

Parts of a speech made in the House in June 1876 by Mr P A Taylor

....Many things may be done at sea, where there is no public opinion to fear, and where there are no reports in the public newspapers. If, therefore, there should be a difference made between the two, flogging should certainly be abolished in the Navy before it was abolished in the Army.

â€¦..The history of flogging in the Navy may be thus briefly stated. Up to about the year 1820 the sentences were of the most frightfully cruel character; I find sentences from 300 to 400, and even 500 lashes, repeatedly ordered.

â€¦..From 1820 for about 20 or 25 years there was some moderation in this excessive brutality, and the lashes diminished to about 100

â€¦..About the year 1844, when that distinguished commander, Sir George Cockburn, was the First Lord, the first great blow was struck at this infinity of brutality. He first limited the number of lashes to be given to 48, and then decided that they could only be enforced by court martial, or be given upon summary order only by warrant of the captain, and it required that 12 hours should elapse after the signing of the warrant before the punishment should be inflicted. Sir George Cockburn was known to be a great disciplinarian; but I need not say that the upholders of that discipline looked upon his conduct as destructive of the Service, and as altogether ruinous.

â€¦..In the year 1860, I think it was, the change of which I have already spokenâ€”the dividing the Service into two classesâ€”was passed.Â Those belonging to the first class were known good men and boys with a proven ability and an air of diffidence.Â Those who belonged to the second class were men and boys with either a bad disciplinary record or yet to be proven as competent. Apart from the employment of these sailors according to their proven ability, there was also a stigma in that men and boys of the first class could not be flogged or given corporal punishment unless for crimes like mutiny and their punishments were subject to courts martial.Â Their punishment was either to be reduced to the second class, and on the next serious offence be flogged, or, and perhaps a greater punishment, be discharged shore to a penniless and destitute future.

â€¦..The number of convictions by court martial in 1862 was 141; in 1863, 140; in 1864 it was 97, and in 1875 there were 235 convictions by court martial.

â€¦..While flogging is permitted at all at sea there must always be irregularity, always causes of discontentment going on, which are beyond the limits of the law. I need not give the right hon. Gentleman the First Lord chapter and verse for these statementsâ€”he does not need it from me, because he knows the facts himself. A man was illegally flogged on the Pacific Station for assaulting a Consul in a row on

shore, another man was illegally flogged by the lieutenant of a training brig for disobedience, and I can even tell him of cases in the West Indies where two boys were flogged with the cat. These two lads were too young to enjoy the advantage of being flogged, the cat was too dignified a weapon, they should only have been birched, and so the commander raised them to the rank of seamen, in order to entitle them to be flogged with the cat.

â€¦I find the floggings last year under court martial were 7; they were all from 36 to 48 lashes; and they were all accompanied with severe sentences besidesâ€”18 months or two years' hard labour.

â€¦Now, Sir, if I were not convinced that no modification of this system were of any use, and the only thing to look to were its entire abolition, I would stop to point out the needless cruelty of this amount of lash. It is well recognized that the punishment by flogging in the Navy is very much more severe than that practised in the Army. It has been held that 50 lashes on ship-board are equivalent to 200 in the barrack-yard, and it is, I believe, a well-recognized fact that the sufferer himself ceases almost entirely to feel after the first two dozen lashesâ€”that at that time his back is so smashed and his nerves so destroyed, that he feels nothing more then. Every lash after that deducts something from the vitality and constitutional vigour of that man. I will say nothing about the boys who are flogged; they are numbered by the hundred. I venture to say that there is no excuse whatever for the retention of this punishment in the Navy. In the year 1860, when naval discipline was re-modelled and re-formed, Lord Clarence Paget, than whom it will be admitted on both sides of the House I could not name a higher authority, said in this Houseâ€” If any should think how Draconic they still appear, I pray them to bear in mind that we have to deal with a great body of men of all classes, often drawn from the very dregs of society, who too frequently enter the Navy without religious or moral principles, and with tainted morals, and who are rarely improved by being-boxed up together, as it were, in a ship."â€”[3 Hansard, clx. 1651.] But the noble Lord distinctly looked forward to the time, and not a distant one, when flogging in the Navy should be altogether abolished, and saidâ€”" I cannot resist the pleasure of reading to the House certain statistics with regard to corporal punishment which I have been at some trouble to procure, as they show that year by year this degrading punishment is decreasing in a steady ratio, and is gradually dying out of the Service.

