Kinder Scout and the legend of the Mass Trespass*

by David Hey

Abstract

For many years Kinder Scout was the scene of bitter conflict over public access to moorland. The Mass Trespass from Manchester in 1932 is now credited by every journalist and even by some historians as the turning point in the battle for ‘the right to roam’ over forbidden lands. In reality, the story is far more complicated than the legend that has grown up around this single afternoon stunt. The Mass Trespassers were totally ignorant of the achievements of the previous generation; they did not continue their demonstrations; and it was the persistence of the long-established rambling associations that eventually achieved success.

The Mass Trespass of 1932 is regularly offered as a simple explanation of the triumph of the ‘right to roam’ movement. Even the Ramblers’ Association, whose members strongly opposed it at the time, now joins in every anniversary with loud praise for Benny Rothman and the hundreds of Mancunian youths who accompanied him up the western edge of Kinder Scout on a Sunday afternoon in springtime, forcing their way past a small group of gamekeepers armed with sticks. The harsh prison sentences on five of the leaders were headlined in national and local newspapers and, amidst widespread sympathy for these youths, a legend was born that this ‘direct action’ brought success to what had been a feeble, ineffective campaign led by middle-aged and middle-class men. But another 68 years were to pass before the Countryside and Rights of Way Act (2000) enshrined the ‘right to roam’ in law. An alternative view, held by many seasoned ramblers at the time, was that the Mass Trespass was a one-off stunt organized by the Communist Party, which did far more harm than good.

The Kinder Scout plateau looms large on the Peak District horizon. Together with Bleaklow to the north, it is the ultimate challenge to local ramblers. It can be seen from parts of Manchester and from the moorland edges of the city of Sheffield, yet at the beginning of the twentieth century public footpaths skirted it but did not provide routes over the top, which was preserved for the rearing and shooting of grouse. The etymology of Kinder is unknown, but this obscure hill name is thought to be of pre-English origin.\footnote{Kenneth Cameron, The place-names of Derbyshire (3 vols, 1959), I, pp. 114–15; Paul Brotherton, ‘Celtic place-names and archaeology in Derbyshire’, Derbyshire Archaeological J., 125 (2005), pp. 100–37.} The hamlet of Kinder within the township of Hayfield was recorded in Domesday Book, but it shrank to a single farm and is now submerged under a reservoir. The ‘Scout’ part of the name is derived from an Old Norse word for the ‘overhanging cliff’ on the western side of the plateau, where spray from

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the stream is often blown by the harsh winds back over the edge. Kinder Scout – or simply Kinder – is now the term for the whole of the extensive moor that was once divided between the townships of Hayfield, Edale, Hope and Hope Woodlands. Rising to 2,088 feet above sea level, the blackened peat groughs of this desolate area pose a formidable challenge to ramblers in wet, misty weather, but on a sunny day when the heather is in bloom, few walks are more rewarding (Map 1). It was not until 1958 that the public was allowed to roam unchallenged across the whole of this moor, even though it was never in the first rank of those that were managed for shooting grouse.²

I

In the middle years of Victoria’s reign, long before working-class rambling societies were formed, middle-class people could usually walk across the Peak District moors without too

² The question of the struggle for access to moorlands, with some comments on the experience of the Peak District, has also recently been discussed by R. W. Hoyle, ‘Securing access to England’s uplands: or how the 1945 revolution petered out’, in Rosa Congost and Rui Santos (eds), Contexts of property. The social embeddedness of property rights in historical perspective (2010), pp. 187–209.
much trouble, especially if they tipped the gamekeepers. On a ramble in 1880, Louis J. Jennings wrote that the ‘Bradfield and Derwent Moors lie away to the north, Abney Moor to the south, and the Hallam Moors to the east, all with good paths over them in various directions’. These paths had not yet been closed by the landowners. But when he walked up Kinder Scout from the Snake Inn, Jennings found that his path was:

soon lost amid the heather and furze, and the traveller must make out a track for himself as well he can ... The first discovery which my inquiries brought to light was that the Kinder Scout is regarded as strictly private property, and that it is divided up among numerous holders, almost all of whom are at loggerheads with each other and with the public ... There are said to be certain public rights of foot-way, but they do not appear to lead to the best points, and even in regard to these are constant disputes. Moreover, they are hard to find amidst a labyrinth of heath and ferns. It is not unusual for the gamekeepers to turn strangers back even when they are upon the paths which are supposed to be fairly open to all ... You get permission from three or four different holders, and find that there is still another who bars the way ... personally I experienced no inconvenience whatever. 3

Disputes over rights of way increased when the grouse-shooting moors were managed more carefully in the late Victorian era. 4 In 1877 the ancient path from Hayfield to the Snake Inn via William Clough, around the northern side of Kinder Scout was closed by landowners in an illegal action that was nevertheless approved by the Derbyshire quarter sessions three years later. On 29 July 1894 an anonymous letter in the Manchester Guardian pointed out that the forbidden access to Kinder Scout was part of a larger problem. More and more stretches of moorland were being closed to ramblers and no organization existed to preserve old-established rights of way. Five days later, W. H. Chadwick of Gorton convened a meeting in the Piccadilly Restaurant, Manchester ‘to consider the best means of securing the public rights of way over Kinder Scout from Hayfield to the Snake Inn’. It was resolved ‘That a society be formed to preserve public rights of way within 50 miles of Manchester and such society be called “The Manchester and District Footpaths Preservation Society”’. The name was soon changed to the Peak District and Northern Counties Footpaths Preservation Society, a body that flourishes to this day and whose characteristic green signposts can be seen on the local moors. 5 Members of the new society met with the Duke of Devonshire and asserted the right of walkers to the William Clough passage over his moors; they offered to prove this at law, but sought a compromise that would satisfy the sporting interest, for they recognized that grouse shooting was the only value of properties on the bleak plateau of Kinder Scout.

