, as we have seen, as a member of the local National Board in Brisbane, and as a leading exponent of the system in the north; later, as a member of the various central administrative organizations.

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[1] Lecture op. cit., p. 14-15.

[2] W.R., Oct. 12, 1844. Duncan was a member of the Provisional Committee to draw up rules for the National School Society. Dr. Lang, Robert Lowe, and H. Macdermott were among the other members. W.R., Jan. 4, 1845. Duncan published an elementary National School Textbook.

Duncan was actually offered the chairmanship of the National School Board in 1859 but refused in deference to Plunkett who had just resigned the position in protest to the Government's policy with regard to vested schools. However, he accepted appointment as an ordinary member once Plunkett's public statement had cleared the way,[1] and remained a member until its demise in 1866, when the Council of Education took over the functions of the National and Denominational Boards. In 1872, Duncan accepted a seat on the Council of Education, on which he served until it too was superceded in 1880.[2]

Thus for the greater part of nineteen years Duncan was actively involved in the central administration of the New South Wales' school system. It would appear, that he was a very conscientious member of the boards on which he served. He

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[1] F.J., Dec. 3, 1859. Plunkett's letter to W. Forster declined the seat on the National Education Board but cleared the way for another Catholic to be appointed without offense to Plunkett. See also C.C. Linz, The Establishment of a National System of Education in New South Wales. pp. 49-50. Plunkett wrote to the press criticising Cowper's policy on this matter. The House supported him and having refused to apologise, he resigned all offices. (The policy of establishing non-vested schools led to an expansion of the National School system)

[2] Index to Government Gazette, op.cit., 1875 (Vol 1 p.3) 1878 (Vol 1, p. 5171). In 1878 the members were Sir Wigram Allen (Speaker of the Leglislative Assembly), Sir John Robertson K.C.M.G. M.L.A., John Smith M.D. LLD. CMM.G. M.L.C., Sir Alfred Stephen C.B. K.M.G. M.L.C. Only Allen had served longer on the Council than Duncan.

attended a very high percentage of the weekly meetings of the Council of Education,[1] and thus, presumably, made a substantial contribution to the work which included: liason with local educational boards; appointments, promotions, etc. of teachers; dealing with Inspectors reports; and general financial administration.

The Minutes of the Council of Education illustrate a marked concern for high standards, both academic and moral, on which, as we have already seen, Duncan personally was most insistent.[2] However, like the records of the National Board, the records of the Council of Education, were kept in a way which makes it impossible to discover each member's attitudes to specific questions. This is unfortunate for it would have been interesting to know Duncan's view of the Denominational School question during the seventies. His appointment to the Council of Education had followed a vigorous attack by the Freeman's Journal on the previous Council which was accused of discrimination against Catholic schools.

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1 Fair Minutes Book of the Council of Education No. 6. op. cit., Duncan missed only two of the weekly meetings between April and November 1873. The record was only surpassed by the Chairman, Dr. Smith. Duncan also signed many of the cheques - a duty he shared with Smith.

2 Chapter 4, p. 140 discussed Duncan's attitude in the Register on Education; the need for higher standards, better teacher training, etc.

Except for G.W. Allen the Council was reformed in 1872-3.[1] The Freeman's Journal with compliments to Duncan's reputation for impartiality and competence on the old National Board, welcomed his appointment as a Catholic political victory.[2] It expressed the hope that the Council would now give "reasonable satisfaction."[3]

This hope apparently faded quickly, for, from the middle of the year onward, the Freeman's Journal returned to its allegations that the Council and especially its Secretary, Wilkins, discriminated against Denominational Schools.[4] The tone of the Freeman's opposition was set by an article which commented on the Petersham School case - another denominalist disappointment:

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[1] F.J., Jan. 11, 1873. W.M. Arnold (Speaker of the Leglislative Assembly) and Sir James Martin resigned after a heavily supported vote of censure was passed on their policy re the Grenfell Catholic school. (They had refused to grant this school's eligibility for State support). There had also been a sectarian scandal over the non-dismissal of an Eden school-teacher accused of proselytism. When Fairfax later resigned, from the Council, the Freeman's Journal suggested it was because he opposed an act of "justice" in one of these cases! (See F.J., March 22, 1873).

[2] Suttor, op. cit., p. 629. Martin had previously been the "Catholic Representative" on the Council. Since he interpreted the 1866 Act in a way detrimental to Catholic Schools, and since he was no longer officially a Catholic, his presence did not comfort the Freeman's Journal.

[3] F.J., Jan. 11, 1873.

[4] E.g. F.J., March 22, May 16, June 14, 20, July 5, 1873; Jan. 31, Nov. 14, 1874; June 3, 1875; Sept. 6, 1876; Nov. 22, 1877.

> We would have preferred peace, but if that cannot be had, we must prepare for war. The point of issue... lies entirely in the composition of the Council of Education. If they can get a majority of its members to refuse us certificates, they win; if we can get a majority to grant them, we win. And as the Council is appointed by the Government, it becomes a purely political question..... it ought to be the political question par excellence. A Ministry which will so nominate to the Council of Education as to secure a fair administration of the Public School Act should receive our support. And we should give our uncompromising opposition to any which may endeavour to support this ruinous theory.

This "ruinous theory" was the theory

> that the Council's power to certify that a denominational school maintained the required standards, was a permissive, not an obligatory power. [1]

Though we do not know Duncan's position on this particular question, he certainly approved of the general work done by the Council of Education during the seventies. Referring to its demise, on the passing of the Public Instruction Act, Duncan wrote to Parkes in 1880:

> I am really thankful for my share in it. I have now fought the same battle for education for forty years in the Colony, and have never had the least misgiving that I was right. [2]

This statement should not imply that Duncan was a hard-headed obstructionist in relation to Catholic education. Given that

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[1] F.J., July 5, 1875.

[2] Duncan to Parkes, Feb. 27, 1880. (Parkes Correspondence MC. A821)

Catholic schools existed, he had lent his services to help them achieve a good standard of education. He had, after all, come to New South Wales as a Catholic schoolmaster, and on the Chronicle had been actively associated with a number of Catholic Schools.[1] Later he was a member of Denominational School Boards[2] and in the fifties had agitated for better standards of Catholic education.[3] Even in the seventies, the Freeman's Journal records many instances of his services to Catholic Schools, especially the Sisters of Charity at Potts Point[4] (which Order one of his daughters joined[5])

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[1] E.g. A.C., Jan. 8, 1842. Duncan, Mrs. Chisholm, Rev.P. Farelly and the Dean of Winsor were responsible for referring parents to the Catholic Boarding School at Winsor. His children also went to Catholic Schools (see A.C., Dec. 10, 1842.)

[2] Record Book of the Executive Council 1859-1860. (54/1224) Duncan was on the Denominational School Board.
See also Index to the Government Gazette 1849 p. 70. Duncan's name appeared among the long list of members of Denominational School Boards.

[3] See Chapter 11 p. 343 Duncan advocated the introduction of more religious teaching orders into N.S.W.

[4] E.g. F.J., Dec. 18, 1875. Duncan was prominent at prizegivings and examinations.

[5] Will of W.A. Duncan op. cit. This was probably his daughter Mary, since his other daughters, Susan and Agnes, shared the bulk of his estate.

and the Marist Brothers at Broadway.[1]

In the controversy on education during the seventies Duncan, in fact, took a middle position. Though he generally eschewed public debate, he opposed both the Catholic Denominationalists (now led by Archbishop Vaughan)[2] and the Secularists, the latter being particularly vocal at the time.[3] A letter to Parkes in 1875 indicates the moderation of his desire to promote his views:

> I have always, as you know, been favourable to mixed education, and I have no doubt that it will prevail, but it should prevail gradually and naturally and not be forced on an unwilling people, and with a violent ignoring of all vested rights and interests.... Your views have been substantially the same as mine and I am sure that they are in accordant with reason, justice and the best interests of the country.[4]

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[1] E.g. F.J., Dec. 23, 1876. Duncan was an examiner at the school. Duncan had also been an examiner of the Christian Brother's school in 1874 when Vaughan was in the process of trying to decide whether to support the Order, which had refused State aid. (See Fogarty, op. cit., p. 242.)

[2] He arrived to take up the position of Coadjutor Archbishop in December (See F.J. Dec. 13, 1873, report of Reception at which Duncan moved the first motion). I have not been able to find any public controversy between Duncan and Vaughan on the education issue, though one would have expected them to clash publicly.