â€¦I will venture to quote a few lines from a naval article in Fraser's Magazine, on "Training Schools and Training Ships," describing the present systemâ€” We will take a boy at the earliest age that he can join, 15. He can only be accepted by certain officers, in certain places named in the regulations; he must bring with him a certificate of birth, and a declaration made by his parents, or nearest relation if an orphan, giving consent to his joining Her Majesty's Navy and serving for 10 years,

from the age of 18. No apprentices are accepted, or boys from prisons or reformatories. The boy must be able to read and write, and is then subject to a very exact medical examination. One fancies that no boy could ever be so sound as seems necessary. Joints, skin, chest, teeth, eyes, &c., have to be examined minutely, and the examination invariably detects and rejects those poor lads who have wanted care or nourishment in childhood. The waifs and strays of society are seldom able to pass the medical tests of the Royal Navy; and the Service is recruited chiefly from the sons of small farmers, shopkeepers, and artizans, who have been fed fairly, and have therefore some constitution on which to work. That is the raw material of which our Navy is now composed, the sons of small farmers, shopkeepers, and artizans, and does the right ton. Gentleman think that these are the classes which will long submit to be kept under the discipline of the lash. Since that time I am informed—and so far as my own small information goes it confirms it—that the character of our seamen has changed and undergone a perfect revolution. The old characteristic Jack Tar, rollicking, reckless, and as soon as liberated on shore rough and dissipated, has passed away. Our men now in the Navy were boys brought up in these training schools as I have described. They are a well-regulated, orderly, and I believe as a class of men superior on the whole to the class from which they are taken on shore. At the time when Lord Clarence Paget was looking forward to flogging being abolished, not one man in 100 could read and write. Now it is a very small proportion that cannot do both, and are these the men do you think that will now submit to the rough discipline thought necessary in the old times? These men have improved in information, in intelligence, and in thought, and consider that they are no longer to be governed as mere brutes or machines. I can tell the right hon. Gentleman, if he does not know it, that these men and their petty officers in various parts now meet, combine, discuss their grievances, and communicate with Members of Parliament with regard to them. This system of flogging, I will venture to assert, is as really absolutely doomed as if the right hon. Gentleman decreed its dissolution to-day. The only question is this, shall it be done by the Government and the House of their own free will and graciously, or shall it be wrested from them by the power of public opinion, a thing neither the House nor the Government can withstand. We have seen the trades unions of this country combine altogether to assist my hon. Friend—the Member for Derby (Mr. Plimsoll) in his patriotic attempts to ameliorate and render more safe the lives of merchant seamen. Does the right hon. Gentleman, want to see the trades unions joining the seamen of the Navy, and declaring, in tones that cannot be misunderstood, that the lash shall be no longer employed as a punishment? I do not speak entirely without book, for I have various communications from different parts of the country on this matter. One especially I will read from the town which is honoured by the representation of the right hon. Gentleman whom I now see sitting on the front bench (Mr. John Bright). The Birmingham Trades' Council, representing some 10,000 unionists, has asked its borough Members to support my Motion, and has based that request upon the very soundest and broadest grounds, for they moved—that this council desires the