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5 <www.peakandnorthern.org.uk/about-us/history.htm>. The new society benefited from the remaining funds of the defunct Manchester Society for the Preservation of Ancient Footpaths, founded in 1826, which was concerned with local paths but not those within the Peak District. For the history of early footpath societies and the growth of rambling see Harvey Taylor, A claim on the countryside: A history of the British outdoor movement (1997). On p. 54 Taylor notes that ‘Rambling as a distinct recreational activity emerged during the period of widespread anti-industrialism in the last quarter of the nineteenth century’. 
On 24 September 1896 the *Manchester Guardian* reported that the society had:

happily succeeded in its first enterprise. The favourite route over Kinder Scout, from Hayfield to the Snake Inn, has been secured for ever to the public. All that remains to be done is to form a path, erect signposts, and build a small bridge over the Lady Brook near the Snake Inn. Everyone will then be able to take this delightful walk through some of the finest and wildest scenery in the Peak District without let or hindrance. This peaceful victory over the landowners, who threatened for a time to close the path, although within the memory of man the public had always enjoyed the right of way, speaks volumes for the energy and tact displayed by the officials of the Society. The appeal the Society now makes for £500 to pay the legal and other costs incurred in securing the footpath, will gain a ready response.

The path was formally re-opened on 29 May 1897 by the President, Sir William H. Bailey, the Salford engineer who lived at Sale Hall (Cheshire), and the occasion was attended by a large body of subscribers and friends.

The PD&NCFPS soon discovered that the newly formed reservoir companies were as hostile to ramblers on their water-gathering grounds as were the grouse moor owners. For instance, when the reservoirs in the Upper Derwent Valley were constructed, protracted negotiations were necessary before all the threatened paths were secured or satisfactory substitutes were created. Ramblers were turned back on the eastern side of the reservoirs from Slippery Stones until the Society took up the matter with the owner and enforced the right of way.6

II

In 1900 George Herbert Bridges Ward (Figure 1) formed what he described as ‘the first Sunday workers’ rambling club in the North of England’, the Sheffield Clarion Ramblers. It was to become the most active group in the access movement during the first half of the twentieth century and Ward became widely known as the vociferous ‘King of the Ramblers’. His group took their name from the socialist weekday paper, *The Clarion*, which Robert Blatchford, a Manchester journalist, had founded four years earlier. Its socialism was of the William Morris rather than the Karl Marx variety and it was popular with members of the outdoors movement. Numerous Clarion Cycling Clubs, Clarion Glee Clubs and Clarion Cafés were set up in various parts of the country; in 1919 the Manchester Clarion Café (opened eleven years earlier) was where the Manchester Ramblers’ Federation was formed. Bert Ward inserted an advertisement in *The Clarion*, inviting local readers to join him on a strenuous 20-mile ramble around Kinder Scout on Sunday 2 September 1900, meeting at Sheffield Midland station to catch the 8.30 am train to Edale. Eleven men and three women took up the invitation; they probably already knew each other.7

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7 This account of Ward is based on his writings in the various handbooks of the Sheffield Clarion Ramblers, which he edited. See David Sissons (ed.), *The best of the Sheffield Clarion Ramblers’ Handbooks: ‘Ward’s Piece’* (2002). I have also benefited over the years from the personal reminiscences of ramblers who knew Bert Ward.
The choice of travel by rail was significant, for the line through the Hope Valley to Manchester (with a station at Edale) had been opened in 1894. Now, ordinary people from the industrial cities on either side of the Pennines had quick and cheap access into the heart of the Peak District, including Kinder Scout. The first ramble (a hard walk which Ward had reconnoitred the week before) followed the ancient footpath along the southern side of Kinder Scout, past Barber Booth and Upper Booth farms, up Jacob’s Ladder to Edale Cross, and down to lunch and a sing-song at Hayfield. The party returned via the William Clough footpath around the northern side of Kinder Scout to the Snake Inn, the path that had been re-opened three years earlier. Tea for 14 was ordered at the inn, to the surprise of the staff – who had to bake fresh bread and cakes – and after another sing-song and long walk the return train was caught at Hope, arriving back in Sheffield at 8 pm. ‘What a day!’ Ward kept repeating, ‘Pioneers, oh pioneers’. He was asked to organize five more walks the following year. From such modest beginnings a mass movement was created.

Bert Ward was born in 1876 in Sheffield, where his ancestors had long been employed in the local metal trades. Bert’s father, who was also named George Bridges Ward, was a lasting influence who introduced the boy to the joys of rambling and writing poetry. Bert also followed his father in becoming a Sunday School teacher, but in his twenties he turned from religion to politics and became attached to the growing socialist movement as an active trade unionist with the Amalgamated Society of Engineers. From 1903 to 1911 he served as the secretary of the newly formed Sheffield branch of the Labour Representation Committee, the forerunner of the Labour Party. Later, he became distrustful of politicians, but he kept his moderate, non-violent socialist beliefs all his life. These beliefs were reinforced by those of another socialist who had settled near where Ward and his wife had gone to live on the edge of the moors in 1915: Edward Carpenter, the radical thinker of Millthorpe.