[3] E.g. F.J., Jan. 23, 1875. Duncan was on the platform during a lecture given by the Rev. Mr. Kemmis in opposition to the Secular Education League, which had been particularly vocal during this past year. (See opposition of the F.J., July 18, 25, Aug. 1, 15.22, Sept. 5, 19, 26, Oct. 3, 17, 24, 31, Nov. 4, 21, Dec. 12, 1874.)

[4] Duncan to Parkes, Aug. 3, 1875. (Autograph Letters of Notable Australians.)

Duncan made this final claim, without any denial of his interest in Catholicism, for in the already quoted letter to Parkes in 1880, he had concluded:

> I could not, however, persuade my co-religionists (except a few of the better educated) to adopt my views, and they will see their mistake when it is too late to correct it. If they had taken my advice they would be in a better position today. [1]

While this statement may reflect the crabbedness of an ageing and rigid personality; it may also reflect an interesting proposition about the Catholic decision taken firmly in 1879 to build a comprehensive system of education, parallel to and unaided by the State one. During the preceeding two decades it had become increasingly clear that Catholics were the only Christian group who consistently provided adequate dogmatic instruction in their schools.[2] Duncan probably believed that had the Church organised its resources to provide good religious instruction to children in National Schools in the early stages, Protestants would have done the same and the criticism that the State Schools were irreligious might not have arisen. At least he was sure that decades had been wasted in not

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[1] Duncan to Parkes, Feb. 27, 1880. (Parkes Correspondence, MC. A281)

[2] Fogarty, op. cit., p. 139.

developing an adequate general system of education for the country and that Catholics, whose intransigence had become increasingly the major difficulty, were among the greater sufferers - they were the most illiterate group in the community.[1] Finally, the sectarianism which accompanied the education debate was a barrier to healthy maturation of the plural society in New South Wales. Duncan had looked to National Education as a means of creating religious tolerance;[2] instead, he found it the basis of sectarian political division which he abhorred.

From the "orthodox" Catholic viewpoint of the time, Duncan could have been criticised for rashness in his apparent willingness to risk the sound Catholic formation of children for secular benefits: a more successful plural society and possibly a

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1 Daly, R.A., "John Bede Polding and the Founding of St. John's College." Australasian Catholic Record Vol XXXV. p.300-1856 census.

2 A.C., April 14, 1840. See also Committee of the Leglislative Council on Education, 1844 op. cit., Duncan's evidence par. 50, for his argument that National Education promoted tolerance. See also Lecture op. cit., p. 15. for the description of tolerance as a principle "which has served the cause of real piety, has put a stop to acrimonious discussion, and roused the facilities of investigation for really useful purposes."

more efficient system of general education.[1] He could have been blamed for unrealistic optimism in his belief that the Catholic laity could be left to make a responsible decision, alone, on the matter of education. Indeed, the paternalism of the Bishops in insisting on the isolation of Catholic children in the environment of Catholic schools, though it contained a definite philosophy of education (to quote Polding again, that doctrinal instruction at specific periods in a mixed school could not take the place of "daily and hourly moulding of disposition"[2]) it was no doubt also informed by their view of the practical situation. The Bishops presumably did not feel that they could safely leave it to the average Catholic parent to counteract the atmosphere of the "godless" schools which Vaughan denounced so firmly.

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1 cf. Polding's attitude at the Committee of the Leglislative Council on Education, 1844, op. cit., Polding's evidence pars. 1-2. In answer to the standard question put to all witnesses on the state of education in the colony, Polding made it clear that he considered moral education and the religious "control of animal propensities" a far more important aspect of education than reading, writing, etc. Taken in conjunction with his statement "I conceive it to be impossible for children to be properly educated who profess different faiths in one school." (par 29) and "principles and morals would be corrupted" in a general school (par 34) his attitude was strongly opposed to Duncan's, even at this early stage.

2 Ibid., par. 22.

Duncan's suggestion that it "was a libel on religion to say that it is endangered by the progress of science"[1] and his argument about the specific spheres of competence of lay people and clergy, could reasonably be said to be too sophisticated to have much bearing on the practical situation in New South Wales. We hark back again to the discussion on Duncan's intellectual formation to point out that here is another example of his desire to reduce most matters to abstract theoretical propositions - so often a desire which involved him in oversimplifications which obscured human realities in specific situations.

However, having made this point we must modify it by pointing out that Duncan himself would have argued that the Church itself was largely responsible for the failure of lay competence and hence his attempt to improve the organization of the Catholic Mission in the colony cannot be divorced from his Liberal Catholic attitude to the education issue.

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1 A.C., April 14, 1840.

CHAPTER 11

Internal Organization of the Catholic Mission

The Role of the Laity.

The years 1857-1859 marked a major crisis point in the history of the Catholic Church in New South Wales. They were years in which a number of long standing tensions came to a head and erupted. A series of letters Duncan wrote to the Freeman's Journal under the pseudonyms of Icolmkill, Isidore, and Peter Pilgrim,[1] were in large measure the precipitating cause of this eruption.[2] Although they have specific reference to the disputes of these years, they also illustrate Duncan's more

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[1] For evidence of Duncan's authorship see Suttor op. cit., pp. 508, 530, 537 where each pseudonym is identified as Duncan. See also the article by Cassius quoted as a foreword to this biography, which identifies Duncan as Icolmkill, and evidence in the Freeman's Journal itself: e.g. F.J., Jan. 12, 1859 (Peter Pilgrim identified with Isidore); May 15, 1858 (Isidore described as a convert to Catholicism) F.J., July 3, 1858, (the reputation of the correspondent "one....(to whom) we owe our present freedom - the strenuous opponent of bigotry - a pillar of rectitude and indomitable virtue"). There is also internal evidence of Duncan's authorship e.g. his distance from Sydney (F.J., Oct. 6, 1858) and the general time lag of Duncan's answers to other correspondents; his range of reading; his lingusitic gifts (F.J., Feb. 16, 1859-Spanish and Italian).

[2] Suttor, op. cit., p. 321 supports the judgement that Duncan's letters brought the crisis to a head.

general attitudes to the internal organization of the Catholic Mission and thus form the main basis of this chapter.

Polding dreamed of a Benedictinised Mission for the colony, in which the Monastery, established at St. Mary's in 1842, would be a centre of culture and learning, supplying priests for the field, disciplined through their monastic training and vows. His dream was partly the product of the natural learnings of this cultivated and gentle man; partly the result of the fear that materialism corrupted secular priests in young countries. Polding continued to fight for the ideal of a Benedictinised mission, even though, at the outset, it was virtually doomed.

Not only did he fail to gain sufficient Benedictines from England, but he was led to accept unsuitable vocations - men who were not sufficiently informed of the conditions of the Mission.[1] In addition, the social situation in the colony became much more complex after the abolition of transportation in 1840. The flood of Irish immigrants overtaxed Catholic resources and difficulties arose from the attempt of English Benedictines, from a cultivated and cloistered background, to govern a mission predominantly

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[1] Shannahan, op. cit., p. 52. I am indebted to this account and to that of T. Suttor op. cit., for the general survey of the situation of the mid-colonial Catholic Church which follows.

Irish and often nationalistically anti-British. Even when Irish Secular priests did come (as they soon did) there was recurrent friction between them and the Benedictines, which also led to internal difficulties in the Monastery when some members wanted to be secularised.[1] Problems which initially arose from the difficulty of meeting Catholic needs in a rapidly growing and, in the country areas, a dispersed population thus became part and parcel of the Benedictine-Irish debate, and those who favoured Hybernicisation frequently blamed Benedictine exclusiveness for failure to obtain more priests and religious. It did not help the equanimity of Catholic society when many of the Irish laity also showed their preference for Irish priests.

The problems posed by the Benedictine-Irish debate are complex. In the view of an authority on the colonial Catholic Church, there were "elements of chauvinism and priestly careerism that occasionally threatened to disfigure the Irish Clergy's apostolate"

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[1] Suttor, op. cit., pp. 506-8, e.g. Sheridan Moore decided his vows were invalid and left the Monastery on April 1, 1856. He became editor of the Freeman's Journal until 24 Jan. 1857, although he had been declared excommunicate. The Freeman's Journal was then denounced by the Archbishop. Curtis, who probably wrote the article signed "Cassius" was another defector from the Monastery.

and the Benedictine establishment was a "standing inquisition into the motives and aims of the Irish ecclesiastical empire - were they supernatural and universal, not the egotism of a tribe?"[1] On the other hand, there was a case to be made for the impracticality of the Benedictine scheme. Ullathorne had been convinced by this as early as 1842, and had thus retired from the colony.[2] Rome was eventually convinced in 1854, and ruled against the monastic plan.[3]

We have already seen that Duncan's affinity to the Benedictine attitude had had a bearing on his dismissal as editor of the Chronicle in 1843. He had not wanted Australian Catholicism to be identified with Irish Nationalism in the Anti-Repeal agitation, and he had given offence by criticising the hero worship accorded to the Irish pioneer priest, Fr. J.J. Therry, on a visit to Sydney, since it implied disloyalty to the absent Benedictines, Polding and

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[1] Suttor, op. cit., p. 435.

