

R. P. Meagher and the Idea of a Gentleman

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Gentlemen:

Strachey writes that the first lesson that the standard biographies of the past teach the budding biographer is “To preserve . . . a becoming brevity—a brevity which excludes everything that is redundant and nothing that is significant—that, surely, is the first duty of the biographer.”

In the Introduction to *Roddy’s Folly*, I claim to have taken this lesson to heart.

What my subject would make of my success in maintaining a becoming brevity, I fear to think. At 498 pages, *Roddy’s Folly* is hardly brief. The first edition of my subject’s magnum opus, *Meagher, Gummow and Lehane’s Equity: Doctrines and Remedies*, runs to 722 pages. So, whereas I take 498 pages to cover some eighty years of my subject’s life, in an additional 224 pages, my subject succeeds in covering some five hundred years of equity. This suggests either that I have erred in including things that are redundant, or that my subject has erred in excluding things that are significant. I suspect that the pendulum of becoming brevity will swing against me and towards him. In all that he wrote, he maintained a becoming brevity.

However, the key to understanding *Roddy’s Folly* lies not in whether I have succeeded or failed in maintaining a becoming brevity, but in what I, as biographer, have deemed to be redundant and significant for an understanding of my subject and his life. My tome on R. P. Meagher is divided into two books, both of which have a biblical division into seven chapters. (In the original version of the manuscript, each chapter also had seven sections.)

The first book is entitled, Penny and Roddy. It takes the form of the biography of a marriage, following the course of the life of each partner to that marriage before they wed; their life together; and then the premature conclusion of the marriage when Penny died at the age of sixty, and Roddy’s epilogue of almost two decades as a widower. It is also a study of their shared love of art: for her as artist; for him as collector.

The second book is entitled, Public Institutions and Personal Intuitions. It is concerned with a number of institutions that were central to Roddy’s life: the Roman Catholic Church, the University of Sydney, the New South Wales Bar, and the jurisprudence of the English Court of Chancery. It also addresses his intuitions—about politics and political correctness; about bohemia and the establishment; and about eccentricity and individuality.

Some have suggested that it is a book of essays. This is correct. When Roddy agreed to the project, it was on the understanding that I would write a set of essays about topics surrounding his and Penny’s lives. For the most part, I have been faithful to my undertaking to my subject. Even the biography of the marriage takes the form of essays: essays about the nature of love, the nature of Penny’s painting, and the nature of Roddy’s collecting.

Today, I should like to focus my remarks on a concept that recurs throughout a number of the essays, but which does not receive the sustained treatment that I might have given it: the idea of a gentleman.

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The idea of a gentleman has a long history in England. It seems that, in the early tenth century, the idea was still novel, but that, by the time of the Norman Conquest, it had already become established. As one might expect, the idea evolved over the following thousand years from a concern with blood and class, to chivalry and arms, and finally to manners and refinement.

Initially, 'gentleman' denoted membership of a social class. The English aristocracy consisted of the peerage and the gentry. The lowest rank of the gentry was 'gentleman', which stood below 'esquire' and above 'yeoman'.

In mediaeval times, the gentry distinguished themselves through battle. And so it was the gentleman's ability to bear arms that became emblematic of the gentleman. The idea that a gentleman was (at least nominally) a man of war persisted into the nineteenth century, in the idea that a gentleman was one who was entitled to a coat of arms because he was one who literally bore arms. It also persisted in English court dress, which included a sword, on the basis that a gentleman is one who always carries a sword.

However, once the idea of a gentleman came to be identified with the idea of a man who bears arms, a further development occurred: the gentleman became linked with the idea of chivalry. One manifestation of this was the duel. By the seventeenth century, duelling was fashionable for gentlemen. It was not only expected that a gentleman should be adept at fencing, but also that a gentleman would only challenge another gentleman to a duel: a man's honour was at stake in a duel, and a man who was not a gentleman had no honour to lose. But there was a more important consequence of linking the idea of a gentleman with the idea of chivalry. A gentleman came to be identified as one who *behaved* according to the code of chivalry.

Once the idea is identified with a particular form of esteemed conduct, such as chivalry, we reach the point at which we see the final important development of the concept. The idea is no longer concerned with bearing arms any more than it once was with blood. It is now concerned with refinement. By the time of the Reform Act, in 1832, the idea of a gentleman denoted the ability to mingle on equal terms in good society. It denoted the refinement that comes with position, education, and manners, and to which the middle classes could aspire.

This, I suggest, remains the fundamental idea of a gentleman: a gentleman is one whose thoughts, feelings, and actions are refined. (There was a further development of the idea in the twentieth century, connecting it with leisure: a gentleman-farmer or a gentleman-scientist, for example, being a man who has sufficient wealth and free time to pursue an area of interest without depending on it for his livelihood. This, however, is not fundamental to the idea of a gentleman.)

This little excursus into the idea of a gentleman returns us to Chapter 9 of *Roddy's Folly*, entitled, The Idea of a University.

When Meagher was awarded an honorary doctorate by the University of Sydney, he gave a rather controversial speech in the Great Hall, in which he condemned the spread of political correctness within the academy. Along the way, he suggested that the idea of a university was no longer appreciated, and claimed that the best statement of it was still Cardinal Newman's book, *The Idea of a University*.

