THE TRIALS OF OSCAR WILDE

Alan Wilson QC

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On 14 February 1895 Oscar Wilde's artistic career reached its zenith when the play generally regarded as his best, *The Importance of Being Earnest*, opened at St James' Theatre London. One of the leading actors, Allan Aynesworth, said: '*In my fifty-three years of acting, I never remember a greater triumph than* [that] *first night*'.[1]

Four days later the Marquess of Queensberry left a card at Wilde's club, the Albemarle. It read: *'For Oscar Wilde, posing somdomite'.* With that small misspelled card, what Wilde's grandson Merlin Holland has called '*an unfurling tragedy*' began.[2] It ended with Wilde's disgrace, imprisonment, and early death.

The story of Oscar Fingal O'Flahertie Wills Wilde is a story of genius, of love, of hubris – and, ultimately, of a kind of self-immolation by litigation.

Love was the key to Wilde's downfall, not because of its kind or nature, but because he allowed his beloved, Queensberry's son Lord Alfred Douglas (whom everybody called 'Bosie'), to manoeuvre and inveigle him into the fateful litigation.

Of course, his affair with Bosie occurred, as the best of his biographers Richard Ellmann[3] has said: '*… in a clandestine world of partial disclosures, blackmail, and libel suits*' and it was that world which formed the backdrop to his downfall. That dark curtain behind the stage only loomed because Wilde's love for Bosie was – at least in its physical manifestation – against the law. It was known, at the time, as '*the love which dare not speak its name*.' The last vestige of that condemnation only disappeared this year when Wilde and 50,000 others were pardoned under what is called the *Alan Turing Law* – the UK *Policing and Crime Act* 2017. Queensland has recently followed suit.

Wilde's genius was, as much as anything, one of personality: he was larger than life, and he had a facility for witticisms and *bon mots*, many of which live on.
But he was also highly intelligent, and highly talented. Richard Ellmann, an eminent professor of English literature as well as a biographer, says[4] of him:

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[1] Hesketh Pearson, *The Life of Oscar Wilde.* Penguin, 1985, p 18

[2] Merlin Holland, *Irish Peacock & Scarlet Marquess: The Real Trial of Oscar Wilde.* Harper Collins, 2003, p xx

[3] Richard Ellmann, *Oscar Wilde.* Hamish Hamilton, 1987, p 553

[4] Ellmann, p 553-554.

We inherit his struggle to achieve supreme fictions in art, to associate art with social change, to bring together individual and social impulse, to save what is eccentric and singular from being sanitized and standardized, to replace a morality of severity by one of sympathy. He belongs to our world more than Victoria's.

The hubris can be traced to some combination, Ellmann also said, of Wilde's dandyism, aestheticism, extravagance, flamboyance, imagination, self-advertisement, ambition, recklessness and indiscretion. We will return to it because, as his cross-examination by Sir Edward Carson during his trial revealed, it was his Achilles' heel: it meant that he could not resist making self-adulatory remarks which, at times, veered too close to the foolish – and, ultimately, did much to bring him down.

Wilde was born into financial and intellectual privilege in Dublin in 1854. His father was a prominent surgeon (and irrepressible philanderer) and his mother, Jane, was a poet and Irish nationalist. We can see Wilde's genes in her. In her correspondence, she called herself not Jane but 'Speranza'. She had, it is said, 'a sense of being destined for greatness'. For herself, she said that she would like to '*… rage through life – this orthodox creeping is too tame for me*'.[5]

She told Yeats: '*I want to live in some high place… because I was an eagle in my youth.* Wilde once announced that he and his mother had decided to found a society for the suppression of virtue and, as Ellmann points out, it says something for their kinship of minds that either of them might have originated the idea. [6] It is not at all difficult to see where Oscar might have gotten the idea that he was special – and that life, as much as it is anything, is performance.

He was a bright child and a clever young man. He read classics at Trinity and, in 1874, won the Berkeley Gold Medal, the university's highest award in classical Greek. He went to Oxford with a scholarship and read Greats at Magdalen, and graduated with a double first. His poem 'Ravenna' won the Newdigate Prize in 1878.

While at Oxford he was strongly influenced by Walter Pater and his theories of aestheticism – a philosophy neatly, if a little brutally, captured in the aphorism '*Art for art's sake.*' Pater wrote in a way we now see as florid and over-excited but something in his style attracted the bright young men of Oxford at the time, like Wilde and Gerard Manley Hopkins. He described the ideal life in words that, plainly, resonated with Wilde: '*To burn always with this hard, gem-like flame, to maintain this ecstasy, is success in life*'*.* Pater also, unforgettably, said that we should '*get as many pulsations as possible into the given time*'[7]. His influence on Wilde was profound; if nothing else, it gave Oscar an intellectual cloak for his natural predilections – flamboyance in dress, and behaviour, and speech.