[2] Shannahan, op. cit., p. 52. "Ullathorne commented to the former Prior of Downside, Dr. Brown, that the Colony would become an Irish Mission - and perhaps ought to become so, as he doubted whether the Mission would work well with all the Superiors English and nearly all the subjects Irish. In any case 'to do anything Benedictine in the Colony is now out of the question'," he stated.

[3] Suttor, op. cit., p. 464.

Ullathorne. Yet it was not simply because he was pro-Benedictine that Duncan was ousted by the Irish Vicar General. It will be remembered that among other matters of dispute, Duncan had given offence by his criticism of the lack of vitality in the Mission, and by his confident assumption, as a layman editing a Catholic newspaper, that he could voice independent opinions on non-doctrinal matters without regard to the view of the ecclesiastical administration. The same concern, and the same independence are evident in Duncan's conduct in the fifties, when though still very critical of some Irish attitudes, he was no longer a supporter off a Benedictinised Mission.[1]

When he had first come to the colony Duncan's desire to help the Mission had ample outlet. He was a recognised apologist; editor of the Catholic newspaper; part founder of a temporarily

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1 F.J., June 30, 1857. Duncan wrote: "I am not in a position to discuss the causes which have disappointed the hopes of those, who like myself, once expected much from the introduction of the Benedictine Order. The fact (of its failure) is, unfortunately, in accordance (with) all the other facts of our case....I would not indeed dream of anihilating the Australian Benedictines, as I have heard some suggest...Let us hope for better things; but let us be practical and establish another order...in holy rivalry – say the Redemptorists, Passionists, Oratorians, or the new Order of Charity, which is now performing such wonders in England".

successful Catholic Institute;[1] and a confidant of the Archbishop. He even had the satisfaction of believing that it was his suggestion that had led to the decision to found an Australian Hierarchy - an event which showed the legal manner in which the Catholic Hierarchy could be refounded in England.[2] However, after his estrangement from Polding in 1843, and during his isolation in Brisbane from 1846 to 1859, Duncan was no longer at the centre of affairs in Catholic circles and it was by inviting open debate in the Freeman's

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[1] A.C., Nov. 19, 1839. Duncan called for the formation of a Branch of the British Catholic Institute, to defend Catholicism against attack and to provide for library facilities, publication of pamphlets etc., for Catholic instruction.
A.C., Sept. 15, 1840. At this inaugural meeting a vote of thanks to Duncan was passed "for his zeal in endeavouring, with so much success, to organize the Catholics of the Colony for their own defence.
See also A.C., Jan. 3, Oct. 8, Sept. 12, Nov. 3, Nov. 10, 1840; Oct. 14, Sept. 17, Nov. 9, 1841, for the history of this Association. Duncan was its Secretary, and his friendship with the leaders of the British Association clearly facilitated the foundation of the Sydney branch and the sub-branches in the colony. The association undertook to answer attacks on Catholicism such as those of Burton, the Sydney Protestant Magazine, Dr. Aaron and the anti-Irish Immigration Association (See Ch. 3.) Polding and Ullathorne were clearly supporters of the Association, but Duncan accused Murphy of a very negative attitude towards it. (See Chapter 6, p. 220.)

[2] Autobiography, op. cit., p. 64. According to Duncan, Polding was at first doubtful but Ullathorne agreed with Duncan. To discuss the plan to establish a local hierarchy was one of the reasons of Polding's voyage to Europe in 1840. See also F.J., June 16, 1858 and Dec. 13, 1873 for Duncan's public expression of his opinion, that it was his suggestion which had led to the foundation of the Australian Hierarchy.

Journal in 1857 that he then chose to air his views on the need for reform in the Catholic Mission.

Justifying this course of action Duncan wrote:

> It cannot be but that there is much in our character, position and circumstance as a body, whether regarded in a moral or intellectual, an ecclesiastical or political point of view, which must have given rise to serious reflection in the mind of every sincere and thoughtful professor of our holy faith in these colonies.[1]

No doubt the recent census had been a spur to his effort,[2] and his first letter painted a dismal picture of Catholic shortcomings.

> If we are numerous, we are still insignificant in the body politic; the census pronounces us the most ignorant portion of the community. We have barely two or three representatives, I believe, in the whole Leglislative Assembly.....If, by our numbers we have succeeded in influencing certain elections, it is often, perhaps always, by means, common enough, no doubt, but nevertheless repugnant to the true spirit of Catholicism. If our Celtic race has much to boast of. I believe it has much to deplore:....its love of country when transported into other countries and fostered there becomes a real disease, preventing it from amalgamating and identifying itself with the general stock of the country it inhabits....Our religion is neither English

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[1] F.J., May 16, 1857. First letter of series "The Catholic Interest in Australia" signed Icolmkill.

[2] R.A. Daly, "John Bede Polding and the founding of St. John's College 1857-58". The Australasian Catholic Record Vol. XXXV No. 4. p. 300. The 1856 N.S.W. Census showed literacy in the Catholic age group 7-20: 51.5%; literacy in the Catholic age group over 20: 55.5%. Both figures were considerably lower than the figures for the general population. Catholics numbered 79,000. Of these 24,000 lived in Sydney or its suburbs. 17 priests (7 Benedictine) ministered their needs. There were 38 priests for the rest of the colony, only two of them Benedictine.

> nor Irish, but Catholic; and our patriotism, if we would hold our proper place here, must be neither the one nor the other, but Australian. Our laity are generally ignorant and unfit for those high places which it is desirable they should fill in common with others in the colony.

Nor did the clergy escape Duncan's castigation....As to them, he wrote:

> hyperbole is exhausted in their praise; if they perform the most obvious and indispensible duties... the feat is gazetted as an extraordinary exertion of pious zeal; and it is only when we notice the gross ignorance of the rising generation; it is only when we hear of underground plots against high authority, leading almost to the resignation of an archiepiscopal see, or a monk or two apostacising from the holy state, that we can bring ourselves....to see, and admit and deplore the fact, that the Devil, the world and the flesh, are still fighting against the Church.[1]

These were clearly two aspects to the debate. The first was the external failure of Catholics to play a proper role in secular society, a development, to which, as we have already seen, Duncan was deeply committed. The second was the internal failure to provide adequate religious facilities for the flock. The second aspect did receive more emphasis in the debates but, in fact, the whole discussion became bogged down in Irish sensitivity to criticism of their nationalism, education or clergy.

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[1] F.J., May 16, 1857.

Some correspondents e.g. Erigena (Carroll?)[1] and O'Duibidir were so choleric in their defence of the Irish, that Duncan virtually refused to debate with them.[2] With McEncroe, under the pseudonym of Columban and possibly in one editorial,[3] who undertook a more moderate defence, he attempted parlance. McEncroe agreed that Duncan's intentions were praiseworthy, but suggested that, after centuries of persecution, it was unjust to ask the Irish to leave their heritage overnight. He also submitted a plea for the shortcomings of the Australian Mission on the basis that, given the difficulties of distance, convict origin, and youth, it was not lagging in zeal behind others.[4]

Duncan would not allow such an easy defence. He pointed out that the Church had special advantages of financial support from

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[1] When identifying the users of pseudonyms, I have been guided by the manuscript notes on the copies of the Freeman's Journal at Riverview College, Sydney. I cannot vouch for their validity, having been unable ever to identify the author of the notes. However, since all of the identifications are creditable, and the ones which can be verified (Duncan, McEncroe, and Donovan) are correct, I have decided to follow the anonymous writer.

[2] F.J., May 30, June 13, 30, July 4, 1857.

[3] F.J., May 30, 1857. The editorial note, which said that the Freeman's Journal would never become a vehicle for attacking Irish Patriotism, was written by the Archdeacon, if the anonymous commentator I have followed is correct.