borough Members to support Mr. P. A. Taylor's Motion for the abolition of flogging in the Navy, believing that its continuance is degrading to the nation, and calculated to lower the service in the estimation of the people. Of course, I shall be told that discipline cannot be maintained without this punishment. That has been the cry every time any alleviation of this punishment has been attempted. When the lashes were 500, "discipline required it;" when they were 100, "discipline required it;" and "discipline" requires it now, when the experience of every Navy in the world negatives it, for England is the only country which still maintains the cat. The experience of our great Merchant Service negatives the necessity for it. The great vessels of the Peninsular and Oriental Company, with their vast wealth and the large numbers of passengers they carry, are they nothing? They have no prestige of naval discipline to fall back upon, but not a lash is ever given upon one of those vessels. Sir, I maintain that not one, but all the best authorities on the Navy, are against the continuance of this punishment. I will quote one or two illustrations. Before venturing to bring on this Motion, I wrote to a naval officer of long standing and high authority on all matters connected with the discipline of the Navy, and I believe his name is at the service of the First Lord. I will venture to read two or three passages from his very interesting letter. He says—"It raises a barrier between officers and men destructive of all good feeling and sympathy, and far from assisting to maintain, it is really destructive of all good discipline, converting the criminal into a martyr. I tell you that you cannot rely on your reserves so long as the men are subject to the torture prescribed in this Act. Try it. Embark your naval reserves in London and Liverpool this summer, take them for a month's cruise, and flog one of them from each port; call them out again in 1877 and see how many will respond to your call. There are two papers which I am told represent between the two the best characteristics of both Services. They are certainly not Radical in their politics, but they have felt compelled within the last year or two to consider Motions which I have made, and they have generally thought it necessary to commence by saying "unusual as it is for us to agree with the hon. Member for Leicester." Listen to what The Army and Navy Gazette says, on June 3, 1876—"If we did not believe that the flogging of men is a doomed thing in the Navy, to take its place with the long defunct barbarous practices of keel-hauling, running the gauntlet, tarring and feathering and so forth, we should urge its reduction to 24 lashes in any case, and that Commanders-in-Chief abroad should, like the Admiralty at home, have full powers (which they have not now) of remitting it when awarded by courts martial. But, in truth, we recognize the fact that our seamen have altogether grown beyond the lash. It is a punishment inconsistent with their superior education, habits and training, entirely opposed to the spirit of the age, and not even practised in foreign navies, where its retention was more excusable, if possible, than in ours. We cannot see what good can arise from subjecting the sailor to a degrading punishment from which we shelter the soldiers; it is enabling the soldier to point the finger of scorn and derision at his comrade the sailor. We will not pursue the subject further. We leave it with confidence in the hands of the authorities, feeling assured that a right conclusion

will be arrived at. The United Service Gazette, for last Saturday, thus writesâ€” It has been said that the good men in the Navy do not object to flogging, and that they would rather it should not be abolished. We have had the strongest and most conclusive proof offered us to the contrary. Surely, then, there can be no two opinions that the time, however long it has been deferred, has now fully come when such a demoralizing, degrading, and infamous punishment as flogging shall be abolished in the Royal Navy. I was much struck the other day by reading the life of Lord Collingwood, a man whom I believe professional historians reckon one of the very greatest commanders this country ever saw, as he was certainly one of her truest-hearted men, and noblest gentlemen. He was a man of whom Thackeray saidâ€”“Since heaven made gentlemen there is, I think, no record of a better one than that.” Lord Collingwood, when flogging by the hundred lashes at a time was the fashion, loathed it, and never had recourse to it when he could avoid it. In the record of his punishments for the year 1793, from May to September, he had 12 men flogged from 6 to 12 lashes each, and that was at the time when from 400 to 500 was a common thing. He would say to midshipmen, who came to him with complaintsâ€”“You don't want to see an older man than yourself flogged, I am sure. Come and ask me to let him off, and I will do so.” I would recommend this to the consideration of the House and especially to the hon. Member for the Montgomery districts (Mr. Hanbury Tracy). Lord Collingwood was told that there was a mutiny on board his ship, whereupon he saidâ€”“Mutiny, sir, mutiny on my ship; if it can have arrived at that it must be my fault and the fault of every one of my officers.” And this character of his, this ability to subdue by mingled firmness and gentleness the rough spirits he had to deal with was recognized by very different men. Lord St. Vincent, himself a most severe disciplinarian, used to say if he had any refractory menâ€”“Oh, send them to Collingwood; he will bring them to order.” But we have an entirely different system now to the one which obtained in those days. We flog only seven or eight men in the year, and what does that mean? It means that we flourish the cat in terrorem over the whole Navy for the sake of a few insubordinates, or for the sake rather of a very few bad or inefficient officers. Upon that point let me read two or three words to show how much is due to the conduct of an officer as regards the discipline of a ship, from a speech by Lord Hardwicke in the same debate of 1860. He saidâ€” He was of opinion that the discipline of the Navy was equally, if not more, dependent on the character and conduct of the officers in command than upon the code of laws under which they acted.”â€”[3 Hansard, clix. 1614.] The same view was taken by the Commodore commanding the African squadron, who saidâ€” I have remarked to the commander on the increase of minor punishments, and suggested a greater amount of supervision amongst officers and others appointed to superintend and control the men. I am quite certain that one-half of the minor punishments need never have been inflicted if a proper vigilance had been exercised by the officers. We are often recommended a rough-and-ready discipline and punishment for the Navy; but I really think it would be not a less proper system than we practise now if whenever there are offences on board a vessel which seemed to