After Oxford, apart from two brief visits to Ireland, Wilde always lived in London or on the Continent. He had produced lyrics and poems since his days at Trinity. His poetry was collected as early as 1881 and published in a style which typified his artistic theories: it was not enough that the poems should speak for themselves; they

[5] Ellmann, p 5

[6] ibid., p 9

[7] Walter Pater, *The Poems of William Morris.* Westminster Review, 1868

appeared in a volume bound in a rich enamelled parchment cover, embossed with a gilt blossom, and printed on hand-made Dutch paper.[8]

In 1882 Wilde toured America – which, largely, went mad about him. He dressed extravagantly and spoke, according to the *New York World,* in hexameters. He told Americans that he was there'… *to diffuse beauty, and I have no objection to saying that.*'[9] He met everybody, including Whitman, and Longfellow, and Henry James and Oliver Wendell Holmes; and, everybody wanted to meet him. He lectured on the need for '*a new birth of the spirit of man*' to be achieved, he said, through a more gracious and comely way of life, a passion for physical beauty, attention to form rather than content, and a search for new forms of art and intellectual and imaginative enjoyments.[10]

He tried a number of things in the 1880s: play-writing, short stories, essays and even magazine editing. In 1884 he married Constance Lloyd, the daughter of a London silk, who had a generous allowance from her father. They had two sons, Cyril born in 1885 and Vyvyan in 1886. But it was also in that year, 1886, that his life became more complicated: he met and fell in love with a man – Robert Ross. In so far as it was possible at that time, Ross was what we would today call 'out'.

Wilde is remembered, today, for his four great comedic plays; his other scandalous play, *Salome*: his tragic poem *The Ballad of Reading* Gaol; his very long letter to Bosie, written while he was in prison, and published as *De Profundis*; and, for his novel *The Portrait of Dorian Gray.*

First published in a magazine[11] and later in a revised form as a book, *Dorian Gray* caused a sensation. Its plot device is well-known: the central character unconsciously enters into a pact with the devil and, as he grows old, remains youthful while a portrait of him ages hideously in his attic. What is less well known is its moral ambiguity, which was shocking at the time.

Two features of the book were also factors in Wilde's subsequent downfall, and his trial: first, its emphasis on male beauty; secondly, the effect upon the hero of a French book, '*A Rebours*' ('Against Nature') by Joris-Karl Huysmans, published in 1884. Under the influence of this book, Gray experiments with vice in all its forms; it is said that he '… *ruined men and women alike'*.[12]

Wilde met Bosie in June 1891. Bosie's was a student at Oxford, and a budding poet. His contemporaries say, and photographs confirm, that he was very good looking. Wilde gave his character Dorian Gray '*a face like ivory and rose leaves*'; plainly, as Oscar's letters make clear, he thought the description applied to Bosie. Like Robert Ross, Bosie made little effort to hide his sexual bent. That was not as controversial as it might sound, despite the era. Times were changing: as one vocal student friend

[8] Oscar Wilde, *Poems*. David Bogue, 1881
[9] Ellmann, p 152
[10] ibid., p 157
[11] *Lippincott's Monthly Magazine*, 20 June 1890
[12] Ellmann, p 301

and supporter said '*If Bosie has really made Oxford homosexual, he has done something good and glorious.*'[13]

Like many tragedies, what is striking about the saga of Wilde's downfall is the recurring presence of irony, and coincidence: Wilde's first dealings with Bosie involved helping him with a threat of blackmail from someone who had gotten hold of one of Bosie's indiscreet letters. Wilde put him in touch with Sir George Lewis, a prominent solicitor, who had previously helped Wilde in a similar scrape, and he sorted Bosie's matter out with a payment of 100 pounds. Lewis later represented the Marquess in Wilde's proceedings, at least when they began. From the first, their relationship was redolent of the risk of blackmail, and the presence of lawyers.

Wilde's already flamboyant and expensive lifestyle accelerated under the effects of his affair with Bosie. His play *Lady Windermere's Fan* was a great success and he spent much of its profits on rich living, with Bosie as a principal beneficiary.