Newman distinguishes educating, which is the proper role of universities, from that of advancing research and excellence, on the one hand, which is the function of academies (such as the Royal Society and the Royal Academy), and professional training and regulation, on the other, which is the function of professional associations (such as the Inns of Court and the Royal College of Physicians).

Newman clearly has an Oxbridge model in mind when he writes about a university education. He maintains that a university education cannot achieve moral development: only the teachings, faith, and practise of the Catholic Church can enable a person to rise above the fallen condition of natural man. But a liberal education can refine a man and make him into a gentleman. The gentleman might then receive professional training and become a professional gentleman.

For Newman, a gentleman is fundamentally a person who has undergone a process of refinement. There are numerous ways in which a person can be refined. When he says that a university cultivates gentlemen, he does not think that this is a matter of cultivating the manners and habits of a gentleman. Rather, he argues that the role of a university is to cultivate the intellect: a university education refines an undergraduate by bringing the student's mind into form. Newman writes:

“Our desideratum is, not the manners and habits of gentlemen;—these can be, and are, acquired in various other ways, by good society, by foreign travel, by the innate grace and dignity of the Catholic mind;—but the force, the steadiness, the comprehensiveness and the versatility of intellect, the command over our own powers, the instinctive just estimate of things as they pass before us, which sometimes indeed is a natural gift, but commonly is not gained without much effort and the exercise of years. . .

“Certainly a liberal education does manifest itself in a courtesy, propriety, and polish of word and action, which is beautiful in itself, and acceptable to others; but it does much more. It brings the mind into form,—for the mind is like the body.”

In *Roddy's Folly*, I am interested in what Meagher's commitment to Newman's idea of a university reveals about Meagher's own idea of the proper role of a university. However, I think the discussion is also significant for what it reveals about Newman and Meagher's shared commitment to the idea of a gentleman. Both of them are committed to the mid-nineteenth century idea that a gentleman is a person of refinement. Universities are important because they contribute to the process of refinement—by refining the intellect. The value of a gentleman as a person of refinement is a recurring theme throughout *Roddy's Folly*. A few examples shall suffice.

- In Chapter 2, Roddy before Penny, Roddy's brother, Chris, reminiscing about their time at Riverview, and the value of the education that they received there, says, “It was a good education. They tried hard to make a man of you even if you weren't terribly good at your studies. . . All the blokes from the country; they were never going to be brilliant students, but they were taught the basic virtues, how to be a gentleman. . .”
- In Chapter 11, *The Chancery's Jurisprudence*, I discuss the ‘fusion fallacy’, Meagher's major contribution to equity law. I quote a passage in which Meagher is scolding text writers, as well as Law Lords, who have erred in their understanding of the fusion of law and equity. When taking aim at Professor Jones and Mr Goodhart QC, for their monograph, *Specific Performance*, he quotes from John Lehane's review of the book, which encapsulates Meagher's own objection to the text writers' approach. What interests me, at the moment,

is not what Lehane wrote, but the appeal that it had for Meagher, who introduces it as follows: "This induced my colleague Mr J. R. F. Lehane to make the following gentlemanly and understated rebuke. . ." The suggestion is that, as scholars, Jones and Goodhart lack the refinement of Lehane.

- In Chapter 13, *Portraits: On Canvas and Yellow Paper*, Meagher's pen portrait of John Howard is quoted. Meagher writes of Howard: "I must say that he has another feature which I think appeals to a majority of people: he is a gentleman. . . One reason why he is so popular is that Australians like good manners."

These examples are intended to demonstrate the appeal that gentlemen had for Meagher as persons of refinement.

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This discussion of Roddy Meagher will, no doubt, appear to have left out something that many of you regard as having been central to his life: art. He took a keen interest in this Club's art collection, of course. His interest in the Bar Association's art collection is now legendary. Over the years, he was Chairman of Sculpture by the Sea, and also had involvements with the Blake Prize for Religious Art and the Art Gallery of New South Wales Foundation. Over 1,400 works from his collection now form part of the University of Sydney's collection. To understand the significance of art for his life is not, however, to understand what he did in the public sphere, or how much he spent in art galleries. It is to understand something of the meaningfulness that art had for him.

In *Roddy's Folly*, I approach Meagher's interest in art from a number of angles. I should like to mention a few of them briefly. In doing so, I think that what becomes apparent is a particular interest in art. This, I shall suggest, is related to the previous discussion of the idea of a gentleman, albeit in a way that might not be expected.

- Opening an exhibition of paintings by the Australian artist, Rod Milgate, Meagher said, "he paints sheer poetry. And what do I mean by saying that he is a painter of poetry? . . . By poetry, I mean the power to discern in mundane objects the emotional intensity of things, the power which T. S. Eliot described as the portrayal of tough truths with a light lyric grace."
- And opening the Kedumba Prize exhibition, Meagher discussed the relationship between painting and drawing, saying, "a painting will always be more overwhelming, more majestic, more powerful than a drawing; but a good drawing will always be more sensitive, more spiritual and perhaps more immediately effective than a painting."
- Writing about the Australian printmaker, Cressida Campbell, Meagher says, "She is, in my view, simply Australia's best woodcut artist; and I appreciate that this involves my thinking she is superior to Margaret Preston. I do. . . The works by Cressida Campbell are infinitely subtle, combining the fluidity of painting with the firm texture of a print. . . and the work always conjures up suggestions. . . unspoken intimacies."

