

ARTICLE

“A Valuable Man” and “One of the Wisest and Best of Mankind”: Jeremy Bentham, Edward Gibbon Wakefield, and Systematic Colonization

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This article reexamines the relationship between Jeremy Bentham and Edward Gibbon Wakefield through the lens of one of Bentham's last projects, “Colonization Company Proposal” (1831), and his support for Wakefield's scheme of “systematic colonization.” Their intellectual encounter explains how key Benthamite principles were integrated into Wakefield's influential vision, with lasting effects. While famous for opposing the penal colony in New South Wales, Bentham was persuaded by Wakefield's principles of commodifying Indigenous land as the basis for restricting landownership in order to compel labor, foster civilization, and fund emigration. Bentham's distinctive perspective emerges from a comparison of his commentary with the body of work published by the Wakefieldians between mid-1829 and 1831. In turn, after Bentham's death in June 1832, Wakefield drew heavily from his ideas. Bentham's and Wakefield's shared investment in the entwined discourses of penal reform and systematic colonization legitimized Britain's imperial reorientation toward colonization.

On 4 August 1831 the renowned philosopher and reformer Jeremy Bentham wrote from his home in Queen's Square Place, London, to his friend and colleague Joseph Hume MP about a parliamentary matter touching on law reform. In a postscript he added,

Wakefield's “Facts relative to the punishment Of Death”. It is a most valuable work: he a most valuable man. I have thrown my mantle over him and shall turn him to good account. You must absolutely buy it, though you should go into the Parish Workhouse, an hour afterwards.

Dear Mrs Hume, make your husband do this.¹

Bentham and Hume were regular correspondents and political allies, and Bentham was on comfortable terms with Maria Hume as well.² It seems that an encounter

¹Jeremy Bentham, letter 3853, in Philip Schofield, Tim Causer, and Chris Riley, eds., *The Correspondence of Jeremy Bentham*, vol. 13, July 1828 to June 1832 (London, 2024), 583–4.

²See, for example, Jeremy Bentham, letter 3506, *The Correspondence of Jeremy Bentham*, 152.

with the young advocate of colonization and penal reform, Edward Gibbon Wakefield, prompted Bentham to translate his new pamphlet, *Jeremy Bentham to His Fellow Citizens of France on Death Punishment*, into French: that evening Bentham wrote to his Brussels publisher, Adolphus Hauman, accordingly.³ Wakefield's visit also apparently stimulated his thinking on the topic of colonization. On this same day, 4 August, the elderly Bentham began to draft his fifty-page "Colonization Company Proposal: Being a Proposal for the Formation of a Joint-Stock Company by the Name of the Colonization Company on an Entirely New Principle Intituled the Vicinity-Maximising or Dispersion-Preventing Principle," which he was to work on for the following ten days, with Wakefield adding a six-page addendum on 23 August.⁴ Also on 4 August, Bentham wrote to the exiled Russian economist Nikolai Turgenev to invite him to dinner, "Mr Edward Gibbon Wakefield having given his certificate that the Greatest-happiness principle requires that Mr Tourgenef and the old Hermit Jeremy Bentham become personally acquainted."⁵

This flurry of activity all on the same day—praise for *Facts*, instigation of translation of his own pamphlet against death punishment, starting work on his "Colonization Company Proposal," and a social invitation at Wakefield's recommendation—suggests a personal meeting between Bentham and Wakefield on 4 August, or perhaps even on the previous day, when the National Colonization Society (the Society) had met and approved publication of its own draft "Proposal as Prepared by the Sub-Committee."⁶ However the intellectual encounter between Bentham and Wakefield was of greater import and duration, beginning in 1829, and continuing after Bentham's death in 1832. The ideas and debates codified by these two men were far-reaching at a time when Britain was radically reimagining its imperial territories in relation to domestic affairs, leading to the unprecedented expansion of its settler colonies in Canada, Australia, and New Zealand. As Anna Johnston argues, together, Bentham's and subsequently Wakefield's thought "recursively shaped European ideas about society, crime and punishment" via "both metropolitan theories and colonial implementation."⁷

In this article I first review Bentham's engagement with ideas about colonization. While famous for opposing the penal colony in New South Wales in favor of his own

³ Jeremy Bentham, letter 3852, *The Correspondence of Jeremy Bentham*, 582–3; Bentham, *Jeremy Bentham to His Fellow Citizens of France on Death Punishment* (London, 1831).

⁴ Jeremy Bentham, "Colonization Company Proposal: Being a Proposal for the Formation of a Joint-Stock Company by the Name of the Colonization Company on an Entirely New Principle Intituled the Vicinity-Maximising or Dispersion-Preventing Principle" (1831), in *Panopticon versus New South Wales and other Writings on Australia: The Collected Works of Jeremy Bentham*, ed. Tim Causer and Philip Schofield (London, 2022), 401–32, and "E. Gibbon Wakefield on the Colonization Society's Plan, 23 Aug. 1831," in *ibid.*, 435–6. For a detailed account of the archival evidence for the drafting process see also Tim Causer and Philip Schofield, "Editorial Introduction," in *ibid.*, xcv–cii.

⁵ Bentham, *The Correspondence of Jeremy Bentham*, 581.

⁶ National Colonization Society, *Proposal to His Majesty's Government for Founding a Colony on the Southern Coast of Australia* (London, 1831). This was submitted to the Colonial Office on 25 August 1831: CO 13/1, folios. 55–6, The National Archives, United Kingdom (hereafter TNA).

⁷ Anna Johnston, *The Antipodean Laboratory: Making Colonial Knowledge, 1770–1870* (Cambridge, 2023), 116.

reformatory panopticon prison, by 1829 he had begun to take an active interest in the new theories of colonization. Bentham's distinctive contribution to this debate is evident from a comparison of his "Colonization Company Proposal" with the body of work published by Wakefield, as well as the National Colonization Society's proposals between mid-1829 and 1831 which sought to implement Wakefield's theories in founding a new colony in South Australia. Bentham's proposal drew from Wakefield's principles, but gave them his own distinctive stamp. In turn, after Bentham's death in June 1832, Wakefield drew significantly from his ideas, notably in his 1833 book *England and America*.⁸

Although Bentham's impact upon Wakefield's theories has been noted, Bentham's "Colonization Company Proposal" for South Australia has been understood as either inspired by or an inspiration for Wakefield's principles. Reassessment of the relationship between these two figures underscores their different perspectives, but also reveals that Bentham based his "Colonization Company Proposal" largely upon principles codified by Wakefield, rather than the other way around. For example, the distinguished historian of South Australia's colonization Douglas Pike mistakenly believed that Bentham's "Colonization Company Proposal" had been incorporated into the National Colonization Society's influential 1831 scheme, terming him a "founder" of South Australia.⁹ The recent publication of Bentham's writings and correspondence by the Bentham Project has allowed a more accurate analysis of the sequence of these proposals and their relationship.¹⁰ Textual analysis also reveals a range of "Benthamite" elements within Wakefield's program, as well as drawing our attention to the importance of abolishing transportation in order to implement Wakefield's theory. Bentham's and Wakefield's shared interests in colonization and punishment reform highlight the entwined nature of these two seemingly distinct programs, and their powerful role in shaping the direction of the new settler colonies.

Bentham and colonization

Bentham engaged with colonization throughout his career. Famously, he advocated reformative incarceration in his panopticon in preference to transportation, and among his arguments against colonization was that it would constitute a drain upon the capital of the mother country—as I explore further. Nonetheless, his political thought shaped a wide range of democratic reforms, in part through colonial constitutions.¹¹ By the early 1830s, Bentham's following included parliamentarians William

⁸Edward Gibbon Wakefield, *England and America: A Comparison of the Social and Political State of Both Nations*, 2 vols. (London, 1833.)

⁹Douglas Pike, *Paradise of Dissent: South Australia 1829–1857* (London, 1967), 57.

¹⁰My analysis has been made possible by the wonderful Bentham Project, hosted by University College London, at www.ucl.ac.uk/bentham-project.

¹¹Tim Causer, "'The Evacuation of That Scene of Wickedness and Wretchedness': Jeremy Bentham, the Panopticon, and New South Wales, 1802–1803," *Journal of Australian Colonial History* 21 (2019), 1–24; David Llewellyn, "Bentham and Australia," *Revue d'études benthamiennes* 19 (2021), at <http://journals.openedition.org/etudes-benthamiennes/8517>. For an overview of Bentham's lifelong allegiance to his panopticon see Janet Semple, *Bentham's Prison: A Study of the Panopticon Penitentiary* (Oxford, 1993).

