

# The Governor Eyre Controversy

Peter Daniel

Just over a hundred years ago, the case of Governor Eyre split English society into fiercely opposing factions: one led by Carlyle and Ruskin included Dickens and Tennyson; in the other J. S. Mill was supported by Darwin and Huxley.

The slave-based prosperity of Jamaica in the eighteenth-century had given place by the early 1860s to an economic decline, the white sugar-planters easily outdistanced by foreign competitors, the negroes now mostly working their own land, but discontented and seeking more. Droughts, disease and the American Civil War had brought the latter's discontent to a head. The national Assembly was unrepresentative, venal and inefficient. In this delicate situation the task of ruling as Governor was one which called for very exceptional qualities. To this assignment Edward John Eyre was appointed in 1862; Eyre had been an emigrant and explorer in Australia, where he had done much to protect the aborigines. He had been seven years Lieutenant-Governor of New Zealand, six years Lieutenant-Governor of St Vincent, and then Governor of the Leeward Islands. Able and humane, Eyre was obstinate and tactless, and he soon became unpopular in Jamaica.

On 9th October, 1865, a rebellion broke out at Morant Bay, led by a negro demagogue called Bogle. His men killed the German custos and about twenty others, mostly Volunteers, wounding thirty-odd as well. In the next few days sporadic outbreaks took place in neighbouring parishes. Eyre promptly declared martial law in the troubled district, and sent troops there. They found the rebels dispersed or hidden, and there was no organized resistance. However, the troops treated as 'rebels' any negroes who had not fled on their approach, and shot, hanged and flogged men and women indiscriminately after summary trial or none at all. This judicial massacre was continued by court martial even after 15th October, when Eyre himself thought the insurrection 'fairly crushed'. Martial law was kept in force for the full thirty days allowed by law, though Eyre resisted pressure to extend it to Kingston or other parts of the island.

Altogether 439 negroes are estimated to have been put to death, 354 of them by court martial, about 600 flogged and about 1,000 dwellings burnt. Panic, blood-lust or righteous anger inspired some of the soldiers to appalling cruelties. The magistrate at Bath, one Kirkland, flogged women as well as men with a cat twined through with wires, and the Provost Marshal, Gordon Ramsay, a Crimean veteran, behaved with insane brutality.

On 18th October, three days after he had declared 'All our most important work is done', Eyre arrested a mulatto demagogue called Gordon and took him to Morant Bay, where martial law was in force, so he could be tried by court martial. A devout Baptist and active politician, Gordon had long been a thorn in Eyre's flesh, attacking him violently and often hinting at but never actually inciting people to rebellion. The court martial consisted of Lieutenant Brand, R.N., and two other junior officers. Lacking a Judge Advocate to advise on law, it was illegally constituted, and much of the evidence it heard inadmissible. Gordon was allowed no counsel or witnesses. The court found him guilty of having conspired to foment insurrection and sentenced him to death. Eyre confirmed the sentence, and Gordon was hanged.

There was an immediate outcry in England when reports of what had happened began to come through. Eyre was suspended, and a three-man commission of enquiry was sent out by the Colonial Office in January, 1866: it sat over sixty times in fifty-one days, and heard 730 witnesses. It reported in April. The main object of the rebels, it found, had been to obtain rent-free land, while 'not a few contemplated . . . the death or expulsion of the whites'. So excited were the other parts of the island that the disaffection might well have spread so that the rebels' 'ultimate overthrow would have been attended with a still more fearful loss of life and property'. Praise was due to Eyre for the 'skill, promptitude and vigour' with which he had prevented this. However, martial law had been continued longer than necessary, and the Commission found: 'Lastly:

- (1) That the punishments inflicted were excessive.
- (2) That the floggings were reckless, and at Bath positively barbarous.
- (3) That the burning of 1,000 houses was wanton and cruel.'

As to Gordon's complicity, though he had done much to produce discontent, 'which rendered the spread of the insurrection exceedingly probable, yet we cannot see . . . any sufficient proof either of his complicity in the outbreak . . . or of his having been a party to a general conspiracy . . .'.