But Wilde's life also changed in another, dangerous way: Bosie was fascinated by young men who, for a few pounds and a good dinner, would prostitute themselves and he took Wilde into this world.[14] Bosie already knew a man called Alfred Taylor, who introduced them to a number of men, most of whom were quite young, uneducated, and in poorly paid menial positions or out of work. Taylor, and some of those men, played a central role in the later trials.

Bosie also came into Wilde's life with terrific baggage in the form of his family and, in particular his father John Sholto Douglas, the ninth Marquess of Queensberry. Pugilist, poet, and philanderer, Ellmann describes Queensberry as someone who was always '*… raging publicly and indecorously against someone else's creed. He fancied himself as an aristocratic rebel, socially ostracised because of his iconoclasm.*'[15]

Queensberry quickly came to the view that there was something amiss in his son's relationship with Wilde. He thought he had a lot to worry about, where his sons and homosexuality were concerned. His eldest son and heir, Drumlanig, was private secretary to Lord Rosebery, Gladstone's Foreign Minister, and Queensberry suspected they were having an affair. In 1893, he had followed Rosebery to Bad Homburg with a dog whip, and was only dissuaded from using it by the Prince of Wales.[16] Drumlanig died in what was described as a shooting accident, but was probably suicide, in 1894.

The Marquess' worries at this time did not end with his sons: later that year, 1894, he married for the second time to a young woman who left him almost immediately and started proceedings for an annulment, alleging '*malformation of the parts of generation*' and '*frigidity and impotency*'. A father of four, divorced by his first wife for adultery, he was now in the public eye again for highly embarrassing reasons; his three sons all seemed to him to be of dubious character and were disrespectful, and

[13] Ives Journal, Texas
[14] Ellmann, p 366
[15] ibid., p 365
[16] ibid., p 381

only his daughter was not estranged from him. He had been delighted when Bosie went up to Oxford but was devastated when he left without taking his degree, and he blamed Wilde.

All of this made his behaviour more eccentric, and outrageous. Ellmann says of him: '*… this man would prove to be a formidable antagonist, eager for public gestures, as arrogantly indifferent as Wilde to what the world thought of him, and much less vulnerable.*'[17]

The events which led to Wilde's downfall began to coalesce. In April 1894 Queensberry wrote to Bosie: '*I come to the more painful part of this letter – your intimacy with this man Wilde… I am not trying to analyse this intimacy, and I make no charge; but to my mind to pose as a thing is as bad as to be it. With my own eyes, I saw you both in the most loathsome and disgusting relationship…*'.

Bosie replied with a telegram: WHAT A FUNNY LITTLE MAN YOU ARE'.[18] Queensberry wrote back: '*You impertinent young jackanapes… I will give you the thrashing you deserve.'*

Queensberry began to do what we would now call 'stalk' Wilde. He accosted Oscar in cafes, and in his home. Wilde seems to have taken all this reasonably well and managed, indeed, to both calm and charm Queensberry during some of these encounters. But they must have been fraught, and Bosie exacerbated things: he wrote to his father saying he was now carrying a pistol, and that Wilde would prosecute him for libel.[19]

Wilde found himself, as Frank Harris described it, between the bark and the tree[20]; he had become an instrument in Bosie's ancient battle with his father. Knowingly or not, Bosie was acting in a way in which he appeared to demand positive action from Wilde, as a token of his love.

In February 1895 Queensberry threatened to create a scene involving a large bouquet of vegetables at the opening night of *The Importance of Being Earnest*, but was diverted. Wilde, hearing of the threat, had consulted a solicitor called Charles Humphreys about an injunction. A few days later, Queensberry left the critical, abusive card at the Albermarle, Wilde's club. Wilde didn't see it for another ten days but, when he did, went immediately with Bosie and Robbie Ross to consult Humphreys.

The solicitor asked him if there was any truth in the implied allegation of sodomy, and Wilde denied it. He told Humphreys he couldn't afford litigation but Bosie intervened and guaranteed the costs because, he said, his family had '… *suffered too long from* [Queensberry's] *irrational and abusive behaviour.*'[21] They all went to the magistrates' court in Great Marlborough Street, intending to take steps to start a private

[17] ibid., p 366
[18] ibid., p 394
[19] Ellmann, p 396
[20] Rupert Hart-Davis (ed.), *The Letters of Oscar Wilde*, 1962 pp 438, 446
[21] Holland, p xxii

prosecution for criminal libel. A warrant was issued and Queensberry was arrested the following morning. Sir George Lewis appeared briefly for him, but then passed the matter to another solicitor, Charles Russell.