Molesworth and Charles Buller in a group later termed the “philosophic radicals,” who had a particular interest in the Australian colonies and in the application of Wakefield’s scheme for “systematic colonization.”¹²

Recently attention has returned to Bentham’s longer intellectual trajectory to account for the seeming discrepancy between his well-known criticism of imperialism and his support for colonization as indicated by his 1831 “Colonization Company Proposal.” Philip Schofield and Peter Cain have both argued that Bentham was never opposed to colonization per se, but rather opposed aspects, or iterations, of it: colonies would constitute a burden upon the mother country, their government would be corrupt and favor the elite, transportation was ineffective as a means of criminal punishment and should be replaced by his own penitentiary. As Schofield concludes, Bentham’s “Colonization Company Proposal” offered a constitutional code of Bentham’s own devising which would guard against corruption, ensure representative democracy, and offer financial benefits to Britain.¹³ Similarly, Barbara Arneil has argued that where the former entailed conquest and domination from above, the latter entailed local governance and improvement of people and land.¹⁴

Arneil suggests that already in 1797, Bentham’s scheme for pauper “industry-houses” constituted a form of domestic colony characterized by the productive use of waste land, and the removal and employment of paupers: she argues that “a colonial lens brings to the forefront of panopticism the centrality of waste land and agrarian labor as well as the economic and profit-making dimensions of Bentham’s proposal.”¹⁵ Bentham began his ambitious project to reform the Poor Laws in early 1797, and at the invitation of John Sinclair, president of the Board of Agriculture, and Arthur Young, the board’s secretary as well as editor of the *Annals of Agriculture*—both promoters of domestic colonization and “improvement”—published the first four books (of six) in instalments as *Outline of a Work Entitled Pauper Management Improved*. The *Outline* proposed the formation of a joint-stock company on the model of the East India Company, to be called the National Charity Company, which would support 500,000 people in 250 “industry-houses” distributed across England and Wales. Published seven years after his *Panopticon*, this proposal applied its central architectural

¹²The classic account is Bernard Semmel, *The Rise of Free Trade Imperialism: Classical Political Economy the Empire of Free Trade and Imperialism 1750–1850* (Cambridge, 1970), 76–99.

¹³Philip Schofield, “Jeremy Bentham on South Australia, Colonial Government, and Representative Democracy,” in Tim Causer, Margot Finn, and Philip Schofield, eds., *Jeremy Bentham and Australia: Convicts, Utility and Empire* (London, 2022), 223–47; Peter J. Cain, “Bentham and the Development of the British Critique of Colonialism,” *Utilitas* 23/1 (2011), 1–24. Cain also argues for a longer recognition of the benefits of colonies by 1801–4, when Bentham abandoned Say’s law, or the proposition that whatever was produced by a nation could be consumed within that nation. For earlier analyses of Bentham’s seeming inconsistencies regarding colonization see Donald Winch, *Classical Political Economy and Colonies* (London, 1965); Lea Campos Boralevi, *Bentham and the Oppressed* (Berlin, 1984), esp. 120–41.

¹⁴Barbara Arneil, “Colonialism versus Imperialism,” *Political Theory* 52/1 (2024), 146–76.

¹⁵Barbara Arneil, “Jeremy Bentham: Pauperism, Colonialism, and Imperialism,” *American Political Science Review* 115/4 (2021), 1147–58, at 1148. As Arneil notes, Arthur Young and John Sinclair provided Bentham with the “language of domestic colonization.” Ibid.

and management principles, including self-interest, or profit, as a reward for efficiency.¹⁶

Bentham's references to colonization appear in Book V of this project (which remained unpublished during his lifetime), addressing "Financial Grounds," and the financial projections of the company, in turn dependent upon population estimates for its potential residents. Bentham had great trouble securing population data, and abandoned this part of his analysis in late 1797.¹⁷ A short section at the end of Chapter 2, with a marginal subheading, "Advantage of This Domestic Colony over Foreign Ones," begins "Colonize at home—this is advice I have seen somewhere given in print" (as Michael Quinn notes, domestic colonization was a "consistent theme in Arthur Young's work") and commented, "To adopt the plan in question would really be—to *colonize at home*. This domestic colony has circumstances to *distinguish* it at least—I don't know whether public opinion will bear me out in saying to *recommend* it—which do not take place in the instance of foreign Colonies." Bentham then explicitly rejected the cost and dangers of foreign settlement, and advocated for increasing national population.¹⁸ Gertrude Himmelfarb suggested that this argument for unlimited fecundity is why Bentham silently dropped it from subsequent editions, not to be published until 2010, given the publication of Thomas Malthus's bombshell *Essay on Population* at just this time—which sharply contradicted Bentham's position.¹⁹

Notably, in an undated "related fragment" Bentham looked to the future, "the very end of earthly time," when Britain's "still vacant lands" would be filled: at that point, Bentham's company would provide a suitable basis for colonization; ultimately, when the world itself was replete, "then will the policy of the statesman be directed to the arrestment of population, as now to its increase: and what is now stigmatized under the name of vice will then receive the treatment, if not the name, of virtue."²⁰ In speaking back to Malthus, this fragment explicitly links the industry-house scheme with colonization, praising its capacity to structure both. However, when, in 1812, Bentham himself published the scheme as *Pauper Management Improved* (omitting Books V and VI) he aligned it with his panopticon prison proposals, all laid before the 1811 House

¹⁶Jeremy Bentham, "Outline of a Work Entitled, Pauper Management Improved," *Annals of Agriculture and Other Useful Arts* 29/167–31/176 (1797–8), 393–426; Bentham, *Outline of a Work Entitled, Pauper Management Improved: To Be Filled Up, and the Work Published in One Volume Octavo, as Soon as a Sufficient Number of Communications Solicited in vol. xxix, no. 167 of the Annals of Agriculture, Have Been Obtained* (London, 1798).

¹⁷Jeremy Bentham, "Pauper Management Improved" (1797), in Bentham, *Writings on the Poor Laws*, ed. Michael Quinn, vol. 2 (Oxford, 2010), Book V, 272–382, and see lvii–lxxiii.

¹⁸This appears at the end of Ch. 2 and, as Quinn notes, the title is taken from a marginal subheading in the text sheets. Bentham, "Pauper Management Improved," 320 n. 1.

¹⁹Thomas Malthus, *An Essay on the Principle of Population* (London, 1798); Gertrude Himmelfarb, "Bentham's Utopia: The National Charity Company," *Journal of British Studies* 10/1 (1970), 80–125. Himmelfarb appears to state that Book V was published in 1798 but this is incorrect.

²⁰UC cli.108: Bentham, "Pauper Management Improved," 321 n. 1. Borolevi, *Bentham and the Oppressed*, 124, also notes in this comment the "overturning of sexual morality"; that is, his endorsement of homosexuality.

of Commons inquiry on penitentiaries.²¹ Bentham's support for foreign colonization thus remained dormant until the late 1820s.²²

By that time, many had begun to grasp the emerging possibilities for colonization by free settlers. From 1824 changing imperial policy had seen charters granted to several joint-stock companies seeking to attract private capital investment in Australasia and Canada.²³ Bentham was impressed by Admiralty Secretary John Barrow's April 1829 article on the forthcoming Swan River colony in Western Australia, which argued for its strategic military siting, and proposed an agricultural settlement funded by wealthy capitalists. Barrow expressed a sanguine vision for the venture, to be the first free settlement funded by capitalists, generously awarded land in proportion to their investment.²⁴ It would be free of the convict stain, and so become an extension of British civilization rather than receiving its refuse; it would cost nothing. These elements addressed some of Bentham's long-standing objections to colonization. In June 1829 Bentham inserted a postscript to his essay *Emancipate Your Colonies!*, noting that he had reversed his opinion that colonization in Australia is useless "if Barrow's account was correct."²⁵

By early 1830 Bentham himself alluded to the idea of funding emigration to relieve domestic poverty in connection with his work on transportation. Following an inquiry received through his bookseller, as to "whether I ever published any work on transportation," on 28 March 1830 Bentham wrote directly to Home Secretary Robert Peel, suggesting that he should read his "Panopticon; or the Inspection House." In echo of his 1790s pauper management scheme, Bentham suggested,

of the pauper population, the juvenile part, after giving them an appropriate preparatory education directed to the contemplated end and taking its commencement from birth, I should have sent to colonize in wedlock, securing on a principle lately brought upon the carpet the reimbursement of the cost of the felicitous transportation, with more or less of the antecedent expense of maintenance at home.²⁶

Here Bentham also invoked the proposal of Robert Wilmot Horton, undersecretary of state for war and the colonies, to fund emigration from domestic sources, as argued by the 1826–7 Parliamentary Committee on Emigration. Wilmot Horton came into

²¹Jeremy Bentham, "Pauper Management Improved: Particularly by Means of an Application of the Panopticon Principle of Construction. Anno 1797, First Published in Young's Annals of Agriculture: Now First Published Separately (London, 1812).

