**ROGER CASEMENT’S TWO TRIALS**

**Jeffrey Dudgeon**

**[Edited version of this published in *The Revolution Papers 1916-23*, No. 3, January 2016]**

When Roger Casement was captured in Kerry on Good Friday, 21 April 1916, after landing off a German U-boat, he was spirited to London. His fate was to be entirely different from the other leaders of the Rising who were court-martialled and shot in Dublin within days. Casement was subjected to a public trial and then executed by hanging three months later on 3 August. This ensured his status as a patriot martyr even though he was trying to get the Rising called off.

The British establishment required him to answer for his crimes in London for he was not just an Irish rebel but a traitor, having been one of their own. His life was subject to four leading securocrats who ensured he would hang: Reginald Hall of MI5, Basil Thomson of Scotland Yard, Ernley Blackwell of the Home Office and F.E. Smith (Carson’s Galloper), the Attorney General who would prosecute him at his Old Bailey trial.

Casement’s fate was pre-sealed, which did not mean the quartet were certain he would escape the gallows. They made every effort, proper and improper, to ensure both conviction and execution. Only one person could have obtained clemency; neither the Prime Minister nor any Cabinet Minister, some who actually knew Casement, but US President Woodrow Wilson.

The other trial started on Tuesday 25 April when boxes left at 50 Ebury Street, a rooming house where Casement sometimes stayed, were brought into Scotland Yard. The contents included three journals and a cash ledger. These, the so-called Black Diaries, frequently described homosexual encounters.

London had first known of Casement’s homosexuality in December 1914 when his companion Adler Christensen betrayed him to British diplomats in Norway. However nothing was made of it by the Government. Only when the diaries were examined, did the four, provided with such a smoking gun, act to exploit his sexuality. Diary pages were shown to selected Irish nationalists seeking mercy, to the Archbishop of Canterbury’s representative, and to journalists, but the exact details never surfaced. The Daily Express however repeatedly reported that Casement was “a moral degenerate, addicted to unmentionable offences”, citing the diaries as proof. The Liberal establishment recoiled at the notion of smearing Casement, and belatedly tried to stop distribution.

Casement’s first requirement was to get a lawyer. This proved difficult as several prominent barristers declined to defend him. His solicitor, George Gavan Duffy, ultimately used his brother-in-law Serjeant Sullivan. He fought a hopeless case valiantly, even though as a Home Ruler he disliked Casement. Money was tight and the majority of the fees were paid by Arthur Conan Doyle, an old friend of Casement. $5,000 was brought over from John Devoy by US lawyer, Michael Francis Doyle, but mysteriously was never accounted for. Casement’s eponymous cousin in Ballycastle also contributed, despite having four sons serving in the war. Several of Casement’s friends who knew the truth tried to talk to him of the other charges but Gavan Duffy wisely shut them up.

Casement’s defence was a technical one – that the treason law excluded acts committed abroad, in his case Germany. His political justification in a memorable speech from the dock could only be made after the jury convicted him. He asked, “What is the fundamental charter of an Englishman's liberty? That he shall be tried by his peers. With all respect I assert that this court is to me, an Irishman, a foreign court – this jury is for me, an Irishman, not a jury of my peers.” Oddly, he still “welcomed the coming of the Ulster Volunteers, even while we deprecated the aims and intentions of those Englishmen [i.e. F.E. Smith] who sought to pervert to an English party use”.

To discourage American clemency efforts, significant figures there were shown copies of diary pages which emphasised two aspects of Casement’s sexual life: his occasional high octane sexual activity lasting several days, mostly in Peru, and the young age of some he groomed and pursued. The former was probably more telling.

The British Ambassador in Washington was Sir Cecil Spring Rice, a political Liberal and Irish Home Ruler. He also wrote the lyrics of the patriotic hymn, *I Vow to Thee, My Country*. One of his cousins Mary was famously pictured running guns into Howth on the Asgard with Molly Childers. Ironically another of his cousins, Commander Francis Spring Rice RN in Kerry was involved in hunting Casement’s arms ship, the fake Norwegian steamer ‘Aud’. At least a dozen plaintive telegrams went to the Foreign Office from Spring Rice advising of serious difficulties in America if Casement was executed yet the Ambassador was simultaneously advising Irish American and Catholic leaders of Casement’s moral impurity.

Despite these efforts there was no discernible effect on press or political opinion in the US, the Senate pressing ahead with a motion calling for clemency on 29 July. Exceptionally, Casement’s quarrelsome sister Nina who was living in the US did write of a woman calling her brother “an Oscar Wilde” who was then “struck several blows with an Irish blackthorn stick”!

Woodrow Wilson told his private secretary James Tumulty, an Irish-American, “It would be inexcusable to touch this…It would involve serious international embarrassment.” Despite some suggesting Wilson was influenced by his Ulster Protestant ancestry, it was good relations with London that weighed most heavily on him. He was also very aware of Casement’s recently revealed contribution to the extensive German sabotage campaign in America. There was to be no Presidential intervention, the one man who could have saved him.

Casement was finally guaranteed the gallows because of the co-incidental outcry in England over the execution on 27 July by Germany of Captain Charles Fryatt. His cross-channel ferry had rammed a German submarine. He was court martialled and shot as a British *frank-tireur*. A reprieve would in these further circumstances have been politically untenable.

Sir Ernley Blackwell coolly advised the Cabinet, “I see not the slightest objection to hanging Casement and afterwards giving as much publicity to the contents of his diary as decency permits so that at any rate the public in America and elsewhere may know what sort of man they are inclined to make a martyr of.”

Diaries or no diaries, Casement was going to hang. The fact of his lifestyle did not exacerbate public opinion on either side of the Atlantic, suggesting a degree of tolerance to sexual diversity. As a traitor to England, in wartime, he was doomed. His other trial continues to this day.