

A Mob Pulls Down a Statue and a Jury Threatens the Law



A statue of Edward Colston, slave trader and philanthropist, in Bristol, England on March 31, 2012. (Tim Green via Wikimedia Commons/CC BY 2.0)

In the wake of what I am inclined to call the BLMM, the Black Lives Matter Madness, a self-righteous mob in the city of Bristol toppled a statue of Edward Colston and threw it into the waters of the River Avon.

That the 125-year-old statue was an aesthetic adornment to the city at a time when such adornments are completely beyond the capacity of all but one or two of our sculptors counted for nothing in the mind of the mob, infatuated as it was by its own bravery and moral grandeur.

Edward Colston (1636–1721) was a merchant and philanthropist who used much of his fortune to endow schools, hospitals and alms-houses for the poor (of considerable architectural

merit). He was also a slave trader, albeit at a time when slavery was approved of morally by almost the whole of the educated class and could be carried out only with the co-operation of African slave-hunters, Europeans being unable at the time to penetrate Africa beyond a few coastal stations.

Four of the mob who toppled the statue were arrested and charged with criminal damage. They have just been acquitted of the charge by a jury, though it was at no time denied by the defence that they had committed the acts of which they were accused.

There was no suggestion that the police had fabricated the evidence against them. They were acquitted (naturally to their own rejoicing) on the grounds that they were acting morally, that they were motivated by a desire for historical justice. Their defence lawyers told the jury that the four were “on the right side of history”—as, of course, Edward Colston had believed himself to be more than three centuries earlier.

A Labour Member of Parliament rejoiced at the verdict almost as much as did the accused. He said, “A British jury has confirmed the toppling of Edward Colston’s statue was not a criminal act. The real crime was the fact the statue was still there when protesters pulled it down. Today’s verdict makes a compelling case that the majority of the British public want to deal with our colonial and slave-trading past.”

Let us pass over the fact that a single jury of twelve (of whom one voted for conviction) cannot be taken to represent the majority of a population of scores of millions, and that a different jury might have found differently: what is remarkable about the MP’s response is that it does not consider the implications of the verdict if it were to set a precedent.

It would mean that acts normally considered criminal would cease to be so provided that those who committed them were “on

the right side of history” and were motivated by what they claimed to be profound moral sentiments (but which are actually very superficial indeed).

On reading of the acquittal, I could not help but think of the attempted assassination of General Trepov by Vera Zasulich in 1878. Trepov, the Governor of St Petersburg, had ordered the flogging of a prisoner, Arkhip Bogolyubov, a revolutionary, after the latter refused to remove his cap in Trepov’s presence. Zasulich, herself a revolutionary, shot and wounded, but did not kill, Trepov in an act of revenge.

Zasulich, who was motivated by moral outrage, was subsequently acquitted at her trial, which was turned *de facto* by the defence into a trial of the victim, Trepov.

At the time, the acquittal was seen, at least by the intelligentsia, as a triumph for social justice: Trepov had got what he deserved and Zasulich was a heroine. But in retrospect, the acquittal was disastrous, for it was surely not up to citizens to decide who could rightfully be shot, and there was no doubt as to the facts of this case, which were even more certain than in the Bristol case.



Statue of George Floyd unveiled in Brooklyn, N.Y.

The verdict in a court of law had undermined or was in complete contradiction to the concept of the rule of law or even of the need for law at all. If citizens could with impunity carry out acts of revenge in the name of justice, what need of such cumbersome procedures as trials?

But as Francis Bacon, lawyer and philosopher put it four centuries ago, “Revenge is a kind of wild justice, which the more man’s nature runs to, the more ought law to weed it out.”

He continued: “For as for the first wrong, it doth but offend the law; but the revenge of that wrong, putteth the law out of

office." In other words, if every man can break the law when he feels so inclined by his sense of outrage, there remains no law.

The Zasluch acquittal was a stage on the slippery slope to Bolshevism, responsible for more violent deaths in a week than the Tsarist regime in a century.

While the statue of Edward Colston was being pulled down, statues of George Floyd were being erected. This was surely very curious. George Floyd's moral qualities as a person were not relevant to the question of the wrongfulness of his death, of course, for it is just as wrong to kill a bad person as a good; but they were relevant as to how he should be remembered.

George Floyd was guilty of many crimes, at least one of them very nasty indeed. He threatened with a gun a pregnant woman (black, incidentally) whose house he had broken into. Erecting a statue to such a man could be interpreted both as a glorification of armed robbery and as the grossest of misogyny.

It seems to me obvious that no statue should be erected to him. Victimhood is no virtue and cannot redeem a crime. To erect statues to him is nothing short of disgraceful, and to turn him into a hero is, or ought to be considered, an insult to black people everywhere.

Feeling as I do about this, however, does not entitle me to pull the statues down where they have been erected legally. I can argue against them, campaign and start petitions for their removal, and so forth, but I cannot take the law into my own hands.

Moreover, even if I succeeded in my campaign, I should be inclined to preserve the statues somewhere or other rather than to destroy them—as monuments to human folly and moral confusion. It is always timely to be reminded of human folly

and moral confusion.