²²Borolevi, *Bentham and the Oppressed*, 124, suggests that the question of population also became central to Bentham's economic writings in 1801–4, which therefore posed colonization as a possible solution.

²³Matthew Birchall, "History, Sovereignty, Capital: Company Colonization in South Australia and New Zealand," *Journal of Global History* 16/1 (2021), 141–57.

²⁴[John Barrow], "Regulations for the Guidance of Those Who May Propose to Embark, as Settlers, for the New Settlement on the Western Coast of New Holland," *Quarterly Review* 78/39 (1829), 315–44, and [John Barrow], "Note I.—On the Swan River," *Quarterly Review* 78/39 (1829), 520.

²⁵Jeremy Bentham, "Emancipate Your Colonies!", in *The Collected Works of Jeremy Bentham: Rights, Representation, and Reform: "Nonsense upon Stilts" and Other Writings on the French Revolution*, ed. Philip Schofield, Catherine Pease-Watkin, and Cyprian Blamires (Oxford, 2002), 314.

²⁶Bentham, *The Correspondence of Jeremy Bentham*, 311–12.

office shortly after the Select Committee on the Poor Laws of 1817–19 had recommended support for emigration to British colonies, and he urged emigration as a means of relief throughout the 1820s. However, he proposed sending whole families, including children, rather than restricting emigrants to young couples; he opposed Wakefield's central principle of restricting landownership to capitalists in favor of a vision of peasant proprietorship. Controversially, Wilmot Horton proposed that the poor rates should be mortgaged by parishes to secure loans from the government—rather than Wakefield's key principle of using the proceeds of colonial land sales.²⁷ Although Wilmot Horton supported the new National Colonization Society when it was founded in early 1830, these differences, and especially Wakefield's principle of concentrated settlement, prompted their split by the middle of the year.

Wakefield and colonization

By August 1831, when Bentham wrote his “Colonization Company Proposal,” there had been ample opportunity for him to become familiar with Wakefield's new principles. Wakefield had become obsessed with colonization while imprisoned in Newgate between 1828 and 1831 for the crime of abduction. He first published his new theory in June 1829 as the pamphlet *Sketch of a Proposal for Colonizing Australasia*, and sent a copy to Bentham. This is now held by the British Library, inscribed in Bentham's handwriting: “Jeremy Bentham / 13 July 1829 / Received From the unknown author / without accompanying Note.”²⁸ *Sketch* proposed ten articles: first, all land already granted in the colonies would be subject to a tax upon its rent; second, all future grants would require a payment of two shillings per acre. The proceeds would be applied to an emigration fund to convey English laborers to the colony, with the supply of laborers to be “exactly proportioned” to the demand for labor. Emigrants were to comprise equal numbers of men and women aged eighteen to twenty-four.

Critically, in *Sketch* Wakefield attacked Adam Smith's argument that access to free or “thinly inhabited” land encouraged the growth of population, high wages, and therefore “real wealth and greatness,” as exemplified by ancient Greek colonies. Instead Wakefield argued that Smith had overlooked the role of enslaved labor for the Greeks, and he suggested that other factors led to their success: distinguished and capable leadership, *limited* land, and, as a result, cheap labor, therefore providing the basis of “all the arts of refinement.” From the very first, Wakefield argued that native tribes closely confined the territory of the Greek colonists so that “the narrow limits of territory in proportion to people, together with the institution of slavery rendered labour cheap instead of

²⁷Robert Wilmot Horton, *The Causes and Remedies of Pauperism in the United Kingdom Considered: Part I, Being a Defence of the Principles and Conduct of the Emigration Committee, against the Charges of Mr. Sadler* (London, 1829); R. N. Ghosh, “The Colonization Controversy: R. J. Wilmot-Horton and the Classical Economists,” *Economica* 31/124 (1964), 385–400; Stephen Peter Lamont, “Robert Wilmot Horton and Liberal Toryism” (unpublished Ph.D. thesis, University of Nottingham, 2015); Jacopo Bonasera, “The Empire as a Social Machine: Robert Wilmot-Horton on Emigration, Population and Capital Accumulation,” *Journal of Imperial and Commonwealth History* 53/4 (2025), 912–33.

²⁸Edward Gibbon Wakefield, *Sketch of a proposal for Colonizing Australasia, &c.* (London, 1829): see shelf mark C.T.77(10.), Rare Books and Music, The British Library.

dear.”²⁹ These principles, including the importance of cheap (“free”) labor, remained the kernel of his program of systematic colonization through subsequent elaborations and revisions.³⁰

Bentham may also have read the series of “Letters from Sydney,” appearing anonymously in the *Morning Chronicle* between 21 August and 6 October 1829, and their compilation as a book, *Letter from Sydney, the Principal Town of Australasia. Together with the Outline of a System of Colonization*, appearing at the end of 1829.³¹ Certainly Wakefield’s was just one voice within a dynamic popular debate: for example, *Letter from Sydney* was prefaced by a quotation from Robert Southey urging emigration published in the *Quarterly Review*, drawing in turn on Malthus’s ideas about population.³² In April 1830 the *Spectator* published Wakefield’s “Cure and Prevention of Pauperism, by Means of Systematic Colonisation,” also published as a pamphlet by the National Colonization Society.³³

In 1830 Charles Tennant published under his name (although actually authored by Wakefield) *A Letter to the Right Honourable Sir George Murray, on Systematic Colonization*. This *Letter* referred to the pamphlet *Cure and Prevention of Pauperism* and reported on its principles, “the adoption of some sound practical measure, whereby the redundant labour of Britain and the unoccupied land of the Colonies maybe so employed, as to remedy pauperism in Britain, and supply the demand for labour in the Colonies.” Central to its report was the importance of regulating the appropriation of land, and it

claim[ed] for the [National Colonization] Society the merit of having originated the three main principles, of the free sale of waste land at a fixed price, in order to produce the greatest demand for labour and the greatest fund wherewith to convey labour from Britain, together with the selection of emigrants, in order to produce the greatest amount of emigration in the least number of persons and at the least cost.

The authors also reviewed the schism which had taken place in June 1830 when “two of its most eminent members, Mr. Wilmot Horton and Colonel Torrens,” had objected to population “concentration” because it would be “injurious to drive capital from a more

²⁹ Wakefield, *Sketch of a Proposal*, 16.

³⁰ For overviews see Tony Ballantyne, “The Theory and Practice of Empire-Building: Edward Gibbon Wakefield and ‘systematic colonisation,’” in Robert Aldrich and Kirsten Mckenzie, eds., *The Routledge History of Western Empires* (London, 2013), 89–101; Onur Ince, *Colonial Capitalism and the Dilemmas of Liberalism* (Oxford, 2018), 153–7.

³¹ Edward Gibbon Wakefield, *Letter from Sydney, the Principal Town of Australasia. Together with the Outline of a System of Colonization*, ed. Robert Gouger (London, 1829).

³² [Robert Southey], “On the State and Prospects of the Country,” *Quarterly Review* 78/8 (1829), 475–520; Frank Whitson Fetter, “The Economic Articles in the Quarterly Review and Their Authors, 1809–52. II,” *Journal of Political Economy* 66/2 (1958), 154–70; an 1830 letter to Southey noted his authorship of this essay. Lawrence N. Crumb, “John Henry Hobart and England: Two Unpublished Letters,” *Anglican and Episcopal History* 65/1 (1996), 44–9.

³³ The Provisional Committee, *A Statement of the Principles and Objects of a Proposed National Society, for the Cure and Prevention of Pauperism, by Means of Systematic Colonization* (London, 1830).

to a less profitable employment, by forcing the cultivation of inferior land, whilst superior land remained uncultivated.” They refuted Torrens’s definition of valuable land in terms of “soil only,” instead defining “superior” land in terms of social factors such as the proximity of markets and labor; that is, they insisted on the centrality of the principle of concentrated settlement.³⁴ When Viscount Howick (Henry George Grey, later third Earl Grey) became undersecretary of state for war and the colonies in November 1830, Wakefield addressed him directly (if still anonymously) in a series of letters published in *The Spectator* between December 1830 and June 1831.³⁵ All of these published works elaborated the theory first advanced in mid-1829.