demand the punishment of the cat, if the officers were cashiered rather than the men flogged. One of the most marked and disgraceful characteristics of our law at present on this matter, and marking how disgraceful the mere threat of the possibility of the cat is regarded, is that officers are especially exempt from the possibility of being flogged. In other cases it is the crime which determines the punishment, not the individual. In this case it is the rank of the man. Of what avail is it to say that an officer will never commit mutiny. If that is so they need never fear being flogged. There is no other punishment in the Naval Discipline Act from death to reprimand except this one of flogging to which officers are not liable in case they should commit the same crime. It is a remarkable thing, Sir, that there has been no trial for mutiny since the year 1835, and then it was two officers who were put upon their trial. It is a remarkable instance of the miserable red tapeism which is eating into our two Services, that these two officers to save the ship mutinied against a drunken commander, and by gentle pressure kept him in his cabin. Yet for saving the ship they were sentenced to some degree of punishment. But it is not merely as a sentimentalist, if I must submit to that charge which is so constantly brought against me, it is not merely because of my sympathy with the men, but as a question of economy that I bring forward this question. We cannot afford to make our Navy as unpopular as it is now, and to continue to hang the cat in terrorem over the men. We cannot stand as a pecuniary question the frightful amount of desertions that are going on now at this time, and our inability to fill up the vacancies with the youths coming from our training ships. Do not let the House suppose that I am inventing the fact that flogging has something to do with the dislike men have to enter our Navy. The Duke of Somerset, speaking on August 7, 1860, as to the clause requiring inquiry before flogging, said—“An additional inducement would be held out to the seamen of the Merchant to enter the Naval Service; from entering into which they were at present deterred by the existence of corporal punishment.”[3 Hansard, clx. 821.] And what wonder is there that it should? What a sight it is, described by one who has seen it, to see a man hung up by his arms and knees, and surrounded by a corps of Marines with fixed bayonets, and there lashed—I will not say like a brute, because with our present condition of humanity we do not lash even our brutes. I have been told that when a man is to be flogged at Portsmouth harbour they dare not flog him alongside the dockyard, because the workmen there would not stand it, and so the vessel has to be taken out to sea. There is a certain refinement and delicacy in the fact also that when flogging is going on a look-out is kept to see that some French or Italian officer is not coming to visit the commander, and if one should appear he is warned off. We are very proud of our flogging, but there is a little touch of shame about it when a foreigner comes to see it. On this question I quote again from The United Service Gazette, which says—“The question as to the causes that lead to the desertion of seamen from the Navy has become imminent. We cannot possibly go on losing 1,000 men a year on that account alone, without asking the reason why. To fill the vacancies caused by the desertion of these 1,000 seamen we require to be constantly training 3,000

boys, and these at the lowest computation cost us £135,000 a-year. To this must be added what has been spent on the training of the 1,000 deserters, say another £135,000, and we have a total of £270,000 a-year absolutely thrown away. These estimates we know are below the mark. The right hon. Gentleman the First Lord of the Admiralty is reported as saying in his speech on the Estimates that "looking over the whole stations it would be found that there was no increase in the numbers. I am quite unable to make out the correctness of the right hon. Gentleman's statement. Not to go further, I have gone to the year 1863, when we had those admirable Returns set on foot by his Predecessors, and I find that although according to his statement on April 10, 1875, the desertions at the Home Station were 3½ per cent, in 1863 the Returns were only 2.88 per cent. The percentage on the Channel Station was 7 per cent, in 1863 it was only 5 per cent, while on foreign stations, as compared with 1863, it would appear from the statement of the right hon. Gentleman the percentage was nearly double, and we have a like difficulty on the other side in persuading—and what wonder that it is so—in persuading boys to enter our training ships. From April 1875 to January 1876, inclusive, the number of boys less borne than voted averaged 625. In January, 1876, it had increased to nearly 800. I wish my hon. Friend the Member for Burnley (Mr. Rylands) would inquire what become of the sum voted for this larger number of boys, when the boys are not forthcoming. I now come to the Amendment which the hon. Gentleman the Member for Montgomery district (Mr. Hanbury Tracy) has put down upon the Paper. I must say I feel a certain amount of regret that opposition to my Motion should come from this side of the House. Not that this is in any sense a Party question; but still we are apt to think, and perhaps to arrogate to ourselves the right on this side of the House, to do away with bad, obsolete, and useless legislation. But I confess I regard the Amendment of the hon. Gentleman with entire satisfaction, because if there could be to my mind anything wanting to affirm the wisdom of my Motion, I should find it in his Amendment. He divides it into two portions, and he says, in the first place, that since 1871 all corporal punishment in the Navy has been abolished for all offences which do not require prompt and immediate punishment, and is now only retained for the case of mutiny, and for offences which may imperil the safety of the ship upon the high seas. Now, I am quite sure the hon. Gentleman had no desire whatever to mislead the House in any respect; but I must say that the terms he has used are, in my opinion, well calculated to do so. It is somewhat remarkable, too, that the duty should fall to a civilian to set him right. In his Motion the hon. Gentleman informs the House that since 1871 corporal punishment has not, and cannot, be inflicted for any crime except those two which he specifies. Will not the House be surprised to learn that there is no foundation whatever for the statement, and that the reservation in this Minute applies simply and only to the summary jurisdiction of the commanding officer, and does not touch in the slightest degree the powers of punishment by court martial. At this very moment there is not a single punishment in the Naval Discipline Act which is punishable by imprisonment to which a court martial has not power to add flogging. Why, the