Ward and other Clarion Ramblers used to meet in a shed by the Royal Oak, close to Carpenter’s house; Sheila Rowbotham, Edward Carpenter: A life of liberty and love (2008), p. 311.
An unusual aspect of Bert Ward’s early life was his trip as a young man to the Canary Islands, an exotic destination in those days. It seems to have been paid for by small legacies from his father and maternal grandfather. This stimulated a great interest in Spain and Spanish politics. He became fluent in Spanish, befriended two Spanish politicians, and in 1911 published a book entitled *The truth about Spain*. The considerable collection of books that came to light when his daughter died a few years ago shows that he was a well-read man with wide interests.9

The year that his book was published, he changed career in an unexpected direction. He became a civil servant at the Sheffield and Brightside Labour Exchange. Then, during the First World War, he was posted to the Ministry of Munitions in Whitehall. Upon his return in 1919 he became a conciliation officer in industrial disputes. This seems a far cry from his days as an active socialist and, indeed, it brought scorn from many who had known him when he was young, but he seems to have been effective at the job. So we have a curious picture of a man who spent his working life trying to reach peaceful agreements, who accepted his wife’s control of domestic arrangements, but who then strode purposefully through his front gate out on to the moors in search of an aggressive argument with a gamekeeper. It was well known amongst ramblers that Bert Ward could be ‘a cantankerous old so-and-so’.

Rambling was not just a leisure pursuit for Bert Ward. To him, looking and thinking as he walked were as important as the physical exercise. He spoke of ‘the trinity of legs, eyes and mind’. Vigorous walking across the moors, battling with the elements, was manly and character building. His slogan ‘A rambler made is a man improved’ appeared on the front of the Sheffield Clarion Ramblers’ publications from 1906 onwards. Another favourite one was ‘The man who never was lost never went very far’. Exceptionally long, arduous walks were organized under the slogan, “To be a Clarion Rambler, and learn to be a man”.10 Ward issued an annual prospectus for the group in 1902 and by 1912 these had grown into what are now a famous series of handbooks, each of which contained about 100 pages of notes, essays on the history and natural history of the local landscape, local lore, poems, stories and anecdotes, maps and photographs, advertisements, and articles about walking in other parts of Britain. Ward believed that the leaders of every ramble should have interesting information to pass on about the local and natural history of the countryside. He spent many hours in the archives section of Sheffield Central Library searching for historical evidence to support his campaign to get moorland paths reopened, and in 1912 he founded the Hallamshire Footpath Preservation Society to further this sort of work. His involvement in ascertaining rights of way broadened into a wider interest in the historical landscape. He was an active member of the Sheffield-based archaeological and local history society and he was a prominent founder member of what was to become the Sheffield and Peak District Branch of the Council for the Preservation of Rural England.

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III

The Sheffield Clarion Ramblers were always to the fore in the long campaign for access to mountain and moorland. They held their first trespass, which Ward organized in 1907, with an overnight ramble over Bleaklow, the forbidding moor at the summit of the Snake Pass, just north of Kinder Scout. Ward walked where he wanted and was strong enough and sufficiently fierce-looking to deter assault by all but the most hostile gamekeeper. He sought the moral high ground, convinced that the landowners were acting illegally in stopping ancient paths and bridleways across the moors. He was undaunted by the rank of the landowner, on one occasion accepting an invitation to put his case to the Duke of Norfolk in Derwent Hall. He was always one of the speakers – and usually the most forceful – at the rallies held in Winnats Pass, the limestone gorge near Castleton, from 1926 every year until the outbreak of war in 1939, which were jointly organized by the Manchester and Sheffield Ramblers’ Federations in support of Trevelyan’s Access Bills in parliament. At first Ward’s favoured course was to negotiate limited access agreements with landowners, such as that over the Dore to Hathersage bridleway, which was agreed in 1928. Where there was no evidence of a former right of way, he was prepared to accept a permit allowing him to cross a moor, as a first step in the wider campaign for the ‘right to roam’ over uncultivated land. Now that cheap travel by rail into the heart of the Peak District had made the forbidden lands accessible to ramblers, they demanded not just the restoration of old rights of way but the freedom to wander at will over some of the wildest terrain in England.

In the 1920s trespassing on the forbidden summits of the grouse moors was far more common than is now generally realized, though rambling clubs were wary of doing this as organized groups for fear of legal action. The minutes of the Sheffield Clarion Ramblers for 1921, for example, record (ungrammatically) that it was:

Agreed that there be two Midnight Rambles, despite some fears that the Kinder and Bleaklow tops, thanks to the Club’s years of propaganda and practical education were now constantly trodden by Sheffield and Manchester ramblers, that since the end of the war the gamekeepers were keeping strict watch and public opinion, if steadily growing, was not sufficiently pronounced for an officially organised club party to go with importunity and defy the consequences.

The fiercest and most persistent enforcer of injunctions against trespassers was James Watts of Cheadle, a Manchester businessman who owned that part of Kinder Scout which included the Downfall. His concern was that uncontrolled access would mean that the moor would

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11 Taylor, Claim on the countryside, p. 85, observes that the most important and active campaigning federations in England were those in Manchester and Sheffield. On p. 122 he notes ‘an influential Liberal parliamentary lobby, which introduced access bills on nine occasions between 1884 and 1909’.

12 Ibid., ch. 4. Ward insisted that the ‘right to roam’ should be accompanied by responsibility. Throughout his life, this former Sunday School teacher continued to offer character-building advice with commandments such as ‘New members should not defile moor or field with paper or orange peel or leave gates open’.

13 Sheffield Clarion Ramblers’ minute books. I am grateful to Terry Howard for access to these.

‘soon lose its entire sporting value’, a fear that has not been realized on grouse-shooting moors since ‘the right to roam’ was established in 2000. In 1923 Watts procured an injunction against Ward forbidding him from trespassing there or inciting others to do so. The Sheffield Clarion Ramblers formally placed on record its ‘detestation at the selfishness, arrogance and lack of public spirit shown by Mr Watts and expressed their deepest sympathy to Ward, accepting that no other course was open to him but to sign the undertaking’. A fund was opened to defray his legal expenses and a subsequent meeting:

voiced its indignation at the arrogant manner in which a landowner in the year 1923, by means of obscure Acts of Parliament, had contrived to secure a legal victory at the expense of our public-spirited Hon. Secretary and a Fellow of the Royal Geographical Society at that.