Between January and May 1831 the National Colonization Society pitched its ideas for a new colony at Gulf St Vincent (South Australia) to the Colonial Office, stressing the advantages awaiting early land buyers. In January 1831 Robert Gouger submitted a proposal edited by Wakefield, now known as the “First Paper Relative to the Formation of a Colony at Gulf St Vincent c1830–1831.” This brief document, less than a thousand words in length, alluded to the recent change in colonial policy now termed the “Ripon Regulations” which required the sale of colonial land. The paper predicted the impact the policy would have upon a new settlement to be sited in South Australia, in providing for “plentiful and cheap labour” funded by land sales. It pointed to the great increase in value acquired by land as population increased around it, giving the example of Mr Wentworth’s allotment in Sydney.³⁶

In May, also in the name of the Society, Robert Gouger and Anthony Bacon produced a lengthier plan for settling South Australia by a joint-stock company, titled “Proposal for Establishing a New Colony in Southern Australia and for Enabling a Company to Purchase and Sell Colonial Lands.”³⁷ Like its predecessors, this unpublished proposal, much annotated by different hands, was premised upon the sale of Indigenous land, and advanced the principles of sale at the minimum price and the direction of proceeds toward emigrant labor. Until the population reached five thousand the colony would be governed by a person appointed by His Majesty, so that “the heaviest responsibility will be thrown on an accountable person deeply interested in the performance of his duty”; subsequently a colonial legislative assembly would be created. Citing James Mill’s *Elements of Political Economy*, no taxes would be levied upon colonists or capitalists, except for a tax upon rent to defray the costs of government. In describing the proposed site’s “situation,” it was considered to resemble the eastern and

³⁴ Charles Tennant, *A Letter to the Right Honourable Sir George Murray, on Systematic Colonization: Also Containing the Written Controversy between the Right Hon. Robert Wilmot Horton and Colonel Torrens, and the Other Members of the Committee of the National Colonization Society* (London, 1830), 4, 7, 28, 33. The authors attacked the British Government’s abuse of its power to bestow colonial land, “corruptly, ignorantly, capriciously, and variably,” and offered their own scheme as the solution to “the vicious system, if it may be called a system, of allowing the governors of colonies to dispose of new land according to their mere whim.”

³⁵ Edward Gibbon Wakefield, “Eleven Letters—On the Colonies—from P———,” *The Spectator* 3/39 (1 Dec. 1830–June 1831), at <https://gutenberg.net.au/ebooks13/1306641h.html>.

³⁶ “First Paper Relative to the Formation of a Colony at Gulf St Vincent c1830–1831,” GRG35/583/11, State Records of South Australia (hereafter SRSA).

³⁷ National Colonization Society, “Proposal for Establishing a New Colony in Southern Australia and for Enabling a Company to Purchase and Sell Colonial Lands,” 6 May 1831, GRG35 Series 583, Special List item 16 (formerly Acc. A361), SRSA.

western coasts, “being equally bare of Indigenous timber and population.”³⁸ Howick was shown this proposal, and responded that it was merely a draft of “a set of regulations,” and he would not submit it to Goderich until “in a shape in which it may lead to a practical result,” specifically in showing how the whole cost of the scheme would be met from private sources.³⁹

Presumably this expanded version “as prepared by the Sub-Committee” was the one which the National Colonization Society approved for publication on 3 August 1831, at the chambers of William Tooke. This “authorized” version was printed as *Proposal to His Majesty’s Government for Founding a Colony on the Southern Coast of Australia* and submitted to the Colonial Office on 25 August.⁴⁰ In the meantime, Bentham drafted his own, unpublished, “Colonization Company Proposal,” between 4 and 14 August, with Wakefield’s appendix, dated 23 August.⁴¹ What is the relationship between the Society’s previous drafts, Bentham’s “Colonization Company Proposal,” and the printed *Proposal to His Majesty’s Government*?

Bentham’s “Colonization Company Proposal”

Bentham’s seven-chapter “Colonization Company Proposal” provided broad support for the Society’s agenda and the *Proposal*, examined below, but gave it a distinctively utilitarian flavor. He began by identifying those concerned in a proposed colony: the colonists, the founders, and the constituted authorities. In order to maximize the happiness of these interested persons, Bentham sought to define their “inducements,” and the means of accomplishing their aim. Chapter 1 examined the “ends” or benefits of the project: transferring people from indigence to affluence, therefore offering relief from pressure on the mother country, which would be available for the foreseeable future; giving colonists the means of well-being and permanent employment for labor; providing an increased market for the mother country, a permanent existence, and returns to stockholders. Notably, Bentham now agreed that colonization, rather than draining capital from Britain, would by “Giving, in that Colony, in a correspondent degree, encrease [*sic*] to the market for the produce of the Mother Country: thereby, in this same Mother Country, over and above prevention of subtraction [*sic*] from, making positive addition to, the existing stock of the matter of wealth.”⁴²

Chapter 2 considered the primary “means of effectuation”: the “Vicinity-maximising or Dispersion-preventing principle.” Here Bentham elaborates Wakefield’s argument, in listing the numerous *disadvantages* of dispersion, from insecurity due to attacks from Indigenous people, disorderly settlers, distance from resources, exchange

³⁸ *Ibid.*; James Mill, *Elements of Political Economy* (London, 1824); Pike, *Paradise of Dissent*, 57, terms this a “radical” plan but does not note its reliance upon Mill’s writing.

³⁹ Howick to Gouger, 11 June 1831, GRG35/583/15, SRSA. Pike, *Paradise of Dissent*, 57–8, states that this letter called for more detail about the proposed site, but this is not the case; however, half of the May proposal is devoted to the site.

⁴⁰ National Colonization Society, *Proposal to His Majesty’s Government for Founding a Colony on the Southern Coast of Australia* (London, 1831); memorandum, 25 August 1831, CO. 13/1. An Appendix dated October 1831 was presumably added in a subsequent edition.

⁴¹ Bentham, “Colonization Company Proposal,” 401–36.

⁴² *Ibid.*, 407; Edward R. Kittrell, “Bentham and Wakefield,” *Economic Inquiry* 4/1 (1965), 28–40, at 36.

of produce, news, social intercourse, cooperation, medical assistance, return, instruction, amusement, and loans. Unlike Wakefield, Bentham was concerned with the social and moral implications of these economic theories. Chapter 3 addressed pecuniary arrangements, recommending formation of a joint-stock company, to be granted a charter, with capital raised of £500,000, of which £125,000 to be disbursed to government, £125,000 to small capitalists, and £250,000 to be spent on roads, bridges and other means of creating communication to give land value. In Chapter 4 Bentham then moved to consider the inducements to all involved; he reviewed possible outlay through examples; he estimated costs and calculated the profits to be made from land sale. Chapter 4, part 2, addressed “Settlers without Capital—Their Inducements,” and noted their “assurance of being able to purchase land” once they had saved up its price.⁴³

What inducements might the government require? As well as maximizing human happiness Bentham outlined what inducements should *not* be offered: “in one word—*patronage*”! Patronage, or corruption, was of course one of his long-standing, primary objections to colonization—a concern also prominent in the Society’s and Wakefield’s schemes. Bentham noted, “On this occasion, a single word Liberia speaks Volumes.” Here he refers to the existing, private, colony established by the American Colonization Society (ACS) on the west coast of Africa from 1821.⁴⁴ Bentham’s point (repeated over subsequent pages) was that the proposed Australia venture would, like Liberia, cost the government nothing—but the proposed independence of the new colony would serve as a test of official good faith, because if the government was impartial and honest, it would support such a “free” or independent colony. However if “his Britannic Majesty’s advisers” insisted on governing the colony themselves this would reveal their aim to “extract from it the sweets of *patronage*.”⁴⁵ In Chapters 5, 6, and 7, as Philip Schofield has explored in some detail, Bentham presented his own proposal for the system of government to be employed in South Australia—a republic administered under a constitutional code of Bentham’s own devising. The code would guard against corruption and ensure representative democracy; it would also offer financial benefits to Britain.⁴⁶

Wakefield wrote a six-page appendix to Bentham’s “Colonization Company Proposal,” titled and dated 23 August in Bentham’s hand, which reiterated his key principle, that the value of land is created by competition, determined by the proportion of people to land—and that “everything depends on the State price for waste land.” Wakefield’s only reference to the social or public benefits of concentrating settlement was that first choice of grants would permit the placement of “the seat of government, the principal sea-port and the centre of Commerce,” thus creating competition

⁴³Bentham, “Colonization Company Proposal,” 415, 417.

⁴⁴Perhaps misled by marginal suggestions in a different hand, it has been suggested that Bentham proposed to call the new South Australian colony “Liberia.” Bentham’s reference turns upon both the cheapness to and independence from government of the existing Liberia. A few pages later in Chapter 5 he refers to the new South Australian venture instead as “New Colonia [or even] Utopia!” Bentham, “Colonization Company Proposal,” 423.

⁴⁵*Ibid.*, 421, original emphasis.

⁴⁶Bentham, “Letter to Lord Pelham,” in Causer and Schofield, *Panopticon versus New South Wales*, 157–8, 161; Schofield, “Jeremy Bentham on South Australia,” 234.

for land.⁴⁷ Although Bentham certainly supported the profit-making aspects of the venture, to be owned by a joint-stock company, his recommendation for spending on roads, bridges, and other means of creating communication in order to give land *collective* value, and his thorough attention to motives and benefits, according to utilitarian principles of public benefit, stand at odds with Wakefield's great emphasis on individual economic competition.

