

# **Australia a Christian Nation? Nonsense on Stilts! - How Jeremy Bentham's Humanism shaped Australia**

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*This speech was delivered at the Humanist Society of NSW symposium on the Enlightenment and the Roots of Humanism, at State Parliament House, Sydney, on Friday, 20 June 2014.*

The Reverend Fred Nile ([2012](#)), who serves as a member of parliament in this very building, insists that Australia is a Christian nation. This view colours Reverend Nile's politics. And, because, together with the Shooters' Party, he holds the balance of power in the NSW upper house, Reverend Nile's contention that Australia is, was, and always should be a Christian nation, potentially affects the lives of every resident of this state - whether or *not* they believe in his particular version of the Christian faith.

Of course, Reverend Nile is not the only politician to subscribe to this belief, and the residents of NSW are not the only Australians affected by this kind of ideological Christian rhetoric.

In a speech to the Institute of Public Affairs last year, Prime Minister Tony Abbott ([Knott, 2013](#)) gave a virtual sermon on the mount in which he stated that our culture and our civilisation are unimaginable without Christianity. According to the Prime Minister, Australians owe our national 'high mindedness' and our 'do unto others' ethos to our Christian heritage. Other Australian politicians from both sides of the political fence have made similar comments.

When the Prime Minister and his cabinet subscribe to the belief that Australia is a Christian nation - that our government, law and public institutions are somehow inherently 'Christian' - it influences the kinds of policies they enact and the institutions they dismantle.

What's more, if Australians buy this 'Christian nation' rhetoric, it influences the kinds of policies we'll accept.

History matters. History is not benign. It is not just stories in dusty old books. The stories that are told about the past seep like ink to colour the present and put their stain on the future.

The subject of my speech today, Jeremy Bentham, insisted that there is nothing 'natural', nothing 'self-evident' nothing inalienable about human rights.

Bentham ([1843](#)) dismissed the idea of natural rights as 'pure moonshine' – 'nonsense upon stilts'.

Rights, said Bentham, are human constructions. We aren't divinely endowed with rights at birth. We *decide* what rights we should have and these are only conferred through legislation. They can be given or taken away.

The kinds of rights which are protected, and those which are denied reflect the kind of society which creates them. A society which sees itself as being founded on a certain brand of Christianity is going to enshrine a completely different set of rights to one based on secular humanist concerns and values.

In the same way that Jeremy Bentham reminds us that our rights are social constructs, political scientist, Benedict Andersen (1991) argues there is nothing 'natural' about nation states. Andersen calls nations 'imagined communities'.

In order to imagine a nation into being, a sense of community, of common cause, of national identity has to be created.

Our national identity is stitched together from the stories we tell about our past – and from the stories we don't tell.

National identity is woven from the historical narrative. And the historical narrative is always contested, always subject to reinterpretation for ideological and political purposes; because those who control the narrative control the country. History is written by the victors.

Today, I'm going to argue that Australia is not and never was a Christian nation. However, politically, at least, it is becoming more so. We are losing control of the historical narrative. That has both social and political implications.

Christianity, of course, has helped to shape Australia in both positive and negative ways. But it has not been the dominant influence.

I hope you'll be stunned and surprised to learn that the single greatest influence upon Australian history, our government, our system of law, our public institutions, economy, retail sector and national identity is not Christianity, but a single remarkable individual – a secular humanist and an atheist – the eighteenth century Enlightenment philosopher, Jeremy Bentham.

According to political scientist, Hugh Collins ([1985](#)), the distinctive nature of Australian politics – quite different from Britain and America - is explained by the fact we are a Benthamite society. The tenets of Jeremy Bentham's political philosophy infuse nearly every aspect of Australian public life.

Military historian, Professor Michael Evans ([2005](#)), agrees. He says that it is due to Bentham's influence that the Great South Land developed as a New Britannia rather than a New Jerusalem.

It is not Christianity which gives the Australian polity its distinctive character. It is the influence of a rather debonaire, 266 year old gentleman whose [preserved skeleton](#), dressed in his own clothes and topped with a wax replica of his head, resides in a glass-fronted, wooden cabinet at the end of a corridor at University College London.

Challenging religious sensibilities even in death, Jeremy Bentham rejected burial and conceived his own godless form of immortality.

Born in 1748, Jeremy Bentham was 40 years old when the First Fleet sailed out of Portsmouth enroute to Australia.

Bentham was a child prodigy. He was sent up to Oxford at just 12 years old. At the time, he was the youngest person ever to graduate from Oxford, gaining his Bachelors degree at 15 and his Masters at 18. He completed his legal studies and was called to the bar at 21 but, horrified by the disorganisation and injustice of the common law, he resolved to become a law reformer rather than a lawyer.

Bentham rejected religion from an early age. Later in life, his secretary, John Colls (quoted in the [London Nonconformist](#) , 1846), referred to him as a hoary-headed infidel.