Despite the injunction, Ward was photographed with a group of young Sheffield Clarion Ramblers in a peat grough on Kinder Scout a few months later on 13 January 1924 (Figure 2). In the Sheffield Clarion Ramblers’ Handbook for 1928–29 he observed that there was ‘no secret concerning the fact that ramblers do traverse Kinder Scout now’, despite ‘the late Mr James Watts’s efforts to prohibit access to the plateau summit’.

Four years later, just before the Mass Trespass from Manchester, Ward noted that Watts’s reward was that the ‘alluring peat-trenched summit of Kinder Scout’ was ‘overrun with ramblers of all types’. In the same handbook he reported ‘Another search on Kinder Scout’ on Sunday 22 November 1931, when a group of ramblers variously estimated at between 600 and 1,000, under the leadership of the Manchester Ramblers’ Federation, looked for a missing 17-year-old youth. Guided by the sectional leaders, who clearly knew the summit well, they

Note 14 continued
pp. 100–15. Watts threatened injunctions against ramblers, inserted advertisements with photos of ramblers in the Manchester newspapers (an example of which is reproduced by Redfearn), and offered a reward of £5 for their names and addresses.

15 Ann Beedham, Days of sunshine and rain: Rambling in the 1920s (Sheffield: privately published, 2011); the photographs are displayed at the Castleton Visitor Centre in the Peak District.
made a ‘thorough search of the top and sides of the plateau’. Even if the estimates were too high, it is likely that the number of ramblers involved in the search was greater than that of the Mass Trespass in the following year.

The historian, A. J. P. Taylor and some colleagues at Manchester University were amongst the regular trespassers. In his autobiography, Taylor recalled:

We managed at least one all-day walk each weekend, trespassing on Kinder Scout or Bleaklow. I remember one such walk when Ray Eastwood (Professor of Law) made us creep along under a wall for half a mile on the alarm that gamekeepers were on the watch for us. It turned out that there were no gamekeepers and that Ray was playing a prank on Bullock, the Professor of Italian, also with us, who was extremely law abiding.¹⁶

The Sheffield Clarion Ramblers were long involved in a struggle over the moorland route from near the summit of the Snake Pass to Glossop, known since at least the seventeenth century as Doctor’s Gate, which had been closed illegally by Lord Howard. In 1909 they walked the full length of the path; then the Manchester Rambling Club (which had been founded in 1907) did the same for the next five years. In 1911 Lord Howard agreed to re-open and repair the route, but he refused access during the breeding and shooting seasons. The campaign was renewed after the First World War and in 1921 Ward led a joint walk of Sheffield and Manchester ramblers along the route and gave the address. The protracted battle over this ancient right of way ended in victory for the ramblers in 1927.

In the same year, the Duke of Rutland, who had long been actively hostile to ramblers, had to sell his 11,533-acre moorland estate to pay for death duties. The 747-acre park around his shooting lodge at Longshaw, seven miles west of Sheffield, was treated separately in the sale and a ‘Longshaw Committee’ was immediately formed to raise funds to purchase the park and to hand it over to the National Trust. In the words of G. H. B. Ward, it was ‘in effect, a ramblers’ committee; for the names of [its members] bring to mind the doers of many doughty deeds and walks, and one is proud to be associated with them’. They comprised several Sheffield industrialists and professionals, Ethel Gallimore of the CPRE (as Secretary), a representative from the Peak District and Northern Counties Footpaths Preservation Society, and Phil Barnes and Stephen Morton, two young activists in the Sheffield Clarion Ramblers. By January 1928 over £9,000 of the £14,000 that was needed to complete the purchase had been raised. The handover of the deeds eventually took place before a large crowd that assembled in front of the Lodge in 1933.

In these early disputes the rambling organizations were well served by officers who were lawyers and who knew how costly legal action would be. It was not until 1929 that the Peak District and Northern Counties Footpaths Preservation Society resorted to a court case. This involved a footpath dispute at Benfield, where the local council refused to take any action to establish the public right of way. Several demonstrations were arranged over a five-year period, including one that involved more than 200 people, but the obstructions were always replaced by the farmer until a member took out a summons against him and won the case in court.

In the later 1920s and 1930s cheap rail and bus fares encouraged many more working-class

people to walk for pleasure in the British countryside. Rambling became a mass activity, encouraged by such bodies as the Holiday Fellowship, the Co-operative Holidays’ Association and the Youth Hostel Association. It has been estimated that about 10,000 people visited the Peak District each summer weekend. Federations of rambling clubs were formed in several provincial cities, led by Manchester (1919), Liverpool (1922), and Sheffield (1926; a union of fifteen clubs which Ward was instrumental in creating). In 1927 representatives from many parts of the country met at Hope in a historic first meeting, chaired by the President of the PD&NCFPS. It was becoming apparent that the outdoor movement needed a national body to represent the interests of ramblers. This came about in September 1931 when delegates from around the country attended a meeting at Longshaw Lodge, as a result of which the National Council of Ramblers’ Federations (the forerunner of the Ramblers’ Association) was established. This meeting was convened by Bert Ward and Stephen Morton, the young Sheffield Clarion Rambler who was the Secretary of the Sheffield Ramblers’ Federation. Together with Tom Stephenson, a Lancashire man who had been imprisoned as a conscientious objector in the First World War and who was now a part-time agent for the Labour Party, and Phil Barnes, a young draughtsman whom Stephenson described as ‘a dedicated Sheffield rambler and persistent trespasser’, these working men were the chief campaigners for access to the forbidden moors. Yet, the legend of the Mass Trespass of 1932 has it that the early rambling clubs consisted of middle-aged, middle-class, easily cowed people who achieved nothing.