To modern readers, as Zoë Laidlaw has pointed out, the lack of consideration of Indigenous people within Bentham's writing is startling. Bentham focused on British jurisdiction over people, rather than territory, distinguishing between those colonies in which people of European descent dominated, and those with a majority Indigenous population—with the effect of overlooking the Indigenous peoples of settler colonies. His references to First Nations Australians—whom he termed “native savages”—excluded them from colonial society, and even from full humanity; they lacked government and civilization, and therefore any claim to sovereignty.⁴⁸ Crucially, Lockean notions of land use, which regarded productive exploitation as the basis for lawful possession and dismissed non-European use of land, underpinned Bentham's views.⁴⁹ Indigenous people had constituted an external threat to the colony within Bentham's earlier writing on Australia, such as his 1803 essay *A Plea for the Constitution*, in which he argued that New South Wales had been illegally founded.⁵⁰ In precisely this way, they feature in Chapter 3 of his “Colonization Company Proposal” as the primary threat to dispersed settlement, listed as “1. Insecurity against damage to person and property from the hostility of the uncivilized aborigines.” Here a marginal note stated, “In Van Diemen's land it has been determined absolutely to extirpate the natives.”⁵¹ This matter-of-fact comment referred to the contemporary Black War of 1824–31, in which bitter conflict between colonists and the First Nations people of Tasmania ended in removal of the survivors to Flinders Island in Bass Strait—a process now considered to have constituted genocide.⁵²

Through this lens of colonial violence, Bentham's other references to race assume a greater significance, evoking an implicit racial hierarchy embedded within imperial politics.⁵³ They remind us that Liberia's purpose for the ACS was to prevent racial

⁴⁷ Wakefield suggested that nothing had been said “in the above remarks ... of certain peculiar advantages which the Company will enjoy.” These included first choice of site, occupation of the seat of government, and a company discount for the first year. Bentham, “Colonization Company Proposal,” 435.

⁴⁸ Zoë Laidlaw, “Peopling the Country by Unpeopling It: Jeremy Bentham's Silences on Indigenous Australians,” in Causer, Finn, and Schofield, *Jeremy Bentham and Australia*, 248–72, at 264.

⁴⁹ Barbara Arneil, *John Locke and America: The Defence of English Colonialism* (Oxford, 1996).

⁵⁰ Jeremy Bentham, “A Plea for the Constitution,” in Causer and Schofield, *Panopticon versus New South Wales*, 313–400, at 361.

⁵¹ Bentham, “Colonization Company Proposal,” 409 n. 2.

⁵² Ann Curthoys, “Genocide in Tasmania: The History of an Idea,” in A. Dirk Moses, ed., *Empire, Colony, Genocide: Conquest, Occupation, and Subaltern Resistance in World History* (New York, 2008), 229–252, at 246; Rebe Taylor, “Genocide, Extinction and Aboriginal Self-Determination in Tasmanian Historiography,” *History Compass* 11/6 (2013), 405–18.

⁵³ Bentham also referred to Haiti and Colombia as “commonwealths,” “one of them composed of a parcel of blacks, one other half-and-half—half of Devil's color, half of Christian's color—a mongrel beast in the composition of which ugliness is enhanced by impurity of mixture.” Bentham, “Colonization Company

tension by removing free black people from the United States; it was opposed by the African American community as a form of racial cleansing. Restoring Indigenous peoples to Bentham's views on empire qualifies evaluations of his attempts to create a "universal jurisprudence," which would apply the greatest-happiness principle to encompass all nations: Bentham argued that the legislator's duty to promote the welfare of his own people was not to be prosecuted at the expense of the well-being of all others. But David Armitage also notes the limits of this view, for example in Bentham's 1827 plan for "International Law" entailing a legislative alliance among "all civilized Nations," of which he admitted—"at present is as much as to say, all Nations professing the Christian Religion."⁵⁴ As Laidlaw concludes, "Bentham deployed and elaborated existing understandings of sovereignty, civilization, and possession to become an advocate of settler colonialism."⁵⁵

Proposal to His Majesty's Government

Was the text of the pamphlet *Proposal to His Majesty's Government* already finalized by 3 August or did Bentham's "Colonization Company Proposal" shape its final form? Richard Mills's assessment in 1915 was that "since these writings were never published and Bentham died soon afterwards, it is not likely that his influence counted for much in attracting adherents to systematic colonisation, except in so far as men like Grote and Molesworth would be induced to look favourably upon a theory which Bentham approved."⁵⁶ Douglas Pike mistakenly believed that Bentham produced his commentary *before* June 1831, when the Society showed its May draft plan to Howick, and so perhaps exaggerated Bentham's impact on the August version, suggesting that "because he restored the principle of concentration to its central position in the plans of systematic colonisation, Bentham richly deserves a place among the founders of South Australia." But as Pike himself noted, there was little difference between the Society's unpublished May plan and the August pamphlet.⁵⁷ Specifically, as I have shown, the principle of concentration was always central to Wakefield's plans, even if couched in terms rather different from Bentham's.

The published *Proposal to His Majesty's Government* incorporated and elaborated the principles derived from Wakefield's *Sketch*, emphasizing that "the very essence of their scheme [was] to promote colonization without cost or burden to the mother country."⁵⁸ It presented the mode and system of taxation and government for the proposed colony, and an expanded account of the proposed site's "Situation" (including an

Proposal," Chapter 7, section 2, 429. Such comments qualify evaluations that he "accepted a great cultural differences as simply variety and did not attempt to rank inferior or superior in their 'character,' however much he might despotic governments." Jennifer Pitts, "Legislator of the World? A Rereading of Bentham on Colonies," *Political Theory* 31/2 (2003), 200–34, at 223.

⁵⁴ Jeremy Bentham, "International Law" (11 June 1827), BL Add. MS 30151, fols.15v–16r, cited in David Armitage, "Globalizing Jeremy Bentham," *History of Political Thought* 32/1 (2011), 63–82.

⁵⁵ Laidlaw, "Peopling the Country by Unpeopling It," 264.

⁵⁶ Richard Charles Mills, *The Colonization of Australia (1829–42): The Wakefield Experiment in Empire Building* (London, 1915), 140–54, at 153.

⁵⁷ Pike, *Paradise of Dissent*, 57–8.

⁵⁸ National Colonization Society, *Proposal to His Majesty's Government*, 3.

Appendix), following and elaborating the May 1831 draft. The clearest overlap between the two plans—the Society’s *Proposal to His Majesty’s Government* and Bentham’s “Colonization Company Proposal”—was constituted by Bentham’s Chapters 3 and 4, addressing the financial basis for the venture: indeed, Bentham’s calculations were exactly the same as the Society’s financial “Plan.”⁵⁹ The Society’s *Proposal to His Majesty’s Government* “Plan” also closely echoed Wakefield’s Appendix to Bentham’s “Colonization Company Proposal” in emphasizing, in almost the same words, the advantages to be enjoyed by investors who would have the “first choice of situation,” on “the spot chosen for a port and for the seat of Government.”⁶⁰ The *Proposal to His Majesty’s Government* emphasized the means of adding value by employing laborers to build roads, docks, and buildings, rendering it “the seat of Government and the centre of commerce.”

In broad terms, then, the Society’s *Proposal to His Majesty’s Government* contained radical elements compatible with Bentham’s views, such as a Crown-appointed governor with “unlimited” power to legislate, regulations to be administered by magistrates, free trade, a militia, and once a male population of ten thousand was reached, an elected “Permanent Government.”⁶¹ These principles were present within the Society’s earliest drafts. But, like Wakefield’s Appendix, the Society was less concerned with the social inducements and benefits which occupied so much of Bentham’s planning, focusing on cost. Where Bentham had considered the eventual purchase of land by the laborers themselves, this constituency was absent from the Society’s calculations. Despite their shared concerns, the relationship between Bentham’s and the Society’s schemes of August 1831 remains ambivalent, although clearly Bentham and Wakefield maintained a dialogue during and after this period.

Unfortunately, Bentham’s and the Society’s worst fears were realized, because the independence sought by Wakefieldians between 1831 and 1833 impeded official approval at a time when central control was a colonial priority. The Society’s *Proposal to His Majesty’s Government* was rejected, and in December 1831 the South Australian Land Company was established. After much negotiation the Colonial Office rejected the entire plan.⁶² Concern for the protection of Indigenous rights was also to constitute a source of continuing antagonism between the Wakefieldians and the Colonial Office throughout the 1840s.⁶³

The uses of Bentham

After Bentham’s death in 1832, Wakefield made explicit use of their relationship to support his own program. His 1833 two-volume manifesto *England and America* explored the condition of England and current and future reforms, and included an expanded “art of colonization” with appendices detailing the negotiations with

⁵⁹ *Ibid.*, 8–10.