[4] F.J., May 23, 1857.

a liberal state which attached virtually no pressures to this support. As for zeal, Duncan launched into another thinly disguised inquisition into the motives of the Irish clergy -

> Every Catholic heart adores....such a priest (one fully dedicated to souls). But if on the contrary they are unmortified; lukewarm, and of the earth - earthy; if they accumulate riches, buy lands, build houses, and appropriate the Church's revenue to enhance the position of their blood relations - oh! there is no persecution from without that can be compared to the calamity of possessing such a priesthood.[1]

Nor would Duncan accept the conventional cliches from admirers of the land of "saints and scholars."[2] He pointed out with more truth than tact, that Ireland had ceased to be the "light" of Europe in the eighth century, when the great cultural and religious renaissance began to wane. In the modern period (admittedly due to external factors) the ecclesiastical system had been badly organised in Duncan's opinion. No great theological scholars had emerged and the education of the clergy had been defective before

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[1] F.J., June 6, 1857.

[2] Duncan mimicked this Irish attitude in his first letter (F.J., May 30, 1857.) "Are we not of that noble Celtic race, which has scattered learning and religion over Europe; founded her Universities; and who now, even in our depressed and impoverished state, are carrying the same blessings to the jungles of the East and the backwoods of the West? These, and much finer things, we have been told in the columns of the Freeman."

the foundation of All Hallows. When he had been in Ireland, Duncan (the ecclesiastical epicure!) reminisced, there were few among the clergy who could read plain chant, and few who had any degree of "ecclesiastical taste or feeling."[1]

All this was strong meat to the oversensitive Irish, and it probably detracted from other points Duncan wanted to make about shortcomings of the Mission, for example, the need for a better system of catechetical instruction to meet the needs of many Irish who were slipping away from fervent practice of the faith,[2] and the advantages which should arise from greater lay participation in Catholic organization.

On the latter subject Duncan contributed his most concrete suggestions for reform. He felt that Catholic financial administration, the building of churches, schools, seminaries and colleges, would be better managed if left to the laity, and forecast an upsurge of lay enthusiasm and zeal if their services were thus enlisted.[3] Duncan knew that here he was trespassing on dangerous ground. The Hierarchy were fearful of Catholic "presbyterianism";[4] that spirit,

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[1]F.J., July 4, 1857.

[2]F.J., June 6, 1857.

[3]F.J., June 30, July 4, 1857.

[4]F.J., July 4, 1857. Duncan also insisted that there should be "perfect security as to....orthodoxy, regularity of life and obedience to spiritual authority" among the laymen involved in Church administration, as a means of surmounting this fear. See also Suttor, op. cit., p. 510 - "The Celtic critics in this debate were in harmony with l'esprit presbyterien," which was manifest in the colony in such people as Dunne, Birmingham, McAlroy, Kavanagh, and Donovan. The Heirarchy had some cause for their fears!

which, in American dioceses where the laity controlled finance, had encouraged lay interference with clerical freedom. Thus Duncan insisted that local statutes should define the lay role in a way which was acceptable to the spiritual authority.[1]

Duncan had only a very modest chance of gaining official approval for this debate, and the chance was further compromised, when the backwash of Irish defensiveness which he had aroused was expressed in a bitter attack on the Benedictines by Erin Go Bragh (Mc Curtayne?) According to Erin Go Bragh it was the Benedictines with their "aristocratic tendencies" and sycophant circle of "Cawtholic soles", not the zealous Irish clergy, who were responsible for the decay in the Mission.[2]

Duncan had mixed feelings about this new element in the debate. Although he wished to see the establishment of other orders and no longer felt that the Benedictine plan was possible, he did not like this anti-aristocratic prejudice -

> One of my main objects is to create a whole host of Catholic "aristocrats", by procuring for our wealthier young men, an education which, without injury to their faith and morals, will enable them to reach "high places" - to join the aristocracy, in fact, which Erin Go Bragh denounces.

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[1] F.J., July 4, 1857.

[2] F.J., May 30, 1857.

In Catholic society, as in civil society, Duncan believed that aristocracy "was an essential part of the plan of God and Nature."[1]

In the end after two months of debate, Heydon and Duncan agreed that the correspondence should stop. Duncan explained the twofold reason for this decision. His original hope that a "free and manly discussion" would arise, had been thwarted by "a misconception of (his) motives or through national jealousy"; moreover the open "countenance of high ecclesiastical authority" had been withheld.[2] It was a fair summary of the situation. Except for ventilating difficulties in the Mission, the debate had not really been a success.

Its main practical result was to give stimulus to the organization of a Catholic University College which Polding now

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[1] F.J., June 30, 1857. In reference to civil society he made a similar remark in A Plea for the New South Wales Constitution op. cit., p. 9.

[2] F.J., July 18, 1857. Heydon did not print the whole of "Icolmkill's Adieu to his Readers" since, as Duncan did not intend to continue, it was pointless to cause further irritation. Throughout the debate, the Freeman's Journal had been fearful of the effect of Duncan's criticism of the Irish. Heydon had cut some of his letters (see F.J., May 16, 1857) and in the initial stages Duncan had not objected. (See F.J., June 6, 1857) Later, however, he objected to Heydon's mutilation of his argument (F.J., July 18, 1857). See also Suttor, op. cit., p. 510 who points out that Heydon was not in full control of the paper at this time.

pursued with vigour.[1] The Archbishop, however, felt that the Act, which allowed subscribers to elect fellows, was contrary to Canon Law - an attempt to subject the clergy to lay supervision.[2] His efforts to diplomatically surmount this difficulty produced an anti-clerical controversy led by O'Connor, who alleged that the Benedictines were attempting to manipulate the election.[3] Duncan partook in the quarrel, by composing a heated letter to the Freeman's Journal on the injustice of limiting the choice of subscribers to those within fifty miles of Sydney. He felt this as a personal slight,[4] and he had supporters in Sydney who thought

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[1] F.J., Aug. 1, 1859. Polding's Pastoral on the subject. The decision was hailed as a great advance in Catholic development. (See F.J., Aug. 8, 1857.) and Duncan was sure that the controversy he had initiated had been a direct stimulus to Polding's decision. (See F.J., June, 16, 1858.)

[2] Suttor, op. cit., p. 517.

[3] F.J., Jan. 30, Feb. 20, 1858.

[4] F.J., Feb. 27, 1858. After mentioning a number of potential Fellows Duncan added "nor do I believe that my own humble name would have added discredit to the institution". Duncan had been most active in organising funds in Brisbane, with Dean Rigney and Dr. Milford and was probably disappointed. (See F.J., May 6, 1858.) He did, of course, become a Fellow in 1859 when he returned to Sydney. Plunkett was very critical of Duncan's attitude. He pointed out that according to the Act there was no necessity to give Catholics who could not attend the election meeting a vote. If this had not been done "friends at Moreton Bay would not have had to complain....but it seemed that giving them the opportunity of voting had made them angry." (See F.J., March 6, 1858.)

so too.[1]

It was a significant quarrel, partly because it exacerbated existing tensions; partly because Heydon chose to raise the whole issue of reform again in his plea for the election of suitable Fellows:

> We of the laity have been hitherto too supine. We have leaned too heavily upon our clergy. They cannot do everthing for us.....

ran the leading article which asked for new vitality from the Senate of St. Johns. It was but an excuse to list the failures of the Mission:

> If our orphan school exhibits none of those peculiar traits which evince the tenderness of the Catholic Church for the little ones of Christ's poor, no doubt it is because, though we had the opportunity, we have not enlisted, in our behalf the sweet influence of St. Vincent de Paul - God's gift to His Church for such special services.

Similarlity, the editorial went on to point out that the Catholic schools suffered from a lack of qualified teachers such as the Christian Brothers and thus many young men were lost to the Church. It also noted the empty See at Maitland as an example

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1 F.J., March 6, 1858. Duncan received 106 votes in this election for Fellows.

of the failure of the Mission to attract enough priests.[1]

Duncan chose to take this paragraph as a starting point for a new series of controversial letters which appeared in the Freeman's Journal under the pseudonym of Isidore between April and July 1858. This time the Irish issue was generally laid aside; the main correspondents, Polycarp, Philo Isidore, Alpha, Rusticus, and Heydon, the editor, represented virtually a united front. Polycarp (O'Connor?) was a particularly cogent supporter of Duncan's although, like Alpha, (Dolman?)[2] and Rusticus, (Captain Macdermott?)[3] he seemed less optimistic about the outcome of the agitation than Duncan.[4] The leading protagonists of the

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[1] F.J., Jan. 30, 1858. The alleged cool treatment received by the Christian Brothers and the Charity nuns from the Cathedral, was a recurring argument among those who believed that Benedictine exclusiveness prevented the establishment of other orders in the Colony. See Suttor op. cit., p. 585 for Polding's arguments denying these charges, and F.J., April 21, 1858 for McEncroe's ("An. Old Colonist") denial that the Christian Brothers were rejected by the Benedictines, or that the Sisters of Charity had been forced to go to Tasmania. Heydon printed McEncroe's letter but denied it was a true statement of the situation. Duncan, likewise, refused to accept McEncroe's version (See F.J., April 21, 1858.)

