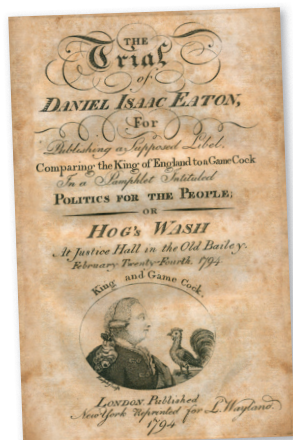


A heroic journalist

Geoffrey Bindman QC celebrates Daniel Isaac Eaton: a champion of free expression



As the Leveson inquiry examines the misdeeds of some media organisations, with a view to some form of regulation, it is as well to be reminded of the courage of journalists and

publishers who resisted the efforts of past governments to regulate and restrict press freedom. We must not forget our long history in Britain of governments using law to suppress dissent. Leveson beware!

Daniel Isaac Eaton, born in 1753, went to prison for publishing the works of Tom Paine. In the aftermath of the French Revolution, he was the leading printer of pamphlets advocating democratic reform. He vigorously defied the efforts of the government to silence him. Between 1793 and 1812 he was prosecuted no less than eight times.

It was a dangerous time for those who sympathised with the aims of the French republicans, even if like Eaton they opposed the use of violence. The government of William Pitt responded to the alarm of the upper classes with repression. Radical publishers were a particular target.

In 1790 Edmund Burke had published his "Reflections on the Revolution in France", condemning popular government. He arrogantly described the impoverished masses as "the swinish multitude." Burke's attack on the revolution brought forth a famous answer: the first part of Tom Paine's "Rights of Man".

Many of Eaton's pamphlets were written by himself with titles like "Pearls before Swine" and more directly "An Address to the Hon Edmund Burke from the Swinish Multitude". He was prosecuted for seditious libel for publishing works by Paine. The jury found that he had published Paine's

work without criminal intention, thus producing a legal conundrum. Was he convicted or not? The question was never answered, so he remained at liberty. The government launched a second prosecution with the same result.

Heavy-handed humour

Encouraged by these escapes, Eaton produced even more provocative and witty publications. His sense of humour seems a bit heavy-handed today. Burke's pig remark was worked to death. Eaton published a periodical which he called "Hog's Wash; or a Salmagundy for Swine". Early in 1794, he was prosecuted again. In "Hog's Wash" he had published a parody by John Thelwall about King Chaunticleer, the despotic gamecock who ruled the roost in the farmyard. It ended "the best thing one could do, for cocks or hens, or men and women, was to rid the world of tyrants". The authorities read this as an attack on King George and thus a seditious libel. Eaton was triumphantly acquitted by the jury. There was huge public acclaim for the result and medallions were struck in his honour. Typically, he relied on the privilege for reports of court proceedings to publish an account of the trial.

Among his satirical pamphlets was "The Pernicious Effects of the Art of Printing upon Society Exposed". Addressed to "the friends of social order", it mocks the Pitt government. "Let all printing presses be committed to the flames," says Eaton, "let political clubs and associations of all kinds be suppressed, excepting those formed for the express purpose of supporting government; and lastly issue a proclamation against reading, and burn all private libraries."

After Eaton's third acquittal, the government launched treason trials against several radical campaigners: Hardy, Tooke, Thelwall, and others. Surprisingly, they did not include Eaton. The treason trials also ended in triumphant acquittals by the jury.

The effect at first was a flurry of radical activity in London. Eaton published "Tribune", John Thelwall's periodical—the

title adopted in the modern socialist weekly once edited by Michael Foot. However, by the end of 1795, the government had got its act together and legislation was introduced banning seditious publications and restricting public meetings. These laws were described by Samuel Taylor Coleridge as "detestable" and "iniquitous, since they would kill off all who promulgate truths necessary to the progression of human happiness". The two Acts—the Seditious Meetings Act and the Treasonable Practices Act—were devastatingly effective. For one last time the pig joke re-surfaced:

"Having destroyed the best men in the nation, we SWINE if we are not mistaken, must screaming and gnawing our tongues for vexation; be butcher'd and made into bacon."

In July 1796, Eaton was again prosecuted twice. This time he was found guilty on both charges, but while still free he escaped to the US, where he remained for five years.

When he returned to England in 1802, the law caught up with him. He was bankrupted and imprisoned. Pardoned in 1805, he scraped a living by selling patent medicines, as well as books, but by 1810 he managed to get back on his feet and once again sold the works of Tom Paine.

The age of reason?

This time, Paine was writing against revealed religion, attacking the authority of the Bible in "The Age of Reason". A government spy bought a copy from Eaton's shop and a prosecution for publishing a blasphemous libel followed. The attorney general conducted the prosecution and Eaton presented his own case, characteristically spelling out all Paine's arguments in the knowledge that he could publish the trial record with impunity later. Eaton was convicted and punished with 18 months in Newgate prison following the humiliation of having to stand in the pillory. He was so popular that instead of the usual barrage of rotten eggs, decaying vegetables and other refuse, he only received applause and sympathy. The poet Shelley published a celebrated letter condemning the verdict and sentence.

At a time when some journalists have betrayed the values of their profession, we should remember its heroes. NLJ

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