Bentham believed that religion was a source of human misery (Bentham/Goldworth 1983). Christianity - Christian nations - had been dominant in Britain and Europe for centuries and [the result](#) was very far from utopian.

That's why, during the period in which white settlement began in Australia, people were so receptive to the humanistic, secular ideas being propagated by Enlightenment philosophers like Bentham.

Australia was settled in the period between the American and French revolutions. It was a time of radical thought and revolutionary ideas. Bentham and others argued that societies should be managed rationally - according to reason, evidence and science - for the purpose of providing equality of opportunity and freedom to all.

These radical, emerging, modern ideas sailed into Australia with the First Fleet. Captain Arthur Philip and his first lieutenant Watkin Tench ([Merle, 2009](#)), for example, were both heavily influenced by Enlightenment philosophies. Captain Philip, says historian Manning Clark (1986, p. 17), 'worshipped at the shrine of cool reason'.

Jeremy Bentham developed the philosophy of [utilitarianism](#). He believed the object of government was not to advance any particular ideology or to serve any particular interest group. For Bentham, governments exist only to create the greatest happiness of the greatest number.

Bentham dismissed the value of the church as a moral regulator ([Crimmins, 1986](#)) and rejected punishment as a means of changing behaviour ([Draper, 2002](#)). He believed people

behaved well or badly in response to their social environment; improve the environment and you will improve the behaviour. This informed his view that governments have a vested interest in improving the conditions under which their constituents live and work.

The social welfare system which provides income, housing, health care and other benefits to Australians in need is directly attributable to this Benthamite view of the role of government.

The establishment of Australia as a welfare state is not surprising when one considers that our founding fathers, including Henry Parkes ([Low, 1993](#)), Edmund Barton, George Reid and Alfred Deakin ([Evans, 2005](#); [Gallop, 2008](#)), were strongly influenced by Bentham's political philosophy which only gained more currency in Australia after his death in 1832.

Many of our [subsequent Prime Ministers](#) have been Fabians – a society inspired by Bentham which draws heavily upon his philosophies ([Mukherjee, 2011: 341](#)).

Bentham's ideas about representative democracy, his support for universal suffrage and his belief that the law should be engaged for the purpose of improving the lot of workers inspired the British Chartist movement – an early form of unionism. The charter – effectively a log of claims – was drafted by Bentham's followers ([Llewellyn, 2007](#))

Many Chartists made their way to Australia – either on their own recognisance or at His Majesty's pleasure. On the Australian goldfields, agitation by Chartists led to the Eureka Rebellion ([Petersen, 2004](#)).

This was a watershed moment in Australian history. It profoundly shaped Australians' sense of who we are. The Australian ethos of mateship, egalitarianism and a fair go was born at Eureka as an expression of Benthamite Chartism.

It was a secular movement. The miners swore allegiance to the Eureka flag – not to God. The birth of the Australian political system and the emergence of a distinct sense of Australian national identity were inspired by Benthamite, not Christian, ideals.

Within three years of the Eureka Rebellion almost every element of the Charter had been written into the constitution of Victoria, including universal male suffrage. Thanks to the demands of the Chartists, Victoria developed a framework for progressive, representative and responsible government.

Eureka was not the only Australian rebellion in which Bentham had a hand. In Bentham's opinion, the early military dictatorship in NSW was unjust, illegal and unconstitutional. He argued that military rule denied emancipists and free settlers the same rights as other British subjects ([Semple 1993: 234-242](#); [Gascoigne 2002: 126](#)).

Historians now believe Bentham probably provided this legal counsel to wool pioneer, John Macarthur and that Bentham's advice may have contributed to Macarthur's decision to

stage the mutiny against Governor William Bligh in what became known as the Rum Rebellion ([Partington 1994: 8](#); [Gascoigne 2002: 42](#)).

The Rum Rebellion forced the colony's transition from military government to a civil government with at least some semblance of representative democracy. After the rebellion, for the first time, NSW was governed under a constitution written by its own people. From this sprang crucial reforms like the introduction of civil law including an independent judiciary and trial by jury. It marked the beginning of constitutional, political, economic, military, cultural, social and legal independence from Britain. It introduced concepts like civil rights, civil marriage and freedom of the press and helped to produce an environment in which a self-supporting capitalist economy could thrive ([Spigelman, 2008](#)).

One historian has described the Rum Rebellion as the beginning of Australia's "march towards the light". And, without the legal counsel of Jeremy Bentham, Macarthur may never have made such a bold move against British military rule in the colony.

We find Bentham next arguing vociferously against the transportation of convicts to NSW ([Gascoigne 2002: 129-33](#)).

Bentham believed behaviour could be modified through surveillance; that people would behave better if they knew they were being watched ([Warriar et al, 2002](#)).

The modification of behaviour by surveillance rather than punishment was a radical and humanitarian concept. To this end, Bentham designed a prison which comprised galleries of cells facing towards a central atrium in the centre of which was a circular guards' station. Bentham thought his [Panopticon prison](#) was more humane, more efficient, more profitable, and more likely to result in rehabilitation than transportation.