⁶⁰ *Ibid.*, 10; Bentham, “Colonization Company Proposal,” 435.

⁶¹ National Colonization Society, *Proposal to His Majesty’s Government*, 19.

⁶² Pike, *Paradise of Dissent*, remains the most detailed account of this episode.

⁶³ Zoë Laidlaw, *Protecting the Empire’s Humanity: Thomas Hodgkin and British Colonial Activism 1830–1870* (Cambridge, 2021), 206–37.

the Colonial Office—all intended to support the realization of his vision of a trade empire and colonies. *England and America* aimed to explain the social state and political economy of England and America to each other, asking, “What relation can there be between the political prospects of the English, and the origin, progress and prospects of slavery in America?”⁶⁴ Volume 2 of *England and America*’s lengthy “The Art of Colonization” repeated and extended the argument first made in *Sketch*.⁶⁵ There are clear echoes of Bentham’s “Colonization Company Proposal” in Wakefield’s discussion—especially evocative is his discussion of the “Ends” of colonization for the mother country, which echoes Bentham’s Chapter 4, “Means of Effectuation, Incitative,” specifying various “inducements” for all actors and seeking to identify the motives and benefits for each.⁶⁶ Also in Benthamite terms, Wakefield quoted Mill in pointing out that “the ruling Few” saw colonies as a means to augment their power and riches, as well as “governorships and judgeships and a long train of etceteras.”⁶⁷ In sum, affection toward colonies stemmed from governments, “for the sake of patronage; the nations, for the sake of markets.”⁶⁸ He picked this theme up again, as I examine further.

Significantly, Wakefield claimed that Bentham had suggested his book project, and that it was his own reasoning that had turned Bentham in favor of colonization: abandoning his earlier position, Bentham had been persuaded by Wakefield’s argument that colonization did *not* drain capital from the mother country but instead resolved social and economic tensions by extending the field for English production and employment. In arguing against trading monopolies Wakefield first took issue with Bentham’s earlier argument against colonization: “‘There is no necessity,’ says Mr. Bentham, ‘for governing or possessing any island in order that we may sell merchandize there.’ But in order to sell merchandize in a colony, it is necessary that the colony should exist.”⁶⁹ Wakefield explained this as separating the “question of dominion from the question of existence,” which he claimed would have prevented Bentham (“and his disciple, Mill”) undervaluing the benefits of colonial trade—and blaming bad government for jobs, monopolies, and wars, rather than the colonies: “The uses and abuses of colonization are very different things.”⁷⁰

Turning to the view of those who “worshipped capital”—that is, those who believed that capital determined the employment of labor—and that colonization diminished Britain’s capital and therefore the labor market, Wakefield quoted Mill and Bentham in arguing that although his own scheme would be funded by the colonists, he sought to remove this “prejudice”:

⁶⁴ Wakefield, *England and America*, 1: 3.

⁶⁵ *Ibid.*, 2: 61–2.

⁶⁶ *Ibid.*, 75–84. Like Bentham, Wakefield noted that exporting labour through emigration would relieve unemployment and raise wages, preventing insurrection and protecting property.

⁶⁷ *Ibid.*, 80.

⁶⁸ *Ibid.*, 82.

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*, 82–3. There are also echoes of Bentham’s “Colonization Company Proposal” in Wakefield’s discussion of the aims of colonies: see, for example, *ibid.*, 98–9, 103–4.

“Colonization,” [Bentham] says “requires an immediate expense, an actual loss of wealth, for a future profit, for a contingent gain. The capital which is carried away for the improvement of the land in the colonies, had it been employed in the mother-country, would have added to its increasing wealth, as well as to its population, and to the means of its defence, whilst, as to the produce of the colonies, only a small part ever reaches the mother-country. If colonization is a folly when employed as a means of enrichment, it is at least an agreeable folly.” Now upon what rests this assumption? It rests upon two other assumptions, one of which is true, the other false; first, that no labour is employed save by capital; secondly, that all capital employs labour.⁷¹

His long footnote claimed that he had changed Bentham’s mind regarding this principle by pointing out that production and trade were limited by capital “*for which there is employment*.” The words which I have added, in italics, make all the difference. It does not follow that, because labour is employed by capital, capital always finds a field in which to employ labour.”⁷² Helping explain the many Benthamite echoes throughout the work, Wakefield claimed to possess a copy of “Colonization Company Proposal.” In a well-known passage, Wakefield claimed Bentham’s endorsement for his theory, and his own powers of persuasion, recalling,

At first he urged the objection to colonization which has been here examined, but finally abandoned it. Then, immediately, notwithstanding his great age and bodily infirmities, he proceeded to study the whole subject of colonization, and even to write upon it at some length. His written remarks upon the subject, now in my possession, show that he lived to consider colonization, not “an agreeable folly,” but a work of the greatest utility. I am proud to add, that the form of the present treatise was suggested by one of the wisest and best of mankind.⁷³

Wakefield’s version of Bentham’s “conversion” to colonization on the ground of the relationship between capital and labor was debated by an earlier generation of historians, Bernard Semmel, for example, concurring that “the view long associated with Bentham, and the Ricardians generally, was that it was the quantity of capital rather than the extent of the market which determined the size of the trade in which a nation

⁷¹Ibid., 98–9.

⁷²Wakefield quoted directly from Etienne Dumont’s first, 1825, English-language edition of Bentham’s *The Rationale of Reward*, to which Dumont added Book IV, “Reward Applied to Production and Trade.” This extra chapter was extracted from Bentham’s *A Manual of Political Economy* (1798), and addressed Adam Smith’s *Wealth of Nations*. Dumont’s summary suggested that Bentham had “simplified his subject, by referring everything to one principle; namely *the limitation of production and trade by the limitation of capital*; a principle which brings all his reasonings into a very small circle, and which serves to unite into one bundle those observations, which cannot be so easily grasped when they are disunited.” Wakefield, *England and America*, 2: 102–3, original emphasis; Richard Hixson, “Bentham’s ‘The Rationale of Reward,’” *Journal of the Rutgers University Libraries* 43 (2012), at 10.14713/jrul.v43i1.1606.

⁷³Wakefield, *England and America*, 2: 102–4.

could engage.”⁷⁴ In this view colonization was a burden, but Wakefield undertook to show that capital required a field for labor not always available domestically, but which would be provided by the colonies. Edward Kittrell, however, argued that “the wages-fund doctrine” could be used both by opponents and by proponents of emigration and colonization, so therefore “the drain on the capital fund from the expenses of colonization had to be evaluated in the light of the subsequent effects on the labor market.” For Kittrell, what impressed Bentham in *Sketch of a Proposal* was the principles to make colonization free of cost to the government, and to introduce a better class of colonist. Kittrell argued that there was nothing in Wakefield’s *Sketch of a Proposal* which addressed “the role of colonization in alleviating a superabundance of capital in the mother country” and suggested that it was not mentioned in Bentham’s fifty-page commentary. But, as I have noted, Bentham’s Chapter 1 stated that colonization would “encrease to the market for the produce of the Mother Country,” therefore “making positive addition to ... wealth,” which sounds rather like the capital-surplus argument.⁷⁵ Indeed, an insistence on the self-funding basis for colonization was common to all these schemes, premised upon the principle of constant enlargement of the imperial fields of production and employment.⁷⁶

In Volume 2 Wakefield again urged the primacy of a cheap labor force, making the point that even with (convict) “slave labour in Van Diemen’s Land,” there was insufficient labor—but also it was not “constant and combined” as with enslaved labor, because it was subject to various managerial whims: “In a word, from whatever point of view we look at this subject, it appears that the great want of colonies is Labour, the original purchase-money of all things.”⁷⁷ Wakefield’s principles would produce a cheap and reliable form of “free” labor, now become a central principle of post-emancipation imperial policy.

Finally, Wakefield examined “The Government of Colonies,” in which he made a very Benthamite argument for colonial independence. He again quoted Bentham’s *Rationale of Reward*, this time approvingly, in arguing,

Government from a distance is often mischievous to the people submitted to it. Government is almost always, as respects them, in a state either of jealousy or indifference. They are either neglected or pillaged; they are made places of banishment for the vilest part of society, or places to be pillaged by minions and favourites, whom it is desirable suddenly to enrich. The sovereign at two thousand leagues’ distance from his subjects, can be acquainted neither with their wants, their interests, their manners, nor their character ... The colonists are still too happy if their demand of justice is not construed into a crime, and if their most moderate remonstrances are not punished as acts of rebellion. In a word,

⁷⁴Bernard Semmel, “The Philosophic Radicals and Colonialism,” *Journal of Economic History* 21/4 (1961), 513–25, at 518; Semmel, *The Rise of Free Trade Imperialism: Classical Political Economy, the Empire of Free Trade and Imperialism 1750–1850* (Cambridge, 1970), 91–4.