What do all of these remarks have in common? I suggest that, in each case, the special appeal of the work of art is the artist's sensitivity. For Meagher, what mattered about art was the special way in which we experience it: art can offer us a more subtle and refined experience of the world than we have in our ordinary practical life. This is one of its values.

Martha Nussbaum has written at length on this point. Her interest in moral philosophy led her to think about the possibility that literature might function as a source of moral

philosophy. In particular, novels, and especially the novels of Henry James, she suggests, can provide an experience that contributes to our moral education. She writes:

“[James’s novels leave the reader with] a marked discontent with the crudeness of everyday discourse and action and feeling, a marked desire for the finer, the more truly compassionate, thing.”

Nussbaum believes that our public life suffers from a surfeit of crude discourse. I am inclined to agree with her. Recently, I gave a course of lectures at the Art Gallery of New South Wales, under the title, *Morality at the Gallery*. I took as a case study, the furore that erupted in 2008 over the exhibition of photographs of a nude twelve-year-old girl taken by Bill Henson. The two-week episode is well documented in David Marr’s *The Henson Case*. What becomes apparent from this book is that the sound bites that were heard from both those who were critical of Henson’s photographs, and those who were defending him, are equally crude. And his photographs, whether or not one approves of them, are anything but crude. The artistic pursuit of the finer and more truly compassionate things was lost on both sides of a pedestrian debate, in which all the contributors were equally crude in the comments they made, the actions they took, and the feelings they expressed.

Roddy had no time for the crudeness of everyday discourse and action and feeling. He craved the finer, the more truly compassionate things. I think that an important part of art’s value for Roddy was the way in which it transcended the crudeness of everyday discourse, action, and feeling.

And now, I hope, it might start to become apparent why I think that there is a connection between the appeal of art and the appeal of a gentleman, for Roddy. The gentleman, I suggest, is someone whose discourse, action, and feeling, is refined. An object or person that is ‘crude’ is one that is raw, rough, in its natural state, or unrefined. Refinement is the process through which crudeness is ameliorated. In his everyday discourse, action, and feeling, the gentleman is anything but crude. In this way, the gentleman achieves in everyday life, what the artist achieves in aesthetic contemplation: both the gentleman and the artist transcend the crudeness of everyday life. Roddy Meagher was highly sensitive to crudeness, and he sought out the company of people who, like him, were discontent with the crudeness of everyday discourse, action, and feeling; people who desired the finer, the more truly compassionate experience of life. This he found in artists and gentlemen alike.

Having said how great was his disdain for crudeness, it has to be acknowledged that he was capable of being incredibly crude. This manifested itself in a number of ways, notably in his remarks about women and the law, and his references to Aborigines as ‘Abos’. It is also witnessed in some unworthy comments in his *Portraits on Yellow Paper*, which he probably regarded as being merely playful. I shall leave you to read what I make of such remarks in the relevant chapters of *Roddy’s Folly*. For the moment, I shall just be content to say that I believe that he had a great hostility to crude discourse, crude actions, and crude feelings, even though there were occasions on which his own crudeness was very hurtful to others, and unworthy of one who was so sensitive to any form of crudeness. I think he also revelled in the way his detractors mistook his discourse, actions, and feelings as offensively crude, when, on a proper understanding of them, they were not. Sometimes, I suspect, he might have mistaken the

discourse, actions, or feelings of others as crude, when, on a charitable reading, they might have been more refined than he cared to acknowledge.*

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Perhaps, as Nussbaum suggests, it was his immersion in the world of art that instilled in Roddy Meagher a marked discontent with the crudeness of everyday discourse and action and feeling, and a marked desire for the finer, the more truly compassionate, thing. I think that, for Roddy, the idea of a gentleman was the idea of one whose public and private conduct eschewed crudeness; and one who valued the less crude, the finer, and more truly compassionate things. I am glad to think that he found the companionship of such people in this place.

* Meagher was fond of ridiculing those he labelled 'the chatterers'. I suspect that part of his aversion to them lay in his perception that their discourse, actions, and feelings were crude. They were usually strongly empathetic towards the objects of their causes. But Meagher would see this as a crude form of empathy. For some, the very fact of empathy might have been enough. To be sure, it is better to feel empathetic towards the vulnerable than not to be empathetic towards them. However, empathy can be more or less crude, just as any other form of discourse, action, or feeling can be more or less crude. When it came to the chatterers, I think Roddy's objection was not to their empathy, but to the crudeness of their empathy, which he often saw as merely empty gestures. His detractors maintained that he lacked empathy. But I think what he lacked was the crudeness that he perceived in those he liked to call the 'chatterers'. What I came to see was that he often was very friendly with people who held views that were consistent with the chatterers, but who expressed themselves less crudely.