IV

The man who organized the Mass Trespass in 1932 was a likeable, stocky fellow, well under five feet tall, called Benny Rothman. He was born on 1 June 1911, the middle of five children of Jewish Romanian parents who had come to Britain via America at the turn of the century. His father ran hardware stalls at Glossop and Shaw markets. Rothman won a scholarship to the Central High School for Boys in Manchester, but had to leave at the age of fourteen to earn his living as an errand boy at a city garage. He soon saved enough money to buy a bike and cycle to north Wales, where he climbed Snowdon. ‘I was the only person up there’, he said. ‘It just hit me, that great open view with the sea all around.’ As a teenager he joined the Young Communist League and was once arrested and fined a week’s wages for chalking a slogan on the pavement outside a police station. He was a regular attender at the Sunday night debates at the Manchester Clarion Café, where Independent Labour Party members, Trotskyists, socialists and communists of all kinds harangued each other.

As the Secretary of the British Workers’ Sports Federation, a subsidiary of the Young Communist League, Rothman organized a camp for the London section at Rowarth in the High Peak over Easter 1932, where he attempted to lead a small group up on to Bleaklow but was turned away by abusive and threatening gamekeepers. This was the spark that ignited

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the Mass Trespass a few weeks later. ‘Back at the camp’, Rothman recalled, ‘we decided that if, instead of six or seven, there’d been 40 or 50 of us, they wouldn’t have been able to do it’.

The Mass Trespass, and the reactions to it, can only be understood in the political context of the times. The British Workers’ Sports Federation had no previous interest in the access movement, and after 1932 it played little, if any, part in the campaign. It had been formed as a result of a split within an earlier organization that had been established in 1923 under the auspices of the Clarion Cyclists. Its stated goal was international unity and peace through sport, but the organization was infiltrated by the Communist Party, whose members advocated a more militant approach. In 1930 Labour Party members and trade unionists left the organization and regrouped; the BWSF became the Communist Party’s sporting organization with sections covering most sports, especially football, cycling and rambling. The various ramblers’ federations feared a take-over by Communists – and indeed by Fascists who were also trying to infiltrate the outdoor movement – and they believed that their recent gains, such as at Doctor’s Gate and Longshaw, would be imperilled by militant action. By his own admission, Benny Rothman knew nothing about the history of the access movement and he acknowledged later that it had been a mistake to antagonize the main body of ramblers, who should have been useful allies rather than opponents. In his own words, ‘We were newcomers to rambling’.

In mid-April the twenty-year-old Rothman went to the offices of the Manchester Evening News where he was interviewed about his proposal for ‘direct action’, beginning with a demonstration at Hayfield recreational ground at 2 pm on Sunday 24 April. The Manchester and District Ramblers’ Federation condemned it and the Sheffield Clarion Ramblers refused their support. Rothman duplicated leaflets to hand out at railway stations. One given out at Eccles read: ‘If you’ve not been rambling before, start now, you don’t know what you’ve missed. Come with us for the best day out that you have ever had’. The ‘Mass Trespass’, as it was called even before the demonstration was held, was to be a political statement, a merry jaunt, not a strenuous hike lasting all day. Seasoned ramblers must have sniffed at the idea of a two o’clock start and a return before nightfall, covering a mere six miles.

It is difficult for a historian to make sense of the varied accounts, both at the time and later, of what took place on the day and at the subsequent trial, for even the recorded dates of the court cases and the names of those involved are sometimes contradictory. The Mass Trespass attracted support from 15 Lancashire branches of the BWSF and two from Sheffield. Estimates of the numbers involved vary considerably, as they always do on public occasions.

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20 Rothman, 1932 Kinder Trespass, p. 48: ‘We should never have antagonised the leadership of the Ramblers’ Federation and those rambling leaders who had worked hard over a long period of time’.


22 ‘This is particularly evident on the numerous websites devoted to the Mass Trespass. Rothman, 1932 Kinder Trespass, p. 7: ‘Even at the time of the trespass itself, there were as many versions as there were newspaper reports, and since 1932 many and often contradictory accounts have been written’.
Benny Rothman claimed that 600–800 followed his lead, but the *Manchester Guardian*, whose reporter accompanied the trespassers, guessed 400–500; other claims were lower. The police were out in force at Manchester London Road and other railway stations, where they intended to serve an injunction procured by Hayfield Parish Council on Rothman, but he went on his bicycle. (The Hayfield Parish Council at its meeting on the previous Tuesday had taken steps to stop the protest meeting on its recreation ground, in accordance with its by-laws.) The Deputy Chief Constable of Derbyshire, the clerk of the Parish Council, and a large body of policemen were also there to enforce the law. The protesters therefore abandoned the speeches and set off in fine weather in the direction of Kinder Scout, singing as they marched. One press report claimed that they sang ‘The Red Flag’ but Benny Rothman remembered several renditions of ‘It’s a long way to Tipperary’. The protesters were overwhelmingly young men; a few young women were kept to the rear in case violence broke out.

It was only when they arrived at Hayfield that the leaders decided which route to take. They were warned off trespassing on the water-gathering grounds of Stockport Corporation’s reservoir below Kinder, which had been opened in 1911, and decided not to complicate matters by protesting against this institution as well. They proceeded along the lane to a quarry, where Benny Rothman was lifted on to a protruding rock to give an inspiring speech. Then off they went along the footpath to William Clough, oblivious of the history of the earlier struggle to keep this way open (Figure 3).
Having passed the reservoir, they turned off the path and began the ascent of Sandy Heys on the western edge of the Kinder plateau. At the top of the first steep bit, 40 or 50 of the trespassers were confronted by eight gamekeepers. One of the trespassers recorded that:

the keepers had sticks, while the ramblers fought mainly with their hands, though two keepers were disarmed and their sticks turned against them. Other ramblers took belts off and used them, while one spectator at least was hit by a stone. There will be plenty of bruises carefully nursed in Gorton and other parts of Manchester to-night, but no-one was at all seriously hurt except one keeper, Mr. E[ward] Beaver, who was knocked unconscious and damaged his ankle. He was helped back to the road and taken by car to Hayfield and to Stockport Infirmary. He was able to return home to-night after receiving treatment. After the fight the police chiefs, who had accompanied the Mass Trespassers, left them alone to their great though premature relief. The fight over, we continued up-hill, passing on the way a police inspector bringing down one rambler, who was subsequently detained at Hayfield Police Station.23

Another trespasser recalled that, ‘The keepers offered little or no resistance and we just walked past them’.