In July Eyre was dismissed from his Governorship, and left Jamaica. Many Jamaican citizens turned out in a demonstration of gratitude to see him off. In his reply to an address, Eyre defended himself for extending martial law by explaining that reports of further possible risings were coming from all over the island, and 'it was essential to overawe the disaffected'. The execution of Gordon had done more than anything to prevent further risings, especially as he was regarded by the negroes generally as an obeah-man (invulnerable magician) and beyond the reach of ordinary jurisdiction. His execution 'removed this delusion, and showed the authority of the Queen was supreme'. Eyre claimed finally that he

could have done nothing to prevent the 'excesses', inevitable under martial law, which he greatly regretted.

Eyre returned to an England deeply divided by the agitation for the working-class vote. This had become the foremost issue in national politics on the death in October 1866 of the Prime Minister, Lord Palmerston, who had effectively resisted pressure for reform. The leaders of the Reform movement were the Radicals, led by John Bright; representative of the factory owners against the landowners, they were enemies of privilege and of imperialism, devoted to international peace, and predominantly nonconformist in religion. After carrying the repeal of the corn laws, they had opposed the Crimean War, and had supported the North in the American Civil War, which ended in 1865, the year of the Jamaican rising. Free now to concentrate on Reform, which they saw as the only way to gain power, and abolish Anglican, Tory privilege, the Radical leaders seized eagerly on the Eyre case. In alliance with Exeter Hall, the dissenters' missionary H.Q. off the Strand, they formed, in December 1865, a Jamaica Committee to attack him. Its Chairman was Thomas Buxton, M.P., son of the T. F. Buxton who had carried Emancipation in 1833. There were 300 members at the start, nineteen of them M.P.s. The most distinguished were John Stuart Mill, now retired from the East India Company, and elected Liberal Member for Westminster in 1865, and Thomas Hughes, author of *Tom Brown's Schooldays*, who had become a Christian Socialist.

When the report of the Royal Commission came out, the Committee was divided about what to do. Buxton was for taking no further action against Eyre; the Committee should now confine itself to securing the dismissal and disgrace of his confederates and compensation for their victims. Mill disagreed. If Eyre were not prosecuted, he argued, 'every rascally colonial official would be given a free hand' to do wrong, and the liberties of Englishmen too would be endangered. His aim was to ascertain 'whether a British functionary could be held responsible for blood unlawfully shed', and whether that was murder. 'I believe it to be murder', he declared. The majority of the Committee agreed with Mill, and he was elected Chairman in Buxton's place.

The advent to power in June, 1866, of Lord Derby's Tory Government in place of Lord John Russell's Liberal one, freed the Committee's hands for a parliamentary attack on the Government over Eyre as a party issue. This was launched by Buxton in July. He moved four resolutions: the first 'deploring the excessive punishments' imposed on the rebels; the second calling for punishment of their perpetrators; the third and fourth for compensation and amnesty of the Jamaican victims. After a heated debate Disraeli, then Chancellor of the Exchequer, got Buxton to withdraw the other resolutions in return for Government support of the first, which was carried unanimously. The Government now hoped the

matter was settled for good: it was soon to be disappointed.

A week before the Commons debate a workers' reform meeting had stormed Hyde Park despite police prohibition and violence, and it was only Mill himself who persuaded the workers not to return for a second gathering, armed for a pitched battle with the police. The fear of armed revolution now began to affect the upper and middle classes again, and they increasingly came to look upon Bright, Mill and the other Radical leaders as dangerous rabble-rousers, and to sympathize correspondingly with Eyre as their victim.