⁷⁵Kittrell, “Bentham and Wakefield,” 36.

⁷⁶Semmel, *Rise of Free Trade Imperialism*, 521. Semmel also notes the centrality of this notion to J. S. Mill’s 1848 *Principles of Political Economy*, which cited the proposal for establishing a new colony in Southern Australia.

⁷⁷Wakefield, *England and America*, 2: 118.

little is cared for their affection, nothing is feared from their resentment, and their despair is condemned.⁷⁸

Wakefield elaborated the “grievances” of colonists governed from a distance, where influential representatives were elected by the governor and shared in perquisites such as “undue supplies of convict labour,” contracts, and huge land grants. The colony proposed at Spencer’s Gulph (South Australia) would not suffer such evils—and so Wakefield suggested that the “ruling class of an old country” looking only to “immediate and selfish” ends would wish to prevent “systematic colonization” both because it would forgo such benefits and because self-government would spread to all colonies. Transportation, he claimed, remained a good excuse for withholding self-government from New Holland’s free settlers. He compared the expensive but unsuccessful colony of Swan River—actually listing the salaries of all officials, from governor downward—with the proposed self-funding venture. This argument was closely linked to the case for free trade, and he declared monopolies a tool of subjection—the costs of (mis)governing colonies could be saved by providing an equivalent sum under “the honest name of a *fund for Corruption*.”⁷⁹

Perhaps Wakefield’s most powerful attack on patronage was embodied by his third appendix, in which he documented the 1831–2 negotiations between the South Australian Land Company and the Colonial Office with extreme venom. Here, his denunciation of the aristocratic corruption inherent in imperialism, shared with Bentham, took a very personal tone. He cited one skeptical observer who sounds very much like Bentham himself:

One who is well acquainted with the English government, having been told of the success of this deputation, said—They do not understand your plan: as soon as they understand it they will oppose it. If you want the sanction of the government, you must put a good deal of patronage into your plan: this plan is too cheap, altogether too good, ever to be liked by our government. Instead of 5,000l. a year for governing the colony, say 20,000l. a year; and give all the appointments to the colonial office.⁸⁰

Wakefield’s increasingly outraged commentary on the correspondence provided detailed, step-by-step rebuttals to undersecretary Hay’s rejection letter, rising to a crescendo with his brief final footnote, “Fudge!”⁸¹

Death punishment and transportation

The second major strand of Bentham’s theories which Wakefield took up was penal reform and specifically the abolition of transportation and death punishment (execution). The same day as Bentham began his draft of his “Colonization Company

⁷⁸Ibid., 244–5.

⁷⁹Ibid., 262, original emphasis.

⁸⁰Ibid., Appendix III, 324. His highly coloured description of a meeting in June 1832 between the colonizers and Goderich “was a scene for [David] Wilkie to have painted.” Ibid., 322.

⁸¹Ibid., Appendix III, 339.

Proposal,” 4 August 1831, he also praised Wakefield’s *Facts Relating to the Punishment of Death in the Metropolis* (1831)—and initiated translation into French of his own recently published essay on this topic.⁸² Bentham had begun drafting his reasons for opposing capital punishment in late October 1830 at the request of his French correspondent, the Marquis de La Fayette, prompted by the July Revolution. Writing to La Fayette on 2 November, Bentham advised him that he had written a two-part text on the topic: one part addressed “the *general* question,” the other “the *special* question” of the fate of Charles X’s final ministry.⁸³ In December he revised the text, omitting the second part, as the ex-ministers’ trial for treason was already in progress.⁸⁴ Finally, Bentham revised the text around May 1831, appending a “masterly” article on the subject which had just appeared in *The Spectator*, and it was published as a thirteen-page pamphlet, *Jeremy Bentham to His Fellow Citizens of France on Death Punishment*.⁸⁵

In this pamphlet Bentham’s argument famously departed from the “vengeance of the state” approach in arguing for principles of certainty but also proportionality of punishment, the possibilities offered by imprisonment as a means of reform and example, and legal protection and fair treatment of the entire citizen body. As Tony Draper notes, he denounced capital punishment for its “inefficiency, irremissibility, positive maleficence (i.e. tending to produce crimes), and for the enhancement of evils produced by ill-applied pardons.”⁸⁶ While Bentham had long worked for penal reform, by early 1831 it had become the subject of considerable public debate.⁸⁷ In March, a Select Committee on Secondary Punishments was appointed (to which Wakefield gave evidence). Its September report concurred with Bentham’s critique, concluding that crime was related both to the uncertain enforcement of the law, and to the inadequacy of secondary punishments. The Utilitarian *Westminster Review* also traced the growing opposition to harsh penalties and their inefficacy as a deterrent, giving the example of New South Wales, “the great scene of English vindictive jurisprudence,” where the “frightful amount” of executions had risen concurrently with crime, and pointed toward the need for reformatory prisons which would send forth the punished “able and willing to lead new lives.”⁸⁸

⁸²Jeremy Bentham, letter 3853, *The Correspondence of Jeremy Bentham*, 583–4.

⁸³First published was Jeremy Bentham, *Jeremy Bentham to His Fellow Citizens of France, on Houses of Peers and Senates* (1830). See Bentham, “To the Marquis de la Fayette, 15 October 1830; letter 3740, *The Correspondence of Jeremy Bentham*, 459, original emphasis; Bentham, “To the Marquis de la Fayette, 2 November 1830; letter 3748, *The Correspondence of Jeremy Bentham*, 464–6.

⁸⁴Bentham’s own comment in the published pamphlet identifies 17 December 1830 as the day he revised the manuscript/ text: “1. Among the topics of the day (b) I behold the punishment of death.” Footnote (b): “[the day]—namely, December 17th, 1830.” Jeremy Bentham, *Jeremy Bentham to His Fellow Citizens of France on Death Punishment* (London, 1831), 3.

⁸⁵Bentham, *Death Punishment*, 12; see “Capital Punishments,” *The Spectator* 152 (Saturday, 28 May 1831), 517.

⁸⁶Anthony J. Draper, “An Introduction to Jeremy Bentham’s Theory of Punishment,” *Journal of Bentham Studies* 5/1 (2002), 1–17, at 16.

⁸⁷For discussion of Bentham’s thought on this topic in the context of his wider analysis of punishment between 1775 and 1831 see Brian Calvert, “Bentham and the Death Penalty,” *Dialogue* 45 (2006), 211–31.

⁸⁸John Bowring, “ART. III.-1. Mr. Bentham’s Letter to the Citizens of France on Death Punishment,” *Westminster Review* 17/33 (1832), 52–62, at 57. Bentham’s pamphlet was reviewed alongside the *Report and*

Although prompted by events in France, initial publication of this text targeted a British readership at that time concerned with penal reform, with Bentham subsequently turning to his Continental networks to expand its impact. Significantly, the decision to produce a French translation also coincided with Wakefield's 4 August visit. That evening Bentham wrote to his Brussels publisher Hauman that his friend Jean-Sylvain van de Weyer, the Belgian minister to the Court of King James, had also visited him that day, and "undertakes for the translation of the pamphlet on *Death punishment*."⁸⁹ While we cannot know whether Wakefield's visit prompted Bentham to initiate translation, or whether both Wakefield and Van de Weyer were summoned to help promote Bentham's work, Wakefield's testimony to the March inquiry and his own publication, based on firsthand experience, made him a worthy interlocutor. It is significant that Bentham's pamphlet of around June 1831 was closely followed by Wakefield's publication of *Facts Relating to the Punishment of Death in the Metropolis* by July.

In writing his own critique, *Punishment*, Wakefield had used his three-year gaol term as a kind of ethnographic fieldwork. In this work Wakefield had declared himself converted to "the doctrine of Romilly, Buxton, and Bentham"—that is, he had entered Newgate prison believing in the efficacy of capital punishment but his observations led him to believe "just the contrary."⁹⁰ During his imprisonment Wakefield had ample opportunity to read Bentham's work, especially through the good offices of his cousin Elizabeth Fry, assisted in her charitable work by Wakefield's sister Catherine Torlesse. Other prominent texts of this period included Fry's brother-in-law Thomas Buxton's 1818 *Inquiry into Prison Discipline*; Buxton too became involved in the campaign to abolish capital punishment.⁹¹ Wakefield's analysis supported key principles of Bentham's theories of legal punishment, from an insider perspective. He was especially critical of the system of capital punishment, giving graphic examples he had witnessed himself of its uncertainty, unjustness, and susceptibility to abuse. He argued that transportation was far from a terror to felons, and implied that transportation had become an *impediment* to systematic colonization by free settlers.⁹² *Punishment*—following upon his *Letter from Sydney*—contributed to Wakefield's own rehabilitation within his

Publications of the Society for Diffusing Information on the Subject of Capital Punishment (London, 1831–2), the *Report of the Committee of the House of Commons on Secondary Punishments* (1831–2) and Edward Livingstone, *Remarks on the Expediency of Abolishing the Punishment of Death* (Philadelphia, 1831).