[2] F.J., April 17, 1858.

[3] F.J., May 5, 1858.

[4] F.J., April, 21, May 12, 26, June 5, 16, 1858. In the second last letter Polycarp illustrated his higher opinion for the Irish clergy by disagreeing with Duncan's charge of avarice.

pro-Benedictine side, Fidelior (Rev. Martin?)[1] Alumnus Benedictus,[2] and A. Working Man,[3] extolled the particular virtues of the Benedictines, and otherwise contented themselves with invective against Duncan or bland reassurances that all was well in the Mission. They did not come to grips with Duncan's basic theoretical propositions about the role of the laity on which he based his case.

Duncan's starting point, contained in a paragraph from Phillips' Principles of Canon Law, formed a caption to his missives:

> Laymen, although they have no right, as such, to interfere with the Government of the Church, have always taken part therein, in the measure determined by the ecclesiastical laws.

As we might expect from Duncan, his argument was supported by another of those broad sweeping historical sketches.

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[1] F.J., April 21, May 15, 29, 1858. Fidelior denied that there was any cause for concern in the Mission and challenged Duncan's statement that there were groups of 300-400 Catholics without a priest. He described Duncan with some scurrility as "clothing the toadlike deformity of his mind with the name of a glorious martyr.....He is rather like a sneaking cur, knocked down by a stone; he only breaks his teeth from sheer rage in chewing the stone that struck him." He also referred to Duncan as this "would-be lay priest and preacher."

[2] F.J., May 22, 1858 This writer praised the educational and ritualistic gifts of the Benedictines.

[3] F.J., June 2, 1858, This correspondent argued that the animus against the Benedictines arose from their greater difficulty, as monks, in mixing socially with their flock, and their inability to give financial aid on the same scale as the secular, salaried priests.

He contended that there had never been a time in the Church when laymen had not taken a prominent part. He referred to their (not always edifying) part in the election of Bishops; to the presence of many lay Church historians, preachers, missionaries and even lay papal legates in the annals of Christendom; and, to bring the sketch up to the present, pointed out that in England, Wiseman had allowed married laymen to lecture in churches on Catholic doctrine. Clinching the argument (which did not intend to claim preaching as a lay right) Duncan wrote that if laymen "may perform a chief function of bishops, they may surely perform a minor function of deacons," and play a part in the external organisation of the Church. In his view the Australian Church possessed a heritage of lay passivity from penal times which had been perpetuated because of

> some degree of encouragement from those who ought to know better (and) the too little interest which laymen, in this avaricious community, take in ecclesiastical matters. [1]

Duncan called for the immediate formation of a Catholic Lay Association, with headquarters in Sydney and branches

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[1] F.J., April 14, 1858. Later in another historical argument Duncan pointed out that if Laymen had sat in General Councils of the Church, surely they could call for better organization in the Church. Duncan suggested tentatively that they might take part in Provincial or Diocesan Synods. (See F.J., May 19, 1858).

throughout the colony, to co-operate with the clergy in recruiting priests and establishing religious orders suitable to the colony.

After the first letter Duncan laid aside all attempt to defend the Benedictine administration. He considered that a parochial system in which regulars became merely auxiliaries of secular priests was necessary to attract more priests and fill the needs of the mission. Finances should be reorganised, so that laymen and clergy together could put them on a sound footing. The management of schools should be transferred to a lay association (although the clergy should superintend specifically religious matters). Teaching orders should be introduced, and young men's societies, parochial libraries and the like should be revitalised.[1]

This new rigidity in Duncan's position needs explanation. The John's College episode undoubtedly angered him but this is probably insufficient in itself to explain the hardening of his views and his willingness to leave the Irish issue practically in abeyance. We do not know what passed between Heydon, McEncroe, Duncan and the Cathedral at the time the first correspondence ceased in 1857, but as the publication of Duncan's first letter in this series was sufficient provocation for Polding to denounce the Freeman's

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[1] F.J., May 19, 1858.

Journal,[1] it is possible that official pressure had a bearing on the closing of the last debate. If so, Duncan may have come to believe that the deficiency of some of the Irish clergy was the lesser of two evils and that a united front was essential to deal with the general situation in the Mission.

Neither he nor Heydon[2] deviated from their course after Polding's communication which Duncan described as "at most a little difference of opinion."[3] McEncroe under the pseudonym of "An Old Colonist", tried to throw oil on troubled waters by denying that Benedictine exclusiveness drove other religious bodies from the Colony[4] but Duncan merely replied with a challenge to the Hierarchy to issue an open statement admitting that Catholics were

> free to establish in the archdiocese, under archiepiscopal sanction and control any religious order that may be considered useful or necessary.

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[1] F.J., April 21, 1858.

[2] F.J., April 21, 1858. Heydon commented, in reply to Polding, that he had taken over the editorship of the Freeman's Journal a year before in order to quicken zeal in the Church. "With all deference", he wrote, "we cannot see that these advantages must be foregone - lest the laity shall venture through its columns to point out in all humility, and with becoming submission to rightful authority, what they think may be amended in the externals of our Australian Church".

[3] F.J., May 12, 1858.

[4] F.J., April 21, 1858.

He exhorted Heydon to continue to press for reform, pointing out that there were plenty of precedents to guide him:

> The Rambler, the Tablet, the Ami de la Religion, the Univers - all valuable Catholic journals, have all been from time to time in amiable conflict with high church dignatories upon matters where discussion is free.

Metaphorically Duncan painted the situation as that of a vessel with a sleepy captain, who unaware of danger, wished to cut the painter to the lifeboat towing him from ruin -

> The authorities see not, hear not, feel not and this deadly work of destruction goes on as if they were myths.....All that we here demand is so obviously just, so manifestly necessary, so universally desired, by all but the very few persons interested in opposing a change, that I feel persuaded that it has only to be respectfully and firmly represented to His Grace in order to be granted.....(for) the greater glory of God and the good of his Church.[1]

This optimism about the fruits of open discussion, justified by reference again to the Liberal Catholics in England,[2] was typical of Duncan; but the Hierarchy refused to tolerate the debate. In June Polding issued, in Latin to the Clergy, the famous

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[1] F.J., May 12, 1858.

[2] F.J., May 19, 1858. Duncan quoted in his next letter, a passage from a recent English periodical. He thought Newman was probably the author: "We have the strong feeling that to smooth things over, and to hush them up, and to have a mortal dread of

(continued on next page)

Monitium Pastoral which described the Freeman's Journal as a "poisoned pasturage" and continued:

> It is necessary to depart from the company of wicked men because their speech spreads like a cancer - What devastation may not this public journal effect, which insolently (though without any lawful title to do so) recommends itself as the defender of Catholic faith and discipline.

The Pastoral carried a scarcely veiled threat of excommunication should the Freeman's Journal continue in its course.[1]

Duncan was thunderstruck. Indeed, it was not in his nature to understand those who felt that the honest airing of a dissident opinion was a scandal in itself. With Heydon particularly, he faced a difficult moral dilemma - in his own words:

> I will not submit to a charge of heresy; but
> I will not willingly assail God's minister.

In the end, Duncan resolved the moral problem by treating the Pastoral as an expression of Polding's personal anger, rather

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(continued from previous page.)

scandal, to be suspicious of light and to speak in formulas, to give a hearing to one side only, and to garble or mutilate the evidence or argument of the other, is not the way to recommend undertakings and to succeed in measures, in this age and country and in matters such as the present.....Above all the newspaper is the very embodiment of free discussion in those things which are to be discussed at all!"