Benny Rothman, who had not been involved in the short fight, claimed that, ‘We were then on the top of Kinder Scout’. In fact, they had only reached the north-western tip of the plateau. It seems that, unlike the numerous ramblers who had trespassed on Kinder Scout before them, they had little idea of where they were. They needed to turn right towards Kinder Downfall, the most famous place on the escarpment, and to proceed on to the moor itself. Instead, they turned left and then descended to Ashop Head, where they held a jubilant victory meeting. It is ironic that this took place on the public footpath that had been re-opened in 1897. Tom Stephenson claimed that the Manchester trespassers never got on to Kinder Scout.24 Tom Stephenson was right.

At Ashop Head the Manchester trespassers were joined by a party of about thirty from Sheffield, who had walked up the public footpath known as Jacob’s Ladder from Edale and who must have been bewildered when the main party moved off in the opposite direction. Having been congratulated by Rothman, the trespassers were warned that some of them might be unfortunate enough to be fined, and to meet any costs the hat was passed round.

The group then returned along the public footpath to Hayfield, where a policeman suggested that they followed his car in procession, still 200 strong, and singing triumphantly until five men, identified by a keeper, were arrested; as we have seen, another man had been detained earlier. One of the trespassers wrote later, ‘The rest of the now doleful procession was carefully shepherded through Hayfield while, as the church bells rang for Evensong, the jubilant villagers crowded every door and window to watch the police triumph’.25

This was not a matter of social class, as has sometimes been suggested, for Hayfield was an

24 Tom Stephenson, Forbidden land: the struggle for access to mountain and moorland (1989), pp. 153–64, where he notes that at the 50th anniversary of the Mass Trespass Benny Rothman and Ewan MacColl both agreed with him that on reaching the top of Sandy Heys the party turned towards Ashop Head for their celebrations.
industrial village consisting largely of workers’ cottages. Rather, it was the ancient antagonism between town and country. The villagers were delighted that the rowdy Manchester youths had got their ‘come-uppance’. Those arrested were aged between 19 and 23: John Anderson (21), Jud Clynes (23), Tony Gillett (19), Harry Mendel (23), David Nassbaum (19), and Benny Rothman (20). The youthful militancy and exuberance of the Mass Trespassers was to become an important part of the legend. On 11 May they were brought before a court at New Mills on a charge of riotous assembly and were sent to await trial at Derby assizes. There the jury consisted of military officers and country gentlemen who had nothing in common with the young Manchester communists, half of whom were Jewish (as the judge pointed out). The jury had no hesitation in finding five of the defendants guilty of riotous behaviour, but the other was released on lack of evidence. John Anderson was sentenced to six months imprisonment for occasioning bodily harm on the keeper, Benny Rothman was put in Leicester gaol for four months, and the other three received shorter sentences. One of the six, Tony Gillett, was a university student who came from a wealthy banking family; he was offered the chance to apologize but he refused and so was sent to prison.26

Before the trial the trespassers had not received much public support. The mainstream rambling bodies, which had used organized trespass before in defence of footpaths, were angry that these young Manchester communists had, as they saw it, ruined their patient lobbying work. Philip Daley of the Manchester Ramblers’ Federation (and later a member of the Ramblers’ Association Executive) spoke for many when he said that it was ‘a positive hindrance and deterrent to the discussions and negotiations to secure the freedom of the hills’.27 The turning point came with widespread disgust at the harsh sentences, which were out of all proportion to the crimes; the Manchester Guardian captured the public mood when it said that the trespass had resembled a university rag and should have been treated as such.28 By trying to teach these Manchester youths a lesson, the military men and country gentlemen on the jury had shot themselves in the proverbial foot. The sentences received national publicity, nearly all of it hostile. At a gathering for the seventieth anniversary of the Mass Trespass in 2002, the eleventh Duke of Devonshire (1920–2004) said that the decision to prosecute ‘was a great shaming on my family and the sentences handed out were harsh’.29

While awaiting the trial at Derby, the BWSF sent members to the annual Winnats Access Rally on the last Sunday in June, where they heckled the speakers, C. E. M. Joad, the philosopher and broadcaster, and the MP for the Blackley Division of Manchester, P. M. Oliver.30 Nevertheless, the Manchester Ramblers’ Federation made an appeal for clemency to the Home Secretary, which fell on deaf ears. Stephen Morton thought that the Mass Trespass was ‘entirely political’ and achieved nothing. Tom Stephenson was dismissive of the whole affair. ‘The Mass Trespass’, he wrote, ‘was dramatic, yet it contributed little, if anything, to the access campaign’.31

26 His account of the Mass Trespass appeared in The Student Vanguard, 1 (i) (Nov. 1932).
27 Howlett, Pioneer Ramblers, p. 193.
28 Ibid., p. 193.
30 It is commonly claimed that 10,000 people attended that year’s rally, because of the public reaction to the sentences, but photographs taken on the occasion show that this figure is wildly exaggerated.
claimed that public interest soon faded and that perhaps the best thing to stem from the episode was Ewan MacColl’s song, ‘The Manchester Rambler’, whose stirring chorus went:

I’m a rambler, I’m a rambler from Manchester way,
I get all my pleasure the hard, moorland way,
I may be a wage slave on Monday,
But I’m a free man on Sunday.