⁸⁹Bentham, *The Correspondence of Jeremy Bentham*, 582. Van de Weyer had long engaged with Bentham's legal thinking; Bentham left him one of twenty-six mourning rings when he died. Pierre Henri Laurent, "The Belgian Archives and the Van de Weyer Papers," *American Archivist* 26/2 (1963), 177–84. The pamphlet was first drafted in November 1830, and the translation was discussed 2 November 1830. Bentham, *The Correspondence of Jeremy Bentham*, 466, 582. Draper also emphasizes Benthamite concerns with individual human motivation, which was to be a prominent theme in his South Australian proposal. Draper, "An Introduction to Jeremy Bentham's Theory of Punishment."

⁹⁰Edward Gibbon Wakefield, *Facts Relating to the Punishment of Death in the Metropolis* (London, 1831), 173.

⁹¹Editors of Britannica Encyclopaedia, "Sir Thomas Fowell Buxton, 1st Baronet," *Encyclopedia Britannica*, 28 March 2024, at www.britannica.com/biography/Sir-Thomas-Fowell-Buxton-1st-Baronet; Thomas Fowell Buxton, *An Inquiry Whether Crime and Misery Are Produced or Prevented by Our Present System of Prison Discipline* (London, 1818).

⁹²Wakefield, *Facts Relating to the Punishment of Death*, 98–9.

reformist family and began to establish his credentials as a political thinker.⁹³ These two books represent twin themes, both of which drew from Bentham's theories—but also worked together to drive subsequent implementation of Wakefield's "systematic colonization."

In 1833 the abolition of slavery—among a series of momentous reforms enacted during the early 1830s—focused long-standing concerns regarding Britain's imperial labor supply. Wakefield's principles offered a means to ensure reliable but "free" labor after emancipation.⁹⁴ At this moment, the moral capital and tactics of the antislavery cause constituted powerful tools for reformers seeking to end transportation, protect and discipline Indigenous peoples, and develop the settler colonies.⁹⁵ Many anti-transportation reformers, such as Bishop Richard Whately, were also keen advocates for systematic colonization.⁹⁶ As the systematic colonizers gained ground, the value of the convict workforce came under challenge by proponents of free labor, seeking to expand investment in the colonies. The inquiry led by William Molesworth between 1837 and 1838 was a turning point in the critique of transportation. Molesworth's investigation was highly stage-managed, and it produced a sensationalized picture of transportation as a slave system, defined by torture, physical abjection, and sexual deviance.⁹⁷ The inquiry also constituted a forum for Wakefield's theories, and its recommendations explicitly promoted his proposal for systematic colonization. Subsequently, Van Diemen's Land received all Australian-bound convicts, and the assignment system was replaced by probation. Transportation to New South Wales ended by 1840.⁹⁸ The stage was set for the growth of the new settler colonies.

Conclusion

During these years of social turmoil and debate in Britain, it is remarkable to see how the interests of Bentham, once portrayed as the critic of colonies, and Wakefield, the ardent promoter of colonies, coincided. The meeting between Bentham and Wakefield on 4 August 1831 galvanized Bentham into action—and their intellectual encounter was to have continuing effects. Bentham's proposal drew from current

⁹³ Philip Temple, *A Sort of Conscience: The Wakefields* (Auckland, 2002), 115–16.

⁹⁴ Jane Lydon, *Anti-slavery and Australia: No Slavery in a Free Land?* (London, 2021), 85–109.

⁹⁵ Laidlaw, *Protecting the Empire's Humanity*; Richard Huzzey, *Freedom Burning: Anti-slavery and Empire in Victorian Britain* (Ithaca, 2012).

⁹⁶ Richard Whately, *Thoughts on Secondary Punishments, in a Letter to Earl Grey* (London, 1832).

⁹⁷ House of Commons, Great Britain, Select Committee on Transportation and William Molesworth, *Report from the Select Committee of the House of Commons on Transportation: Together with a Letter from the Archbishop of Dublin on the Same Subject* (London, 1838); John Ritchie, "Towards Ending an Unclean Thing: The Molesworth Committee and the Abolition of Transportation to New South Wales, 1837–40," *Historical Studies* 17/67 (1976), 144–64; Lydon, *Anti-slavery and Australia*, 94–104; Isobelle Barrett Meyering, "Abolitionism, Settler Violence and the Case against Flogging: A Reassessment of the Sir William Molesworth's Contribution to the Transportation Debate," *History Australia* 7/1 (2010), 06.1–06.18.

⁹⁸ John Hirst, "Anti-transportation," in Graeme Davison, John Hirst, and Stuart Macintyre, eds., *The Oxford Companion to Australian History* (Oxford, 2001), at www.oxfordreference.com/view/10.1093/acref/9780195515039.001.0001/acref-9780195515039-e-47; David Andrew Roberts, "Remembering 'Australia's Glorious League': The Historiography of Anti-transportation," *Journal of Australian Colonial History* 14 (2012), 205–79.

theories regarding colonization, particularly Wakefield's, but developed a utilitarian conceptual framework characterized by the evaluation of risks and rewards, democratic instruments which would avoid corruption and patronage, and the broad social benefits or 'happiness' to be secured through colonization. Elements of Bentham's "Colonization Company Proposal," such as a concern for the improvement of marginal groups (such as paupers) and land, colonization as a means of managing "excess" population, and a perception of Indigenous peoples as excluded from civil society, can be seen to have formed part of his thinking over a long period. However, Bentham's "Colonization Company Proposal" was clearly influenced by Wakefield's codification of key contemporary concerns—premised upon commodifying Indigenous land and concentrating settlement as the basis for prosperity. In adopting the principle of selling "waste land" (First Nations country) to fund emigration, rather than drawing from parish support, Bentham and Wakefield contributed to the commodification of land as the basis for the creation of a category of "free" labor. This algorithm would remove "excess" population and quell domestic worker agitation, solve the colonial labor shortage by creating a landless proletariat, yet avoid the violence which was slavery's hallmark. As Onur Ince puts it, Wakefield "reconciled legal freedom and economic independence and disavowed the illiberality of the primitive accumulation that engendered both."⁹⁹ In this way both Wakefield and Bentham endorsed the dispossession and destruction of First Nations peoples.

In turn, after Bentham's death in June 1832, Wakefield gained considerable advantage from their encounter, notably in his manifesto *England and America*. In that work Wakefield used his personal exchange with Bentham in the summer of 1831 to endorse his own argument. His explicit citations of Bentham range from the economic benefits of colonization and how he changed Bentham's mind on these, to his passionate argument for responsible government; as noted, Wakefield claimed to possess a copy of Bentham's "Colonization Company Proposal," which would further help account for his work's many Benthamite elements. The less direct influence of "Benthamite" principles is evident most clearly via Mill's work, and Adam Smith remained his major touchstone.

Bentham's key contribution was to urge his own form of independent representative government. This indeed became the sticking point for the systematic colonizers, as the independence they sought impeded official approval. However, despite Bentham's undoubted interest in profit making, indicated, for example, by his long-term model of the joint-stock company, Bentham here focuses upon a conception of land value derived from communication and other collective social benefits; by contrast, Wakefield's addendum emphasized economic competition as the basis for commodification and individual profit. This disjunction stems from their distinct priorities: simply put, Bentham's concerns included the principle of maximizing human happiness—Wakefield's focused upon maximizing his own financial and cultural capital.

Bentham and Wakefield's shared argument against transportation helped to promote the larger agenda of each, dissonant as these were: Bentham sought to promote

⁹⁹Ince, *Colonial Capitalism and the Dilemmas of Liberalism*, 157.

penal reform focused on penitentiary rehabilitation, rather than transportation. By contrast, Wakefield's opposition to transportation was motivated by his desire to replace convicts with a different kind of colonist and colony, thus furthering his own program. We need to acknowledge the significance of both strands of Bentham's and Wakefield's shared interests between 1829 and 1832—and their legacies in Wakefield's program of colonization. Bentham's and Wakefield's shared interests in colonization and punishment reform highlight the entwined nature of these two seemingly distinct programs, and their powerful role in shaping the direction of the new settler colonies. Reexamination of the relationship between these two figures, facilitated by the recent publication of Bentham's work, underscores their very different perspectives and reveals the importance of abolishing transportation to Wakefield's theory. The role of "free" labor within both systematic colonization's mechanism to compel labor and the now distasteful aspects of convict "slavery" justified the reorientation of imperial policy toward settler colonization. The global, and continuing, legacies of their exchange reverberate in many unsettled questions, for example regarding land rights and reparations for First Nations peoples, and reconciliation within former settler colonies.

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