Times have changed: the case features several events that surprise us today. So, for example, Russell consulted his father the Chief Justice about suitable counsel and Lord Russell recommended retaining Edward Carson. Carson had only been admitted to the English Bar a short time earlier but, in Ireland, he was well-known as a leading barrister and he had taken silk there in 1889. He was a contemporary of Wilde's at Trinity and was, initially, reluctant to take the brief.[22]

Russell, funded by Queensberry, engaged private detectives who quickly found Alfred Taylor and, in his flat, a '… *kind of post-box containing the names of boys with whom Wilde consorted.*'[23] The solicitor showed this evidence to Carson who, still reluctant, consulted the former Lord Chancellor, Lord Hailsbury, who urged him to take the case. '*College loyalty faded before Protestant morality.*'[24] When Wilde heard that Carson was to lead the defence, he is quoted as saying: '*No doubt he will perform his task with all the added bitterness of an old friend*.'[25]

At this early stage, ignorant of what Queensberry's private detectives were digging up, the principal worry for Wilde and his lawyers was whether a jury might think that *Dorian Gray* was an immoral book. Frank Harris agreed to testify that it was not, but he and George Bernard Shaw also met Wilde at the Café Royal and tried to talk him out of the prosecution. No jury, they said, would convict a father for protecting his son – and, some letters from Wilde to Bosie which had come into Queensberry's hands would, they were concerned, suggest that Bosie did, actually, need protecting. Bosie was outraged, and took Wilde out of the cafe.

The law required that a defendant in a libel action enter a Plea of Justification, with particulars, before the trial began. Queensberry's pleading accused Wilde of soliciting twelve 'boys', of whom ten were named, to commit sodomy. This was shocking but, again, Wilde denied all these allegations to his solicitor. Another count alleged, as expected, the immorality of *Dorian Gray.*

We know much more about the trial today than any of Wilde's biographers or, indeed, any commentators in the twentieth century. Until 2000 it was thought a full transcript did not exist so that the *Notable British Trials* series published in 1948[26] contained a report of only 30,000 words. While Merlin Holland, the son of Wilde's son Vyvyan, was helping the British Library prepare a celebration of Wilde in 2000, what appears to be a verbatim transcript of 85,000 words was discovered. It looks genuine; there are notes from eight separate shorthand reporters. It was later

[22] Ibid.
[23] Ellmann, p 415
[24] ibid.
[25] Holland, p xxii
[26] Hyde, H Montgomery, *The Trials of Oscar Wilde.* Dover Publications 1973

published, with a commentary from Holland and an introduction by John Mortimer, as '*Irish Peacock and Scarlet Marquess*'[27].

The trial opened on 3 April 1895 at the Old Bailey before Mr Justice R Henn Collins. Sir Edward Clarke represented Wilde. A former Solicitor-General, he had made a name for himself in high-profile cases including one in which he fearlessly cross-examined the Prince of Wales.[28]

It is generally accepted, however, that Clarke made several tactical errors. The first was that he had prepared his opening before he saw all the salacious allegations in Queensberry's Justification, and did no more than insert a short reference to them, in dismissive terms. He said: '*… these people, who may be called to sustain these charges, are people who will necessarily have to admit in cross-examination that they have themselves been guilty of the gravest offences.*'[29] In Clarke's defence, of course, he had clear instructions from his client that the allegations were untrue.

The second mistake was to introduce, during his opening, one of Wilde's more compromising letters to Bosie which, in fact, the defence had not previously known about. It handed Carson another weapon. The third, involving the abandonment of the prosecution, was the most influential and we will return to it later.

(There was, possibly, a fourth: the introduction into evidence, by Clarke, of letters mentioning the names of Rosebery and Gladstone. Publication was suppressed by the judge but the names did appear in the continental press, and probably made it inevitable that Wilde would be prosecuted when the Queensberry case was over, whatever its outcome.[30])

Clarke called the hall porter of the Albermarle to confirm that Queensberry left the card there. Then, he took Wilde through his evidence in chief in a workmanlike fashion establishing, in effect, that he had been 'stalked' by Queensberry. During some of those earlier confrontations some accusations had been made by the Marquess about his relations with Bosie, and Wilde denied them.