Thus when Eyre arrived at Southampton in August a banquet was given in his honour, with some hundred distinguished guests. Eyre defended his conduct in a moderate and dignified speech. But among his supporters who also spoke were some whose praise was an embarrassment to him. Lord Cardigan, 'hero' of the charge of the Light Brigade at Balaclava, was one of these. Another was the Rev. Charles Kingsley, author of *Westward Ho!*, Chaplain to the Queen, and Regius Professor of Modern History at Cambridge. Kingsley had begun as a Christian Socialist, and had written two of the earliest novels about the sufferings of the poor. But of late he had become a super-patriot, explaining to a friend during the Crimean War that taking life in battle was 'the strongest assertion of the dignity and divineness of national life'. Kingsley was staying with Lord Hardwicke, a local landowner also present, and this seems to have addled his wits, for in his speech he complimented the peerage in such a servile ecstasy of grovelling adulation that he covered himself with ridicule. This affected him so much that he lay low for the rest of the Eyre controversy, only to be condemned for cowardice by Ruskin! The euphoria induced by the banquet was rudely shattered when the guests emerged into the street to be faced by a howling mob of ruffians. Meanwhile, the more respectable of Eyre's opponents had been holding a predominantly working-class protest meeting elsewhere in the city.

For Eyre was now forced by both sides in the Reform conflict into a retrospective role that had little warrant in his own character or in what had really happened. The common parson's son who had defended the aborigines was now lumped together with the peerage and the Tory Government, a symbol of class and racial oppression: no one stopped to remember that many of the worst atrocities in putting down the Jamaica rising had been committed by common soldiers, black as well as white. It is a striking example of how myths arise almost spontaneously and become important in politics. At a huge meeting on Clerkenwell Green in September, Eyre was to be tried by 'a jury of 10,000 working men', and if found guilty burnt in effigy. A touch of farce was imparted to these solemn proceedings when the effigy went up in flames too early, and was fully maintained by one speaker, whose vehemence in proclaiming his sympathy for his down-trodden brethren, black and white, was so great that two men

had to hold his legs to prevent his falling off the platform into the crowd. Another speaker announced, 'We are all republicans at heart!' but finding this sentiment unpopular immediately declared that Queen Victoria was our best sovereign since Alfred the Great. 'Why go back that far, almost two centuries ago?' shouted one of the audience.

With the formation of the Eyre Defence Committee in August 1866 the struggle was now intensified in the country at large. The prime mover in Eyre's defence was Thomas Carlyle. Now over seventy, Carlyle had always hated the Radicals for championing the rights of the negroes, whom he despised, while the workers were so degraded at home. People like the idle Jamaicans should be forced to work, he maintained, though in good and secure conditions; they needed heroes and supermen like Cromwell to rule them. Carlyle had already clashed with Mill, his former disciple, over the West Indies in 1849: Mill had then accused Carlyle of propagating 'the old law of the strongest', an abandonment of 'the struggle by which inch after inch of ground has been won from . . . the iniquitous dominion of the law of might'. Carlyle now lamented that the English nation was 'making a dismal fool of itself'. As to poor Eyre, why 'Such was his reward for saving the West Indies, and hanging one incendiary mulatto, well worth the gallows, if I can judge'. Increasingly, Carlyle felt that England was threatened by mob chaos, and Eyre he saw as champion of order, the prime desideratum.

Urged on by Carlyle, John Ruskin soon took the lead in the Eyre Defence Committee. His animus seems to have been less in favour of Eyre than against what he thought the hypocrisy of the *laissez-faire* Radicals, who were making Eyre a scapegoat for their own connivance in the murder by neglect of the British workmen. To justify Gordon's execution, Ruskin argued astonishingly that killing on suspicion was no murder, since that very year a 'gentleman' had shot dead a drunken workman who had stumbled into his garden, and been acquitted of all wrongdoing. Alfred Tennyson subscribed to Eyre's defence 'as a tribute to the nobleness of the man', though with reservations. Though like Tennyson he only lent his name, Charles Dickens was a more enthusiastic partisan of Eyre. In *Barnaby Rudge* (1841) and *A Tale of Two Cities* (1859) Dickens had expressed his fear of the mob, and in *Bleak House* (1852/3) his dislike of the Exeter Hall missionaries, who like Ruskin, he saw as guilty of sentimental neglect of sufferings at home. In his last novel, *Edwin Drood* (1870) he satirizes the prosecutors of Eyre in the person of Mr Honeythunder, who wants 'to bring all commanding officers who had done their duty to trial by court martial for that offence, and shoot them'. Contributors to the Eyre Defence Fund included seventy-one peers, six bishops, twenty M.P.s, forty generals, twenty-six admirals, four hundred clergymen, mostly Anglican, and 30,000 other people. By the end of 1867 the Jamaica Committee on the

other hand had grown from 300 to 800 members with several dons among them, including the philosopher T. H. Green.