At the time of the trespass MacColl was 17-year-old Jimmie Miller from Salford. Unlike many of the others, he had been on previous moorland rambles and he was involved with the publicity before the event. He went on to become a well-known actor, singer, and writer of protest songs, but he did not take an active part in the continuing campaign for access.

Far from being the start of a mass movement for access to the moors, the demonstration from Manchester was not repeated. When he was released from gaol, Benny Rothman had no job to return to, so he became a full-time political activist for the Young Communist League, further north in Burnley. There, he helped to organize a prolonged but unsuccessful strike of textile workers at Moor Loom, before returning to Manchester, where he worked as a garage mechanic, then in an aircraft factory and at Metropolitan Vickers in Trafford Park. He helped to organize anti-fascist demonstrations and trade union activities but was no longer involved in trespassing. The British Workers’ Sports Federation proved to be an ephemeral organization and the Manchester youths who had taken part in the Mass Trespass were not called upon to repeat their experience.

The initiative passed back to the older rambling organizations that were grouped together within the Manchester and Sheffield Ramblers’ Federations. A second mass trespass, this time across the Bradfield Moors, was organized for 18 September 1932. This route had long been championed by Bert Ward, who had undertaken much historical research to show that this public right of way from the Upper Derwent Valley to Bar Dyke had been laid out in the Bradfield Enclosure Award of 1826 and had since been closed illegally. Ward chaired the meeting of the Sheffield Ramblers’ Federation that discussed the proposal and suggested that the representatives of the majority of the clubs that favoured it should go ahead and organize it; he provided advice and wished them well but did not take part as he was opposed to violence. About 200 people walked from the Middlewood tram stop on the northern outskirts of Sheffield on to the moors at Bar Dyke and along ‘The Duke of Norfolk’s road’ to the escarpment overlooking Abbey Brook, where about 100 permanent and temporary gamekeepers, armed with pick shafts, were gathered down in the valley below, expecting the ramblers to come from the opposite direction. With them were about half a dozen police who were determined to keep the occasion low-key. After a two-mile uphill walk the gamekeepers

32 MacColl changed his name when he emerged from hiding as a deserter from the Army at the end of the Second World War. His parents were Scottish and he had a great interest in Scottish literature and song. He wrote ‘The Manchester Rambler’ a few months after the trespass. See Ben Harker, Class act: the cultural and political life of Ewan MacColl (2007), which devotes only a few pages to the trespass, as not being of lasting significance in MacColl’s career, apart from his song. On p. 32, in a discussion of the size of the crowd on the trespass, Harker notes that ‘MacColl, with characteristic hyperbole, usually put the figure at 3,000, but on occasion went as high as eight or 9,000’.
engaged in a brief scuffle with the ramblers, who having made their point, sat down and ate their sandwiches before returning to Bar Dyke. The gamekeepers were furious with the police, who declined to make any arrests, but the wisdom of this strategy ensured that the event was relatively peaceful and therefore starved of publicity. A smaller attempt at trespassing along Stanage Edge on 16 October was stopped by mounted police and foot police with Alsatian dogs, and a planned trespass along Froggatt Edge never materialized; according to Stephen Morton, it ‘died from apathy’. Winter set in and nothing more was heard about mass trespassing. Nor had any gains been made by the access movement.33

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In 1935, the National Council of Ramblers’ Federations changed its cumbersome name to the Ramblers’ Association on a motion proposed and seconded by two prominent members of the Sheffield Clarion Ramblers, Stephen Morton and Phil Barnes. In the first year of its life, the Ramblers’ Association had almost 1,200 individual members and over 300 affiliated rambling clubs, though the Manchester Federation did not join until 1939. It was the RA that continued the access campaign once most of the Mass Trespassers had lost interest. Their objective was to obtain an act of parliament that would allow ‘the right to roam’ over mountains and moorland.

In 1934 Phil Barnes, who had been involved in the Sheffield-organized Abbey Brook trespass, published a booklet, with Ward’s enthusiastic endorsement, in which he showed that the owners of the 17 Peak District moors where access was refused comprised three dukes, one earl, two knights, two army officers, eight industrialists and one local authority. Barnes argued that: ‘No true hill lover wants to see more footpaths in the wild heart of the Peak each nicely labelled with trim signposts and bordered by notices telling one not to stray. What he does want is the simple right to wander where fancy moves him’.34 Meanwhile, in 1933 Tom Stephenson (1893–1987) had become a journalist, writing about the countryside for the Labour-supporting newspaper, the Daily Herald. He addressed the annual Winnats Pass rally the following year, then in 1935 he wrote about his inspired idea of a ‘Pennine Way’, stretching from Edale and Kinder Scout to Scotland. From 1948 Stephenson was the Secretary of the Ramblers’ Association, although the post did not become a full-time salaried position until 1952. He was a tireless campaigner for walkers’ rights and he personally organized well-publicized treks in the Pennines for influential Labour MPs, lobbying their support.35

The Access to Mountains Act (1939), introduced as a private member’s bill by Arthur

33 Howard Hill, Freedom to Roam: the struggle for access to Britain’s moors and mountains (1980), pp. 69–73. Hill was an active trespasser and the only Communist on Sheffield council, though he had been elected as a Labour candidate and lost his seat in 1946 when he stood as a Communist; C. Binfield et. al., The history of the City of Sheffield, 1843–1993 (3 vols, 1993), I, Politics, p. 105.

34 Phil Barnes, Trespassers will be prosecuted: Views of the forbidden moorlands of the Peak District (1934), pp. 9–11. Barnes later became the Lancashire secretary of the CPRE.