Bentham was the first to conceive of the idea of privately run prisons. He proposed to build and operate a number of Panopticon prisons as an alternative to transportation. He sank a great deal of time and money into the enterprise and was increasingly frustrated by the British government's lack of interest.

His 1802 pamphlet, railing against the evils of transportation was born out of this frustration but had little effect at the time.

By the 1830's however, the arguments expressed in Bentham's [Panopticon versus New South Wales](#) were recirculating and becoming increasingly influential. Ultimately, it was Bentham's arguments, championed by his prominent friends and disciples, which brought an end to transportation to NSW in 1840 – eight years after his death ([Molesworth, 1840](#)).

Bentham's Panopticon prison never really caught on, but Bentham's views on surveillance were followed in the design of the prison at Port Arthur and are with us today in the form of closed-circuit cameras in public places. If you are filmed as you walk down Pitt Street Mall, you have Jeremy Bentham to thank – or blame.

And, while the architecture of a brightly lit, galleried building with a central atrium was not widely adopted for prisons, in every city and regional centre in Australia there are shopping malls which mimic Bentham's prison design and perform the same function – to maximise surveillance and passively encourage good public behaviour ([Koskella, 2002](#)).

Jeremy Bentham never set foot in Australia, but he took a vital interest in the country throughout his life. He opposed colonialism but, towards the end of his life, the author and colonial promoter, Edward Gibbon Wakefield (Gascoigne 2002: 63), persuaded him that colonisation, done right, could fulfil all the aims of utilitarianism by creating just, happy and profitable societies.

Bentham invested in Wakefield's scheme to establish a Benthamite settlement in South Australia.

Founded on utilitarian principles, South Australia became a self-governing colony in 1856. Its constitution was the most democratic in the world ([Painter](#)).

In 1876 South Australia became the first part of the British Empire to legalise trade unions.

It is no coincidence that South Australian women were among the first in the world to be allowed to vote and stand for Parliament. Bentham was [a strong advocate](#) for women's equality.

The rights and freedoms first realised in the South Australian colony are those which all Australians take for granted today. But the ideas about what could be achieved, and the political system which would bring it about, all began in [Jeremy Bentham's head](#).

After his death in 1832, Bentham's influence over the Australian colonies only increased.

The central text from which the authors of our constitution drew inspiration was *The American Commonwealth*, a commentary and critique of the American Constitution by British academic and parliamentarian, James Bryce. Bryce was an Austinian - a proponent of the legal philosopher, John Austin's, views on law and constitutionalism. Austin, in turn, had studied at the feet of Jeremy Bentham ([Llewellyn 2007](#)).

Jeremy Bentham's fingerprints are all over the Federal constitution of Australia. Our system of government is very much modelled upon his blueprint ([Collins, 1985](#)).

It was Bentham's influence which persuaded our founding fathers to institute a state-run system of education and, at least in those early years, to begin dismantling the strangle-hold of the church on children's education.

Bentham believed free, compulsory and secular education was essential. An educated populace was more likely to vote on a rational basis and to support policies that would

advance their own interests ([Kahn](#)). This seems obvious to us today, but it was a radical philosophy then.

In Australia, Benthamite schoolmaster, William Wilkins was influential in persuading Henry Parkes (already amenable to Benthamite ideas) about the need for state-funded education ([West, 1992](#)). The Public Schools Act of 1866 created a Council of Education and Henry Parkes was installed as its Chairman with Wilkins as Secretary. Together, they set about dismantling the denominational school system in favour of secular government schools.

Our public school system owes far more to Benthamite principles than to Christian values.

Christian apologists are apt to follow their assertion that Australia is a Christian nation by noting that our system of law is based on Christian principles.

British jurist, Justice Munby ([quoted in Bates 2011](#)), dismissed the assertion that common law is 'Christian' as , "a travesty of reality". While Christianity has certainly had an influence on British law, it is only one of many ideologies and cultures which have shaped our legal system.

Increasingly, Australian law has been codified. This is a Benthamite innovation. Common law is 'judge made law' – a maze of conventions, not always consistent, amassed over time. It drove Jeremy Bentham nuts. Bentham advocated codification to simplify and modify the law. He thought laws should be made in parliament, by the people rather than through judges setting precedents ([Hemming, 2010](#)).

From the arrival of the First Fleet, to the Rum Rebellion, the Eureka Stockade, the transition from penal colony to free settlement, and from British colony to independent nation, our history is suffused with the influence of Jeremy Bentham.

Let's reclaim that narrative of Australian history. Because history *matters* and the notion that Australia is, or ever was a Christian nation is pure moonshine - nonsense upon stilts!

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*In the opening chapter of Warren Bonnett's (2010) [The Australian Book of Atheism](#), Chrys argues that atheism, as a factor in shaping Australian national identity, has been significantly sidelined in the historical narrative. Chrys is currently researching a book aimed at addressing the claim that Australia is a 'Christian nation'.*