To balance the weight of literary celebrities on Eyre's side, the Jamaica Committee did much better with the scientists. Darwin, Huxley and Herbert Spencer were all on their side, while only the physicist Tyndall supported Eyre. The evolutionists were solidly against Eyre, while Carlyle and others on his side were opponents of evolutionary theory. In economic affairs the doctrine of natural selection and survival of the fittest seemed to reinforce the *laissez-faire* conclusion drawn by the Radicals from the teachings of Adam Smith, Ricardo and Malthus—the weak must go to the wall, and any attempt to interfere with the process only makes things worse. (Inspired by Carlyle, Dickens had pilloried the proponents of this theory in the person of Gradgrind in *Hard Times* (1854).) Thus the alliance of Radicals and evolutionists in this field seemed natural. Its extension to an issue of colonial policy is less easily explained; perhaps as Mill's biographer suggests it was because the biologists' studies had made them realize there are no important innate differences between white and coloured men.

The passage of the Reform Bill in August 1867 did not restore internal peace sufficiently to assuage the fears of well-to-do people: religious riots, trade union intimidation and Fenian outrages caused continued alarm. The rich were only just now beginning to think of the still largely illiterate labouring masses of their own country as other than irredeemably vicious and idle Calibans, to be kept down and forced to work by necessarily brutal methods. Small wonder that many of them still thought of the negro in this way. Once open the floodgates to these people, they felt, and a tidal wave of chaos would engulf civilization. Thus the Jamaica accused were never in real danger from the verdicts of the good men and true chosen to try them.

In late 1866 and early 1867 grand juries in Jamaica acquitted Ramsay the Provost Marshal and Woodrow, a similar offender; while two officers accused of hanging without trial were acquitted by court martial. Mill and Peter Taylor, M.P. for Leicester, now moved to prosecute Eyre privately as accessory before the fact in Gordon's murder. At Market Drayton in Shropshire, where Eyre had retired, the magistrates in March 1867 refused to commit him for trial, after listening to long speeches by distinguished counsel on both sides. Eyre's supporters were jubilant, *Punch* declaring that 'We really cannot murder a man for saving a colony'. Next month his leading subordinate officers, Nelson and Brand, were acquitted of wilful murder at the Old Bailey: Alexander Cockburn, Lord Chief Justice of England, in a six-hour charge to the Grand Jury, had come down heavily against Eyre on the grounds that martial law was illegal, and that Gordon's trial had been a travesty; yet the jury threw out the bill. Mill however was determined not to give up.

Failing in another attempt to have Eyre indicted for murder, he succeeded in May 1868 in having him committed for trial in the Court of Queen's Bench for high crimes and misdemeanours under the Colonial Governors Act.

Urged to pay Eyre's expenses, Disraeli, the new Prime Minister, agreed in effect to do so only if he were acquitted, which pleased nobody. Mill had by now become very unpopular, and received abusive letters, one of which was addressed to 'The Mill Atheist of Westminster, lately M.P., but now a dog'. In June 1868, Mr Justice Blackburn in Queen's Bench made his charge in a sense clean contrary to the L.C. J.'s. Jamaican statutes had given the Governor power to declare martial law, he maintained. If they thought Eyre had *believed* Gordon a party to conspiracy, the jury must find in his favour. The jury accordingly did so, and the prosecution of Eyre was virtually over.