Carson rose. The *Daily Chronicle* of 4 April 1895 describes what followed over the next two days as '*a duel of thrilling interest. Mr Carson's wig throws his white, thin, clever face into sharp relief. When he is angry he assumes the immovability of a death mask. He is deliberate to the extreme…*'[31]

Carson's cross-examination has been much praised.[32] It is true, as Ellmann says, that: '*… Carson had so much evidence, and of such a kind, that he only needed to be persistent, not clever*' but his genius was in the way that he ordered and structured his questioning.

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[27] I am indebted to Justice James Douglas, of the Queensland Supreme Court, for bringing this book to my notice.
[28] Holland, p xxv
[29] Ellmann, p 418
[30] Ellmann, p 423
[31] Holland, p xxviii
[32] Ellmann, p 421

That said, he managed a flesh wound with just his first few questions: Wilde had said in chief that he was aged 39; Carson had known him as a child, and drew an admission that he was, in truth, over 40 – and, that Bosie was 20 when they met. It made Wilde look as sadly false and self-delusional as all who lie about their age – and also, of course, from the outset like something of a predator.

Carson's best strategic decision was to attack Wilde's literary pretensions first. I use 'pretensions' because Wilde's confidence in himself and his artistic theories, the source of his hubris, meant that he could not resist posturing and, indeed, being led into extreme and silly remarks and exaggerations. The theoretical façade provided by Pater and aestheticism had been used by Wilde so often to defend his most confrontational writing that, as Carson could reasonably anticipate, he would be unable to resist trotting it out again – and, because of its inherent extravagance and flamboyance, it was unlikely to impress a phlegmatic English jury.

Carson spent a lot of time, then, on *Dorian Gray.* That was unsurprising: the first version of it, published in a magazine, had drawn fierce condemnation for what was said to be both its immorality, and amorality. The later version, in book form, had been changed by Wilde to defuse some of that criticism. One of the passages he deleted was seized upon by Carson; a male character is speaking to Dorian: '*I have worshipped you with far more romance of feeling than a man usually gives a friend… from the moment I met you… I adored you madly, extravagantly, absurdly. I was jealous of everyone with whom you spoke.*'[33] Carson asks:

> 'Have you ever known the feeling that you describe?'
>
> Wilde: *'I think it is perfectly natural for any artist to intensely admire and to love a younger man. I think it is an incident in the life of almost every artist.'*[34]

The response is at one with a theme Wilde consistently advanced in his answers: that he is being asked about a work of art which, ultimately, has no necessary connection with the real world, or his own life, and cannot be used to condemn him. That is not an unreasonable proposition and, left there, might have provided an adequate shield. But Carson pursues the matter, and Wilde cannot help himself:

> Carson: I want an answer to this simple question. Have you ever had that feeling of adoring madly a beautiful male person many years younger than yourself?
>
> Wilde: *I have never given adoration to anybody except myself.*

The court report says 'laughter'; Oscar is playing to the gallery. But he is also playing a dangerous game: while he can argue that his art must be separated from his life, he is presenting himself as somebody who is above common mores and conventions; who is arrogant; and – and it is doubtful Wilde understood this until it was much too late – a silly, even foolish person.

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[33] Holland, p 87
[34] Holland, p 90

The day proceeds like this; Carson circles, returns, and comes at Wilde from different directions; Wilde is subtle, elusive and clever and is not, as it were, caught – except in that one respect. Whether he was conscious that answers that are *too* clever may look like arrogance, Wilde nevertheless plainly struggles not to score reciprocal points off Carson.

There are some more minor flesh wounds, as it were. Wilde admits that a book referred to in *Dorian Gray* is Huysmans' 'Against Nature' but, upon Carson suggesting to him that it is a 'sodomitical book', then reverses himself and denies the book is the one he intended to refer to. The evasion is transparent, and unsuccessful.[35]

On balance, and despite his attempts at amusing asides, Wilde has some success in resisting the notion that his books represent his lifestyle; he tells Carson '*… you must remember that novels and life are different things*'.[36]

He maintains the same defence, again with some success, to Carson's attacks on letters he had written to Bosie. Those letters had some suggestive language: '*… those red, rose-leaf lips of yours should be made no less for music of song than for madness of kissing*' but Wilde argues this is all art, just art: '*… you might as well ask me whether* King Lear *is proper, or a sonnet of Shakespeare is proper. It was not concerned with … the object of writing propriety; it was written with the object of making a beautiful thing'*.