[1] F.J., June 30, 1858.

than the voice of the Church.[1] He pointed out that the charge of heresy contained in the Pastoral was not specific, as it should have been in an ecclesiastical indictment. He denied any mischievous or heretical intent, and concluded with a subduedly worded appeal to the laity for action:

> It appears to me that this is the time for action. If the laity are to move at all, this is the proper time. My task is completed. We seem to be agreed as to the changes necessary for extending the influence of the Church. Let us try to forget past heats.....We shall perhaps, have many difficulties to encounter, and some further scandal to witness, to say nothing of our own errors and mistakes, which are most of all to be feared. We may possibly have to carry our plaint to the Holy See, and to add to it much that we have up to this time respectfully suppressed. If, then, we are unprepared for all this trouble, and scandal, and difficulty, and expense, we had better go to sleep again under the monastic regime, say our prayers, and let things take their course. If on the contrary, we are deeply impressed with the evils of our present state; if we are conscious of no motives but a single eye to God's glory and the public good; and if we persevere as we have begun, with that manly independence which is perfectly consistent with due submission to legitimate authority, and without which the best authority would sink into a vile depotism; there is no doubt that all our reasonable desires for the interests of the Catholic body, will in due time be fulfilled.[2]

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[1] In fact the Pastoral was signed by Polding, and also by the Bishops of Hobart and Melbourne. It was thus not hastily conceived and it was not simply the voice of the Archbishop. Suttor, op. cit., p. 542. points out that Polding had gone to Melbourne to consult Gould on the matter in June.

[2] F.J., July 14, 1858.

The Freeman's Journal,[1] and two letters[2] it published before Duncan's reply to the Pastoral had time to reach Sydney, echoed much the same tone, while Archdeacon McEncroe's ambivalence suggests that there were many others who thought the Pastoral was too severe.[3] However, on July 10th Heydon published

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[1] F.J., July 3, 1858. The last editorial also carried the threat of appeal to Rome.

[2] Ibid., They were written under the pseudonyms of Polycarp and a Lay Catholic. Polycarp who had sent the translation of the Pastoral to the Freeman's Journal was perhaps more submissive and hopeful than Duncan. He commented that Polding had now been woken from a twenty year's sleep and when the shock had worn off he would no doubt be grateful to the Freeman's Journal and would make those currently out of favour "the bell wethers of the flock."

[3] F.J., June 19, 1858. McEncroe's response to the Pastoral was to publicise the arrangements by which he had given full control of the paper to Heydon on February 27, 1858. He insisted that he would withdraw his passive support "should" (sic) the Freeman's Journal become a "vehicle for publicising anything injurious to religion, or subversive to Catholic morals and good discipline." It was a somewhat ambivalent response, for McEncroe, as the leader of the clerical party opposing Benedictinisation (See Suttor, op. cit., pp. 110-113), had been in a difficult position throughout these debates. Under the pseudonym "An Old Colonist" he had answered Polding's denunciation of the Freeman's Journal in April 1858 in conciliatory tones which praised the motives of the Freeman's Journal but criticised the "virulence of style" in Duncan's letter. McEncroe referred Duncan to his denial of the charge that the Christian Brothers and the Charity Nuns had been forced to leave the colony, but praised the suggestion to found a Lay Association to present a plan for reform to Polding so that it should have the support of "those whom the Holy Ghost had placed to rule the Church of God." (See F.J., April 21, 1858). In May his attitude hardened (See F.J., May 8, 1858). A curt letter, signed with his own name blamed the Freeman's Journal for encouraging uncharitable dissention.

his approval of Polding's conciliatory announcement.[1] The would-be reformers awaited the outcome of the Conference of Clergy and of a meeting between Dean O'Connell and a lay committee.

However, not quite three months elapsed before Duncan again published a series of letters - this time under the pseudonym of Peter Pilgrim. The first letter painted the picture of Catholicism under attack - two bills under consideration, the College Bill and the Bill to Regulate the Church of England and Ireland, involved a subtle attack on the principle of religious equality. It was a strategic point from which to return to the same old theme, for Duncan went on to say that only if Catholics gained respect by their high standards of education and character, and by the witness of exemplary clergy, could they defeat such attacks based on contempt.[2]

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[1] F.J., July 10, 1858.

[2] F.J., Oct. 6, 1858. The first Bill had been reserved in England following the protest of Anglican Bishops to the titles accorded to Polding. (This was another aspect of the war Duncan had been engaged on in the Letters to the Lord Bishop in 1843.) Duncan objected to the second Bill on the grounds that a mixed Leglislative Assembly should not be involved in the internal organization of one Church, since this implied a special position for this Church.

This time the argument for Voluntarism, a much discussed subject at the time,[1] formed the theoretical framework for Duncan's criticism of the Mission and, in establishing the case, he again opened debate on the advantages of lay co-operation in organising church finance; the difficulties produced by materialism among the clergy; and of the need for lay organization of education.[2] Unfortunately, on the matter of materialism among the clergy, he overstated his case by suggesting that some payments to the clergy (for example those made at the time of administering sacraments), were indistinguishable from simony.[3] On this point he was defeated on theological and legal grounds by the correspondent, Sacerdos,[4] who appealed to him -

> Oh, Peter, Peter, do not any longer oppose the approved customs of the Church, of which I am sure you are a faithful son. Turn your thoughts to something more worthy of your great mind, and believe me your "pilgrimage" will be more likely to close in peace than by following the course which you now pursue.[5]

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[1] Suttor, op. cit., p. 562. The grant to the churches was abolished in 1862, and although the Freeman's Journal made several attempts to have it restored, there were many Catholics who welcomed the change. D.H. Deniehy, W.B. Dalley, Archdeacon McEncroe and Dr. Gregory had all been in favour of Voluntarism. Polding was opposed.

[2] F.J., Oct. 26, Nov. 17, Dec. 8, Dec. 18, 1858.

[3] F.J., Jan. 12, Feb. 2, 1859.

[4] F.J., Feb. 23, April 13, May 4, 25, 1869.

[5] F.J., Feb. 23, 1859.

Later he rebuked Duncan in firmer tones:

> It is certainly no pleasure...to me to expose your bad logic, your worse theology, your perversion of cannon law and your temerity in at all meddling with the two latter....I am convinced that I have done enough to guard the well disposed portion of the laity against (these)....and the laboured sophistry, of a man whose mouth speaketh proud things and things he knows not. [1]

Before this rebuke was administered, however, events had reached a crisis point in Sydney. Duncan had said that his main practical hope was to shake the clergy from lethargy[2] about the "dull mediocrity" of colonial Catholicism.[3] But he did not view Polding's attempt at lay concilliation, and the Campbelltown Conference[4] (the proceedings of which were secret) with much hope.[5] Feeling against the Benedictines continued to mount in Sydney. The final straw was laid when Dr. Gregory, who bore the brunt of the anti-Benedictine criticism in Sydney, recommended a Dr. Basset a Protestant for the Orphan School Board when Plunkett resigned.

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[1] F.J., May 25, 1859.

[2] F.J., June 16, 1858.

[3] F.J., May 12, 1858.

[4] Suttor op. cit., pp. 554-557. Dean O'Connell met a committee of the Laity, and the Campbelltown Conference of Clergy met in August, 1858.

[5] F.J., Dec. 18, 1858.

A meeting at the Victoria Theatre, allegedly attended by nine hundred people, then passed a vote of no confidence in the ecclesiastical administration, and until confidence was established, recommended, in a second motion, that

> a provisional committee be appointed, in whom shall abide the right and duty to nominate to the Government those members of the Catholic body they may consider best fitted to direct and guard their interests in the several institutions of the country deriving support from the Government.

The members of the provisional committee included D.H. Deniehy, R. O'Connor, R. Macdonnell, W. ExEvilly, and W. Reynolds.[1] Polding immediately put them and others such as Heydon under threat of excommunication, and most of them retracted to escape the penalty, though not without appealing to Rome.[2]

It was a little more than a fortnight after this revolutionary meeting that another Peter Pilgrim missive was printed in the Freeman's Journal. It was clear that it had been written without knowledge of the recent drama in Sydney, but Heydon gave Duncan the credit for having brought things to a head saying "Perhaps Peter

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[1] F.J., March 2, 1859. Heydon also later took a prominent part in organising the meeting. If our source of identification for the correspondents of the Freeman's Journal is accurate, O'Connor was the only one of the members of the Provisional Committee prominently associated with Duncan in the debates just discussed. Nevertheless, it was due in large measure to Duncan that the climate of opinion was created in which such an event could occur.

[2] F.J., March 9, 12, 1859. Suttor op. cit., p. 568.

has done all that is required of one man towards bringing about a change."