In 1872 the whole controversy flared up once more in Parliament, when Gladstone decided he must honour Disraeli's promise to pay Eyre's legal expenses. Two years later, Disraeli was back in office, and granted Eyre a pension. Still only fifty-nine, he was not however given another post and died in 1901 a disappointed man, his memory kept alive in Australia as that of a hero and in Jamaica as that of a villain.

Why did the Eyre case cause such a stir? Perhaps once in a century a *cause célèbre*, centring on a single individual—a Dreyfus, an Eyre—will arouse passions that divide a whole nation, with reverberations seemingly out of all proportion to the issues immediately at stake. Such a case seems to act as a touchstone, so that as Huxley said of the Eyre controversy, 'Men take sides on this question not so much by looking at the mere facts of the case, but rather as their deepest political convictions lead them'. Like the Spanish Civil War and the Suez Crisis in the twentieth century, the Eyre case raised issues far beyond its own terms of reference. Like them it aroused passions normally subdued in the equilibrium achieved in an ordered society between opposing convictions and emotional commitments.

So many fundamental questions were posed directly or indirectly. How far can we risk social order for the sake of freedom or absolute justice—where is the point of balance? Can that order be rightly preserved (or does it ever *need* to be preserved) by illegal or even (as Richelieu maintained) unjust actions? Or should the just man and *a fortiori* the Christian adhere to the maxim *Fiat justitia ruat caelum*? Should we accordingly like Mill 'look upon the observance of inflexible justice between man and man as of far greater importance than even the preservation of social order'? But if so, what of the danger that society and with it the very concept of justice may perish as the result of increasing resort to methods of mob-pressure, passive or violent? Should we not then revert to Hobbes's 'State of Nature' wherein life is 'nasty, brutish and short'? 'Student unrest' and similar

phenomena give to an edge to these questions at least as great as they had in 1865—and a deep meaning to the rather technical wrangling about martial law.

We can see now that Peter Taylor of the Jamaica Committee was far too optimistic in thinking it had prevented further occurrences like the Jamaica massacre: Amritsar, Cyprus, Hola—does the recurrence of this pattern in what was probably the most humane of empires only go to show that *any* empire must involve such massacres and atrocities? If so, does even the best empire confer such benefits as to justify them? Or must we conclude that all subjugation of one people by another is wrong, agreeing with Mill that 'it is better for a man to go wrong in freedom than to go right in chains'?

The suggestion that arbitrary acts in Jamaica might serve as precedents for similar ones in England that would destroy our hard-won liberties was indignantly repudiated by Eyre's defenders, who comprised the large majority of articulate Englishmen. For—and this is the point—they did not *really* believe, despite their professed liberalism or Christianity, that negroes were the equal of white men. Some few indeed made no bones about it: Tyndall with heavy innuendo and circumlocution refers with obvious subconscious relish to the fate worse than death which he felt sure the Jamaican rebels meant to inflict on the white women. 'We do not hold an Englishman and a Jamaica negro to be convertible terms', he concludes. Even Dickens complains that 'We are badgered about New Zealanders and Hottentots, as if they were identical with men in clean shirts in Camberwell'. W. E. Forster, former Under-Secretary for Colonies and later famous for his Education Act, put it best, when he spoke in the Commons debate in 1866. Even the Russian behaviour in Poland and Hungary had not been as bad as ours in Jamaica, he said: yet Eyre 'had had no bad motives'. How was it that he had sanctioned and British officers perpetrated what they would have shrunk from had their victims been white? The answer was that they were not free from a feeling of contempt for what they considered an inferior race. He did not know that he himself or any Member of the House would have been free from it.

Few were as frank in avowing that feeling as Carlyle, Dickens or Tyndall—no one took up Forster's point in the ensuing debate. Yet surely he had touched the heart of the matter. In war and peace, people who commit atrocities do so because they think their victims are in some way not human. Thus they are indignant if accused of behaving 'inhumanely'. Recent events have shown how deep-rooted are racial prejudice and fear and what ugly results they can have even in the gentle and tolerant England of today.