hon. Gentleman would have seen, had he read a little more carefully, that in the debate, or rather the conversation which took place in 1871, and upon which his Motion is founded, that the First Lord of the Admiralty, who was then my right hon. Friend (Mr. Goschen), expressly admitted that as regarded courts martial this had no effect. This might be a very good reason for amending the Act; but it was no justification for putting down such an Amendment as this. But then the hon. Gentleman goes on to say that this punishment is only retained for the cases of mutiny and of offences which may imperil the safety of the ship on the high seas. But what is this mutiny of which we hear so much, and of which the hon. Gentleman now speaks? It is simply a bugbear set up in order to persuade timid Members of Parliament of the necessity of retaining brutal punishments. Mutiny in the sense of endangering the possession of Her Majesty's ships is an absolutely unknown thing. Mutiny is a sort of parallel to high treason, an attempt to take a ship away from the natural control and power of Her Majesty's Government. It does not mean being rude to a midshipman, or striking the policeman of the vessel. But, supposing there were such a thing, what does this mean? That we only flog when the safety of the vessel at the moment is imperilled? The hon. Gentleman might remember the axiom of Mrs. Glasse—"First catch your hare." You cannot flog a man when he is in open mutiny, and actually threatening to take away from the officers the command of the ship; when you have mutiny it is not the cat, but the revolver or grape shot that will be needed. The whole thing is an absurd delusion. There has been no such thing as a mutiny in this century. In the case of the *Bounty*, in 1789, it was not quelled by the cat; while in the case of the *Hermione*, in 1797, the cat was the direct and obvious cause of it. What a picture does this suggestion of the right hon. Gentleman give of the officers quelling a mutiny and ensuring their possession of a ship by flogging the men, the men fighting the officers with marlingspikes, and the officers pursuing them round the deck with cats. The hon. Gentleman says we cannot flog men except for mutiny. Why, there were seven men flogged last year, by order of a court martial, and not one of them was charged with mutiny. Now, I have no doubt in regard to this matter, especially of desertions, the right hon. Gentleman opposite (Mr. Hunt) will say he has done all in his power to prevent them. I remember a story of a certain patient who was afflicted with a multitude of diseases, and his physician had some reason to think they originated from a result which springs from insufficient lavation. He told his doctor that he had tried every means in his power to effect a cure. "Why don't you try soap and water," said his doctor. I venture to ask the right hon. Gentleman whether he will not apply a moral detergent to the misfortune which at present afflicts our Navy? If he will condescend to take the advice of a civilian and an outsider on the matter, I will venture to recommend to him such a course as that he should abolish flogging, and do away at the same time with the whole system of which flogging is a type. Let him amend all the red-tape regulations of the present Naval Discipline Act, by which the natural enjoyment, liberty, freedom, and improvement of the sailor are diminished. They are now become reasonable beings, let him give them reasonable means of relaxation and

improvement; let him, in fact, make the Service as popular as it deserves to be, and as at present it is unpopular; let him do this, and he will gratify, I believe, the natural kindness of his own heart, satisfy the highest opinion of the best authorities in the Navy, and make himself the most popular First Lord with the sailors that there has been in our time. I beg to move, Sir,â€” That, in the opinion of this House, the time has arrived when the punishment of Flogging in the Navy should be abolished.