Duncan had indeed acted as a catalyst, drawing together a number of divergent attitudes: the Laicist; the Liberal Catholic; and the anti-Benedictine in its various guises of Irish versus English, Secular versus Monastic, and opposition to Dr. Gregory. Under his influence the various dissident parties although only a minority of Catholics,[1] had taken a dramatic stand against the current ecclesiastical administration. Now that the whole state of the Mission was to be referred to Rome, Heydon summed up the controversy by appealing for a strong memorial to the Vatican so that a new administration would be formed, the priesthood reformed, and the Mission generally revitalised.[2]

In the following months the Freeman's Journal continued to show its dislike of the Benedictine administration and there was another peak of bitterness when Dr. Gregory interfered in the running of St. Vincent's Hospital. Duncan, now returned to Sydney, was personally involved in this affray.[3] In the end, however, the battle fizzled out. Dr. Gregory was made something of a scapegoat

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[1] Suttor op. cit., p. 570.

[2] F.J., March 16, 1859.

[3] F.J., June 1, to June 22, 1859. Suttor op. cit., pp. 572-577.

and returned to England. The Vatican tactfully refused to take any action against the members of the Provisional Committee set up on March 1st 1859.[1] Heydon resigned the editorship of the Freeman's Journal, and to pave the way for forgiveness, Dolman eventually took over with McEncroe's renewed support.[2] Before this return to favour, however, the Freeman's Journal took the opportunity to present the whole controversy in the light of the Liberal Catholic Movement in England. It suggested that there were two parties in the Colonial Church:

> One may be termed the liberals, or advocates of the new school, who think with Cardinal Wiseman, Newman, and the young clergy of England; the other conservatives, or those who rigidly adhere to the old and quasi-effete system of a former generation. To this latter class belong the heads of our Church in Australia, who .....oppose.....all innovation in the shape of modern improvements, and are intolerant of suggestive opinion or freedom of expression from without.[3]

The Freeman's Journal here, merely echoed the moral Duncan had drawn already. He felt, with Liberal Catholics elsewhere, that the Church must face up to the issues involved in contempory culture. In Australia he diagnosed two main areas of concern. The first was the external failure of Catholics to play a

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[1] Suttor op. cit., p. 582.

[2] F.J., Sept. 12, 1860.

[3] F.J., June 22, 1859.

full role as mature citizens of the secular plural society in which they lived. We have seen before that Duncan earnestly desired the successful formation of a plural society in N.S.W. He hoped for the full acceptance by Catholics and others of the idea of a common Christian education system and the principle of separation of church and state - Voluntarism instead of State aid to religion. In the interim, he was anxious that the reality of religious equality, was not threatened either by direct attack[1] or by the appearance of Catholics as a depressed group in the community. It seemed to Duncan that lack of education and the Irish tendency to use religion and Irish nationalism as a basis for political organization were the main barriers on the Catholic side to successful integration. Having several times tried to mitigate what he thought were specifically Irish failings, and having been uniformly unsuccessful, Duncan put most of his energy into other aspects of the problem.

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1 He continued to watch for sectarian attack. See his Do Catholic Bishops Swear to Persecute Protestants. Answered in a Series of Letters between the Rev. R. Barry and Icolmkill. 1867. This controversy arose out of the Rev. Barry's strictures on the oath to persecute heretics taken at consecration, by Dr. Lanigan, Catholic Bishop of Goulbourn. Duncan denied that the word "heretic" referred to all non-catholics, and that "persecute" should be taken literally since Pope Pius IV had defined it as "solicitude and efforts in convincing heretics of their error in procuring their reconciliation." (See pp. 11, 13, 16, 18.)

This brings us to what Duncan considered was the second major cause for concern in colonial Catholicism - its mediocrity and its slowness in providing adequate facilities for its own flock. Duncan wanted more priests, more teachers, and greater fervour and dedication generally. His solicitude was largely for the spiritual welfare of the members and potential members of a faith, to the truth of which, he was deeply and personally committed. But he also raised the issue of internal reform as a means of improving the general reputation of the body of Catholics, so that they would be more fitted to take a full part in secular society.

It is not at all clear that the practical measures Duncan suggested for the internal reform of the Church would have succeeded. It was not easy to attract more clergy and religious to the colony[1] and no doubt the burdens which Duncan suggested should be passed to the laity might have proved too much for predominently Irish and ill-educated people.

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1 Suttor op. cit., pp. 587-9. The Benedictines had, in fact tried unsuccessfully to persuade other Orders to come.

Given the state of education among Catholics,[1] given that there had been a long history of scandalous bickering in the Mission;[2] and given the natural paternalism of clerical administration; Duncan's failure to gain the support of the Hierarchy is understandable. But the issue went deeper than this.

Duncan's stand was essentially one which stated that laymen had a duty to guard the internal vitality of the Church and to help resolve the problem of the Church's involvement in the contemporary world. In his own time he identified this latter problem with a rapprochement with some of the tenets of nineteenth-century Liberalism, particularly its dogmas of the separation of Church and state, and need for universal, and, in

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1 Daly, op. cit., p. 300. The 1856 N.S.W. Census showed:
literacy in the Catholic age group 7-20: 51.5%
" " " " " " over 20: 55.5%
Both figures were considerably lower than the figures for the general population.

2 Suttor, op. cit., p. 435. Suttor describes the less attractive motives of some who agitated for Hibernicisation. See also Daly op. cit., p. 298 for another judgement of the lack of Christian charity in some disputants.

a plural state, mixed education. Duncan's approach was not a secularist one. He believed for reasons which, we have already pointed out, were probably too sophisticated to make much impact on the colonial situation, that the fruits of this adjustment, tolerance and freedom, would illuminate religious truth. However, he did not succeed in moulding the Church to his views. The Hierarchy were too fearful of lay initiative and open discussion to give him a full hearing on the matter of the Church's internal vitality. On the matter of the rapprochement with Liberalism they had no sympathy for his arguments for mixed education, and the Syllabus of Errors and the Vatican Council of 1870 set the seal of general Catholic disapproval of the whole Liberal Catholic Movement.

However, Duncan's attempt to mould Colonial Catholicism, has been worth reviewing. He represents the best of a minority tradition in the Australian Church - branch of Catholicism not remarkable for the development of lay initiative. Catholics of the era of the Second Vatican Council will be inclined to think that Duncan asked the right question, even if this insight was not matched by prudence or theological depth.

The charges of pride and bitterness, of irresponsibility and weakened faith tending to heresy, were all laid against Duncan

during the controversies of 1857-1859. In fairness to him, it must be said that his tone, generally, was sombre and concerned, never degenerating into the type of invective used against him, and only on one occasion illustrative of the desire for personal prominence.[1] Pride there might have been, for Duncan, as we have seen, was invariably very attached to the view of his own rectitude and he clung to his point with Sacerdos when he should have conceeded more. However, his stubborness was also the product of his very real concern for the success of Catholicism. Indeed one cannot see the whole picture of Duncan's life without being aware of his deep conviction of, and his personal commitment to, his adopted faith. As for the charge of heresy, it might have been better phrased as a charge of excessive independence. As we have said before, Duncan came into the Church as a result of independent inquiry. He was not able to understand the point of view of those who feared this type of freedom once within the fold, and he did not propose to be hamstrung by their fears. In addition, he was possibly more aware than many of his contemporaries of the range of opinion that could be accommodated by the Church; he did not, for example, scruple to read the odd book that was

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[1] The occasion was his statement that he would be a suitable fellow for St. John's College.

on the Index[1] or to espouse the Gallican as opposed to the Ultramontane viewpoint.[2] He presumably did not see why he should not advocate the type of lay vitality he had seen in the Presbyterian Church of his childhood, when this was sanctioned by one tradition in Catholicism.

The charge which possibly had real substance was the charge of irresponsibility. Duncan, as we have noted many times before, was weak in the ability to choose a diplomatic approach.

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1 Part of his Library is now in possession of the Jesuits at St. Canisius College, Sydney. In it there are works, annotated in Duncan's handwriting, which were on the Index.

2 Diary op. cit., April 15, 1856. Duncan recorded that he had been reading both extreme Gallican and extreme Ultramontane viewpoints. His preference for the Gallican view is indicated in His Letters to the Lord Bishop, 1843 op. cit., e.g. Letter II, p. 38 where he defended the general Gallican attitude, if not the particular attitude of the French Bishops to the Concordat and the Bull, Ecclesia Dei (1801-8).
"These Bishops claimed by divine right, in virtue of the general commission of Christ to his Apostles, the power to govern their respective dioceses, and, further, the liberty to follow the ecclesiastical customs existing in their respective countries, privileges which, down to the latest times, were on fitting occasions asserted with equal firmness particularly by the Bishops of England, Scotland and France, and by those numerous Oriental Churches, which are still in communion with the See of Rome."