When Carson continues to chase him he makes an effective, if typically arrogant, riposte:

> Carson: Suppose a man, now, who was not an artist had written that letter to a handsome young man, as I believe Lord Alfred Douglas is? … Some twenty years younger than himself – would you say it was a proper and natural kind of letter to write to him?
>
> Wilde: *A man who was not an artist could never have written that letter.*

The first day ends not with Wilde ascendant but at least, as his grandson says, '*full of confidence'.*[37] The transcript suggests that may be optimistic, but not entirely unreasonable. Oscar has played to the gallery and, at times, treated the court like a theatre but the effect is not inconsistent with the idea at the core of his rebuttal of Carson's attacks upon his writings, and his letters: that he is a theatrical, flamboyant person given to write and speak in terms which may seem to offend ordinary morality but which are simply manifestations of his larger-than-life personality, and cannot safely be relied upon to conclude that he is guilty of crimes in real life.

(There is an interesting side-bar to this conclusion about the outcome of the first day. It concerns the paucity and unreliability of the earlier transcripts and reports of the trial, and the mistakes into which they led earlier biographers. Philippe Julian's

[35] ibid., pp 94, 98.
[36] Ibid., p 103
[37] Holland, p xxix

biography[38] published in 1969 held that Wilde had left a 'bad impression' on the jury at the end of the day one – but Holland's transcript raises, at least, doubt about that: Wilde had not been able to fully suppress his natural bumptiousness but he was entitled not to be unhappy as he left court.)

Carson sprang his trap on the morning of the second day. He got Wilde to admit that he knew Alfred Taylor. Then, he suggested that Taylor had 'arranged' dinners for Wilde with young men; Wilde denied it but, soon, admitted he had been introduced to '*six – seven – eight*' young men by Taylor;[39] then, that he gave money and gifts to some of them; that he entertained them in private dining rooms; then, in rooms he had taken in London hotels; and, that he had taken some of them to Paris. Carson also gets Wilde to admit that all of these young men are uneducated, and did not share his interest in art, or literature, or the theatre.

Carson asks Wilde about his relations with Edward Shelley, an office boy at his publisher; Alfonso Conway, unemployed; Alfred Wood, who was Taylor's servant; Charles Parker, an unemployed domestic servant; Walter Grainger, Bosie's domestic servant: Herbert Tankard, a pageboy at the Savoy, Ernest Scarfe, an unemployed valet; Freddie Atkins, a bookmaker's clerk; and Maurice Schwabe.

Slowly and steadily, as more names appear and Wilde admits each acquaintance, the sheer number and similarity of these encounters begins to make them appear more and more dubious, and Wilde's answers steadily more foolish – and, dangerous:

> Carson: Then, do I understand that even a young boy that you would pick up in the street would be a pleasing companion to you?
>
> Wilde: *Oh, I would talk to a street Arab if he talked to me, with pleasure.*
>
> Carson: And take him to your rooms?
>
> Wilde: *If he interested me.*[40]

It begins to look worse, and worse; Carson did not really need to suggest illegal behaviour between Wilde and these young men – the very number of them, the extravagance of Wilde's entertainment of them, his generous gifts of money and things like cigarette cases and clothes and the like, piled up and became a looming avalanche of unusual, indeed dubious, conduct, for which only one possible explanation becomes more and more compelling.

Carson does put allegations of a sexual nature with some of these men to Wilde – that they stayed in hotel rooms with him, that he tried to put his hand in the trousers of one of them, and the like, all of which Wilde denies immediately and, the transcript suggests, quite vehemently – but it is the oddity, and the sheer number, of the relationships which is doing Wilde's credit steady damage.

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[38] Philippe Julian, *Oscar Wilde.* Constable & Co Ltd, 1969

[39] Holland, p 159, 163

[40] ibid., p 175

Wilde admits that one of these men, Sydney Mavor, stayed the night in his rooms at the Albermarle Hotel. Carson, for the first time, puts this allegation: '*Did any indecencies take place between you?*' to which Oscar replies: '*Oh, none, none at all.*'[41]

A moment later, Carson moves on to the seventh of these men – Walter Grainger. Wilde agrees that Grainger is 'about sixteen';[42]he served in rooms that Bosie shared with Lord Encombe. Then, the explosion happens:

> Carson: Did you ever kiss him?
>
> Wilde: *Oh, no, never in my life; he was a particularly plain boy.*
>
> …
>
> Carson: Why did you mention the boy's ugliness?
>
> Wilde: … *You sting me, you insult me and try to unnerve me in every way. At times one says things flippantly when one should speak more seriously, I admit that, I admit it – I cannot help it. That is what you are doing to me*.[43]

But in one indiscreet answer Oscar has exploded whatever credit he may have built up from his consistent denials of sexual conduct with each of these men. Suddenly, all of his denials and all of these relationships are cast in a different light, one in which physical appearance and, by strong inference, physical attraction play a role. Suddenly, an explanation for everything is supplied, not by Carson, but by Wilde himself. Carson's strategy of chipping away, using the wealth of evidence the private detectives have provided him in an undemonstrative but relentless manner, has paid the highest dividend. Shortly afterwards, Carson sits down.