35 Following continuing pressure from the Ramblers Association, the Pennine Way Association, and other walkers’ groups, the Pennine Way was designated as Britain’s first official long distance footpath in 1951 and was opened on 24 April 1965, 30 years after Stephenson’s original article. It was soon followed by other trails, many of which were based on routes proposed and surveyed in detail by the Ramblers’ Association.
Creech Jones, the Labour MP for Shipley, on behalf of the Ramblers’ Association, proved a great disappointment for it was savaged by Conservative MPs, with numerous amendments and clauses that limited access and penalized trespassers. The lobbying on behalf of the bill included an RA deputation to the Parliamentary Secretary, consisting of four prominent members: Bert Ward, Phil Barnes, Alfred J. Brown and C. E. M. Joad.

In fact the act was a dead letter, being overtaken by the war. The access campaign was in one sense put on hold during the war years, but during these same years the Ramblers forged strong links with the Labour Party and acquired some well-placed and prominent supporters. It was a reflection of changed attitudes that John Dower’s report on the new national parks (1945) proposed a legal right to roam over all uncultivated land in England and Wales.

The election of a Labour government in 1945 brought a new impetus to the lobbying by the RA, the CPRE and other bodies for the implementation of Dower’s recommendations, which, although somewhat watered down, culminated in the National Parks and Access to the Countryside Act (1949). Ten national parks were created in the upland parts of Britain, starting with the Peak National Park in 1951, but the act also provided for the establishment of agreements for public access to the forbidden moorlands. From Easter 1954 the 11th Duke of Devonshire allowed the public to roam over his part of Kinder Scout, and four years later agreement was reached on access across the remaining part of the Kinder plateau after the Peak Park Planning Board had threatened to issue orders on 15 owners. Meanwhile, in 1957 the Duke of Devonshire allowed access over Bleaklow, which was soon to be crossed by the Pennine Way. Important as these concessions were, they did not lead to outright victory for the ramblers. The water companies, concerned about possible pollution of their reservoirs, sometimes issued permits to ramblers, but other landowners continued to refuse access. It was not until the end of the twentieth century, 68 years after the Mass Trespass, that the Countryside and Rights of Way Act, passed by another Labour government, granted everyone the ‘right to roam’ in open countryside.

Bert Ward died long before the battle was won and his influence declined as he grew old. A reward for his achievements came on 8 October 1945 when the Sheffield and District Federation of Ramblers’ Associations presented him with the deeds to the 54½ acres of ‘Ward’s Piece’ on the summit of Lose Hill, across the Edale valley from Kinder Scout, which he immediately handed over to the National Trust. On 6 July 1957, shortly before he died, he was presented with the honorary degree of MA by the University of Sheffield, when the Public Orator said: ‘no
man could have worked more tirelessly for the preservation and accessibility of our countryside heritage and especially of the incomparable Peakland. No man, in the last half century, could have done more, by precept and example, to foster the true spirit of rambling. Finally, on 29 September 2009, Ward’s Croft was opened as a garden at the educational resource, the Moorland Discovery Centre at Longshaw, by Linda Raby, his granddaughter.

In the 1960s and 1970s left-wing intellectual and political interest in the historical struggles of the working classes, starting with the writings of E. P. Thompson and leading to confrontational politics, stimulated the growth of the legend of the Mass Trespass in which ‘direct action’ by working-class groups (preferably those inspired by Marxism) was regarded as the triumphant way forward. At the same time, ‘The Manchester Rambler’ became a great favourite in the folk song revival. But Ewan MacColl’s energies were concentrated on theatre and folk song and little more was heard of Benny Rothman in the campaign for access before 1982, when he was invited to join the 50th anniversary commemorations organized by the Ramblers’ Association, whose new generation of members seemed to be unaware that their organization had once bitterly opposed Rothman. The truth had been forgotten and, thanks to the great publicity it received at the time, the legend took over. So much so, that nowadays it is common to read on websites that the Ramblers’ Association was founded in 1935 as a result of the Mass Trespass! In fact, on 1 January of that year it merely changed its name from the National Council of Ramblers’ Federations, which, as we have seen, had been founded at Longshaw in 1931. Yet in the 1980s David Beskine, the RA’s access campaigner, was pleased to use this charismatic figure from the past: ‘You can always rely on Benny for a bus-load of demonstrators’, he said. Rothman was encouraged to publish his account of the trespass for the 50th anniversary and to use his talents as a speaker at rallies and on radio and television. The Mass Trespass certainly played an important part in publicizing the struggle for access, but the 50th anniversary celebrations elevated it to the status of a media icon. Tom Stephenson’s opinion of the ‘spate of press publicity’ was that much of it was ‘misinformed and contrary to authentic available records’. Subsequent anniversaries have re-enforced the legend as a slick and simple explanation of how the ‘right to roam’ was won. No doubt the 80th anniversary celebrations in 2012 will mislead us further.

41 E. P. Thompson, *The making of the English working class* (1963). Bill Keen, who was on the Mass Trespass from the Sheffield side, said in retirement that the event was forgotten for about 40 years until it was taken up by a younger generation (David Sissons, pers. comm.).

42 It was recorded, for instance, by the Spinners, one of the most popular folk groups of the time. One is reminded of Tom Lehrer’s satire of the protest song movement in ‘The Folk Song Army’ on the LP record, ‘Tom Lehrer: That was the year that was’ (1965): ‘Though he [Franco] may have won all the battles, we had all the good songs’.

43 With his first wife, Joan Littlewood, MacColl founded Theatre Workshop and after many years of touring moved to London. He became a prominent figure in the folk song revival of the 1950s and 1960s. His later songs included ‘The ballad of Stalin’ and ‘The ballad of Ho Chi Minh’. See Harker, *Class act*.

44 In fact, the fiftieth anniversary marked the emergence of a new militancy amongst the Sheffield ramblers: Sissons, *Right to roam*.


46 New Mills Central Station has a mural that was commissioned by Northern Rail and Hope Valley and High Peak Transport to celebrate the 75th anniversary of the Mass Trespass, and the former New Mills police station has a commemorative plaque.