For another statement on Gallicanism see Correspondence between the Reverend Mr. Stack.....and W.A. Duncan, 1839 op. cit., pp. 11-13.

He was not given to assessing the attainable when he could see the broad ideal in his own mind. On the matter of internal reform he painted an ideal mission and compared it to the reality. The real situation in the Church was that of an ill educated, scattered, predominently Irish laity,[1] insufficiently served by priests[2] and governed by an unpopular and alien ecclesiastical administration which was opposed for many motives some of them not honourable to the opposers.[3] A more cautious man than Duncan would have chosen another time and place to raise the problem of general reform in a way which struck at the heart of the official administration.

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[1] Suttor, op. cit., p. 755. In 1851 a little more than half the Catholic population were Irish born. In 1861 the figure was a little more than one third. The majority of the remainder would have been of Irish extraction.

[2] Daly, op. cit., p. 300. Of the 79,000 Catholics in N.S.W. 24,000 lived in Sydney or its suburbs. 17 priests (7 Benedictine) ministered their needs. 38 priests (2 Benedictine) served the rest of the Colony.

[3] It is perhaps worth noting that Duncan himself was scandalised by some of the Benedictine's opponents. See F.J., May 16, 1857. Here he was thinking primarily of Sheridan-Moore, who repudiated his vows, and while excommunicate edited the Freeman's Journal (April 1, 1856 and Jan. 24, 1857) as a weapon against the Benedictines. Moore, who had been head of the Lyndhurst Academy and Farelley, who had been head of the Seminary, led the group who wanted to repudiate their Benedictine vows. It was their agitation which sent Polding and Gregory hastily to Europe in March 1854.

It was this independence, perhaps weakness of judgement, which probably prevented Duncan from gaining permanent influence at the centre of Catholic affairs. Although his name subsequently appeared prominently in the Freeman's Journal's reports of Catholic events,[1] he always seems to be somewhat on the periphery.

One brief incident perhaps captures the flavour of these later years of Duncan's. It occurred in 1873 at the time of Vaughan's arrival in the colony. Many had hoped that an Irishman would be appointed to succeed the ageing Polding, and the Suffragan Bishops had actually protested to the appointment over their heads of this English Benedictine. At the meeting to plan for his reception, in contrast to the loquacious euphemisms of Faucett, Duncan came straight to the point.

> I have always maintained, that on all open subjects Catholics have a perfect right to hold whatever opinions they please and to express them. Some may prefer election by the Bishops of a province; some by the Dean and Chapter of the Cathedral; others by the clergy and people, as even the Popes themselves were elected in ancient times. Surely no question could be more open than this. But now the question is settled.... at present - now that Dr. Vaughan is actually Archbishop.. there is no room for discussion, except on the general question.

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[1] F.J., Dec. 13, 1873; May 9, July 11, Aug. 29, 1874; April 10, May 8, 15, July 15, 31, Oct. 16, Dec. 18, 1875; July 15, 1876; Jan. 13, March 17, Sept. 29, 1878. These are references for such events as the Annual St. Vincent's Hospital Ball or fund raising meeting for St. Mary's Cathedral in which Duncan was a member of the official party or a proposer of a motion.

His old independence of thought was still there, but the rest of his speech introduces a new note, for Duncan continued:

> There was a time when I threw myself warmly into every movement, civil and ecclesiastical, and few changes took place in either division in which I did not leave some marks of my actions.....But all this enthusiasm is cooled by age and disappointment at the results which I fondly expected from the political and ecclesiastical changes to which I refer and I must now leave it to the younger men to keep the affairs of Church and State from stagnation.[1]

He was only sixty-two, and had twelve more years to live[2] but the note of defeat is unmistakeable. One wonders whether Duncan made the statement on his life's achievements glibly, or with full consideration, but, in either case, we must draw up an independent balance sheet of the achievements and failures of this singular man who in many ways pitted himself against the main tide of events in his own times.

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[1] F.J., Dec. 13, 1873.

[2] Duncan died at his home, Boarevan, in Petersham, in June 1885. (See F.J., June 27, 1885.) His latter years were troubled by declining health, which forced him to retire from his post as Collector of Customs for a year in 1877, and by financial worries -- he always considered that his salary was inadequate. (See Duncan to Parkes, June 27, 1882; Jan. 3, 1873; April 17, 1879 (Parkes Correspondence) and letters from the Treasury to Duncan Nov. 22, 1877 and July 28, 1881, (Duncan Papers, Catholic Archives)).

EPILOGUE

One need not weigh Duncan's general failure to influence the broad outlines of civil and ecclesiastical affairs with the despondency which Duncan himself reflected in his statement of 1873. Admittedly, the full prospect he had painted had been denied. Australian society did not become an epitome of democratic social harmony, based on religious tolerance, universal education, and a laissez-faire economy which avoided both social injustice to wage earners and modern forms of a labour movement. Nor did the influx of free immigrants, which occurred around the time of Duncan's arrival in the colony, create a social revolution which at once obliterated the penal origins of the colony and established a new economic pattern based on concentrated, small scale, agricultural settlement. The Catholic Church in the colony, likewise, did not grow into an ideal mission, in which an educated and vital laity witnessed, in the religious sphere, what Duncan considered were the full spendours of the true faith, and, in the secular order, the fruitful co-operation of emancipated Catholics with the forms and values of an integrated plural society.

Against the semi-utopian backdrop of Duncan's hopes his practical successes were minor. He was a significant radical

journalist in the forties. He directed the expression of early "labour" political action against oppressive master and servant legislation. He aided the beginnings of political articulateness in the free immigrant group. He fought successfully in the closing stages of the emancipists battle against the exclusives. With less immediate impact, he played a significant part in illuminating the dangers which arose from early passivity about the alienation of crown lands and the provision of general education. In his later life he was one of the small band who put much dedication into developing institutions for the intellectual life of the society. We could continue the list, but to summarise any further judgements made throughout the biography is unnecessary. We have said enough to illustrate the contrast between Duncan's specific achievements and the broad ideals which guided his original hopes for Colonial development.

Still we need not be despondent over this contrast. At the outset we knew that Duncan was an idealist. We knew that N.S.W.'s society was not a "tabula rasa" on which the outlines of Duncan's ideal society could be drawn without opposition. We knew that the "people" were not a coherent political group which could sink its sectional differences to oppose the Anglican elite and to establish what Duncan considered was the "common good" - the democratic, educated, plural society of his ideal. We foresaw that the economic realities which made large scale pastoralism

the most feasible form of land use made nonsense of Duncan's belief that colonial society could best be built on an economic base of small scale independent agriculturalists; and we realised that the impulse to provide a comprehensive education system would have to take second place to more immediate interest in money making in a new land. We realised too, that sectarianism would not be overcome in a day and that Catholics generally would not reflect Duncan's enthusiasm for the church-state aspects of nineteenth-century liberalism.

Yet the story of Duncan's general failure has been as worthwile recording as his minor successes. Of the contrast between his ideal and the practical reality was born a stream of significant commentary on contemporary affairs. The present day historian might well be grateful for Duncan's analysis of such things as: the factors which made sections of the early radical movement adopt a defensive position; the political composition and significance of the squatting movement; or, to cite a third example, his analysis of the challenges which faced colonial Catholicism's adjustment to a democratic pluralist secular society. Duncan's commentary has highlighted a number of tensions in colonial history - the tension between the big and the small man's frontier; the tension between democracy born of conscious egalitarianism and

the need to find a basis for social cohesion and responsibility in a new society. He has also provided us with some pertinent insights into the challenges facing the growth of colonial Catholicism. The "reformer" did not have to be uniformly successful to be historically interesting.

From the point of view of social history it has been informative to pursue the ideas, attitudes and way of life of an intelligent and socially responsible middle class citizen. The development by which Duncan, who began his life in the colony full of reforming radical zeal, eventually found his place in the respectable bourgeois establishment has shown something of the nature of social pressures existing in the colony. Further Duncan's struggle to reconcile himself to the gap between his early radical ideal for colonial society and the realities of the situation he faced, has illustrated a facet of the process by which ideas and attitudes brought from the old world were reshaped to fit the colonial milieu. It has, moreover, allowed us to take a glimpse at a basic historical drama -- the drama which arises when an individual pits himself against greater historical forces. For indeed, Duncan's failures were partly the product of the "inevitability" of colonial developments as well as of the personal limitations and ineptitude of this intelligent and upright man - William Augustine Duncan.

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