Clarke briefly re-examines Wilde, but ineffectually; he has not been given sufficient instructions to even attempt to demolish the edifice Carson has built – an edifice which, to that point, has not proved illegal conduct but is logically inexplicable, and entirely mysterious, without it; what else could possibly explain Wilde's relationships with all these men?

Carson opens Queensberry's case and now, directly, provides that explanation. He does so in a way that eschews sensation or melodrama, and mirrors the structure of his cross-examination. He begins, again, with the literature: *Dorian Gray*, he says, is a book about '*… a man corrupted by another man and who by such corruption is brought to commit, or the book suggests he has committed, this sodomistic vice…*'.[44] He talks about the letters, and Wilde's 'paradoxical' conduct.[45]

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[41] Holland, p 204
[42] ibid., p 207
[43] ibid., pp 207, 209
[44] ibid., p 261
[45] ibid., p 271

Then, he throws his bomb: moving to the '*more painful*'[46] part of the case, he tells the jury he is going to call all these men and that they are going to tell of being '*brought to bed by Wilde*' and of the '*shocking immoralities*' he perpetrated. And it does not end there – hotel staff are going to testify about seeing Wilde in bed with young men, and of '*disgusting filth*'.[47]

Clarke tugs on Carson's gown. They confer. Clarke throws in the towel. He makes a belated attempt to have the judge agree to a verdict of 'not guilty' based solely upon the literature, but Carson is merciless and insists that every element of Queensberry's plea be accepted. The jury conferred for no more than a few moments, and agreed, declaring the libel to be true and published for the public benefit, and that Queensberry was not guilty.

In yet another example of the way, we all hope, things have changed the presiding judge, Collins, penned a congratulatory note to Carson later that same day: '*I have never heard a more powerful speech or a more searching Xam. I congratulate you on escaping most of the filth.*'[48]

The law moved quickly; Queensberry instructed his solicitor to send his files to the Treasury and by mid-afternoon the Home Secretary, Herbert Asquith, had instructed that a warrant issue for Wilde's arrest. Three weeks later Wilde was tried, jointly, with Alfred Taylor; the charges against Wilde were of committing indecent acts, and against Taylor of procuring them; initially there were also some conspiracy charges, dropped before the trial. Wilde was denied bail.

Sir Edward Clarke represented him, without fee. He was better prepared, and made a persuasive argument that *Dorian Gray* was neither evidence of corruption nor, itself, corrupting. He was able to establish inconsistencies in the evidence of the young men, and that some or all of them had blackmailed men they had known – and to argue that, if that was the case, then they must have had nothing on Wilde or, otherwise, they would surely have blackmailed him relentlessly. The jury was hung – albeit narrowly, as indiscreet jurors and the foreign press reported.[49]

Carson, and others, tried to stop a retrial; Wilde, they thought, had suffered enough. Wilde was allowed bail but, otherwise, his world fell apart. Bosie's family reneged on their promise to pay his costs of the libel case, and he was bankrupted and his possessions sold; his plays closed; and Constance went to Switzerland with the two boys, and he never saw them again.

Clarke then made yet another tactical mistake: he successfully applied for separate trials of Wilde, and Taylor. They would instead be tried consecutively. Taylor was tried first – and, was quickly convicted. The Solicitor-General, Sir Frank Lockwood, prosecuted: if Taylor had been convicted, how could Wilde be acquitted, on the same evidence? The judge, Mr Justice Wills, summed up mercilessly: '*It is the worst case I*

[46] ibid., p 273
[47] ibid., p 277
[48] Holland, p xxx
[49] Ellmann p 437

have ever tried, he said.[50] The jury was out for three hours, and found Wilde guilty on all charges except one. Wills J sentenced Wilde in brutal terms ('*You have been the centre of a circle of extensive corruption of the most hideous kind…* '[51]) and gave him the maximum – hard labour for two years.

Wilde's imprisonment was hard, and ruined his health. For the first 18 months he was not allowed writing materials, or access to books. When that was eased, he wrote a 50,000-word letter to Bosie, later published as *De Profundis.* It is a remarkable document: Wilde chronicles the disastrous effect Bosie had upon his life, and his work, but in very fair terms, recognising his own weakness, and failings, and attempting an accommodation of his suffering with a return to religious faith, via self-realisation. Despite its insights it is, nevertheless, florid and overblown and much of it is an elegy for his lost greatness.[52] Wilde purports to 'discover' Christ but personifies him as a kind of Christian aesthetic, saying beautiful things and writing wonderful poems.

Wilde went to France on his release in May 1897 and lived on the Continent, in impoverished exile, until his death on 30 November 1900. Bosie came to live with him for a time, but left when his father threatened to cut off his funds. Constance was giving Wilde a small allowance and she threatened to withdraw that, too. Robbie Ross stayed loyal, as did some friends like Max Beerbohm, but stories abound of a tragic figure, cadging for drinks on the Paris boulevards. One poignant encounter even involved Carson.

He could still write poems which caught the popular imagination: *The Ballad of Reading Gaol* was described by critics as 'remarkable' and 'beautiful'[53]. It contains a few memorable lines, like '*Yet each man kills the thing he loves*' but is, like so much of Wilde except the comedies, overblown and, for that reason, unconvincing.

Ellmann says he took to absinthe, and 'lolled about with young men.'[54] Constance died in 1898, but he was still denied access to his children. Queensberry died, largely friendless, in January 1900. His son Percy, heir to the title, came to see him on his deathbed, and the Marquess gathered himself just enough to spit at him.[55]

An ear injury Wilde had suffered while weak and in prison was thought to have metamorphosed into meningitis, but Ellmann is convinced his final illness was syphilitic. He could still joke; on his deathbed, he told a visitor '*My wallpaper and I are fighting a duel to the death. One or the other of us has to go.*'[56]

Some critics, including Ellmann, hold that his work lives on. Certainly, the plays survive for their humour, and wit. Another critic described him as '*… perhaps the*

[50] ibid., p 448
[51] Ibid
[52] Ellmann, p 482
[53] ibid., p 527
[54] ibid., p 537
[55] ibid., p 542
[56] ibid., p 546

greatest actor of his time'[57] and that is a conclusion that his writings, his plays, and even the trial transcript, give some support. What he acted was a prodigiously good comedian, a writer of very funny dialogue, and a cultivated and charming intelligence. What he did not know he was acting in, of course, was a scene that Max Beerbohm called '*making the unmentionable mentionable*' and dealing a first blow to Victorian taboos.[58]

That, of course, is a story for another theatre. Our primary interest is forensic. Carson did a more than competent job. Even without the stunning evidence provided through Queensberry's money and the lethal advantage it bought, he would probably have won the case on the literature alone. His careful, detailed preparation, analysing Wilde's writings meant he had already found plenty of ammunition to argue that Oscar was, indeed, 'posing'.

And that word brings up another great forensic advantage Carson had: Queensberry was not, by any account, a thoughtful or subtle man but he managed to exercise sufficient self-restraint, even in the face of convincing evidence that a more direct accusation was true, to limit what had to be proved against Oscar. In light of what is otherwise known about this '*screaming, scarlet Marquess*' (as Wilde referred to him[59]), the trap is at least surprising and, in some respects, remarkable.

Why did Sir Edward Clarke abandon the prosecution? If Carson had begun to call his witnesses, Wilde's arrest was probably inevitable – but that was already likely, because Wilde had been seriously compromised in open court. Had Clarke persisted and cross-examined them he might have been able to discredit some of their evidence – as, indeed, he succeeded in doing in, at least, the first of the subsequent criminal trials.

Another explanation has been ventured. Clarke is reported to have told a social historian and court reporter, C H Norman, that he and Carson had a private discussion after Carson's opening, the upshot of which was that the case was likely to proceed for several more days, that neither side could afford it, and that if the case was dropped nothing further would be heard of the matter; but, that gentleman's agreement was not kept. If true, it goes some way to explaining why Clarke volunteered to appear for Wilde without fee in both the later criminal trials.[60]

Clarke did say this publicly, in a letter to Robbie Ross: '*It is impossible for me to forget that, before I undertook the most painful case which I ever had to be engaged in, he gave me his word of honour as a gentleman that there was no foundation whatever for the charges which were afterwards so completely proved'.* Clarke published his autobiography in 1918; there is no mention of Wilde, or the cases, at all.

[57] Julian, p 337
[58] ibid., p 330
[59] Holland, p xvii
[60] ibid., p xxxix