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‘Ethics of Archives’ by Jeffrey Dudgeon

Paper presented at the

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In his book on the history of twentieth-century Irish sexuality,¹ Diarmaid Ferriter asks how can we tell the history of Irish sex when the only record available is that of criminalization and social stigma? Similarly, Kieran Rose of GLEN in Dublin argues that historical evidence for gay and lesbian lives and subcultures, before the 1970s, is from ‘those seeking to control homosexuality’, not from lesbians and gay men themselves.²

Rose advises that the archival record comes through many conduits: ‘the people who created them, the functionaries who managed them, the archivists who selected them for preservation and make them available for use, and the researchers who use them in constructing accounts of the past’.

Indeed there is also a danger, as Senator David Norris discovered in his 2011 Irish Presidential campaign, enemies and journalists can go through the details of one’s early career to find damaging remarks. This happened in relation to the Irish Queer Archive (IQA) recently catalogued by the National Library of Ireland (NLI).

So how did we get here, in relation to the homosexual archive?

Homosexuality by that name is, as most know, a mid-Victorian coinage, and essentially an urban phenomenon. Obviously same sex love and sex has been around from the beginning of time. It was certainly well noted in the Greek and Roman eras and occasionally esteemed, or treated as respectable, as with the Ladies of Llangollen, a Ponsonby and a Butler from Kilkenny, in the late 18th century.

¹ Diarmaid Ferriter, *Occasions of Sin: Sex and Society in Modern Ireland* (London: Profile Books, 2009)

² See Kieran Rose, *Diverse Communities: The Evolution of Lesbian and Gay Politics in Ireland* (Cork: Cork University Press, 1994).

However, history is written by the victor or whoever leaves records. Until recently, written records came in two types: those concerning the top echelons of society – the rich and powerful – and those from the bottom drawer, those being taken through the criminal courts.

Sometimes they have coincided, as with so many Irish examples: the 2nd Earl of Castlehaven, Mervyn Touchet, from Cork, beheaded in 1631 for sodomy and rape, and the Church of Ireland bishop of Waterford and Lismore, John Atherton, a leading anti-sodomy campaigner, hanged with his steward in Dublin in 1640.

Another bishop, Percy Jocelyn, of Clogher, who in 1822, was caught in a compromising position with a guardsman in the back room of a London pub. He was sacked for ‘the crimes of immorality, incontinence, Sodomitical practices, habits, and propensities’ – not to mention neglecting his episcopal duties.

Jocelyn, a brother of the Earl of Roden from Tollymore, was the most senior British churchman to be involved in a public homosexual scandal in the 19th century and indeed was the proximate cause of the Foreign Secretary, Lord Castlereagh’s suicide. It became a subject of satire and popular ribaldry, resulting in cartoons and limericks such as:

The Devil to prove the Church was a farce
Went out to fish for a Bugger.
He baited his hook with a Soldier's arse
And pulled up the Bishop of Clogher.

Ireland figures, as much, if not more, in these scandals and executions, than England or Scotland. One wonders why? Then there were the 19th century events like the Dublin Castle sodomy scandal and the Crown Jewels theft by Shackleton the explorer’s gay brother.

Harford Montgomery Hyde, the North Belfast Unionist MP (1950-59), and author of *The Other Love* and a host of books about sex and spying, Oscar Wilde and Roger Casement, mapped this pattern. Hyde led the campaign in the House of Commons to get homosexuality decriminalised, losing his seat as a result.³ Brian Lacey’s *Terrible Queer Creatures – Homosexuality in Irish History* travelled the same road, updating Hyde and adding many inferences of same-sex attraction in Gaelic literature.⁴

³ The Ulster Unionist Party has always tolerated variety in its parliamentary representation.

⁴ Brian Lacey, *Terrible Queer Creatures: A History of Homosexuality in Ireland* (Dublin: Wordwell, 2008).

A fascinating foreign archival example is ‘the Office of the Night’ that for seventy years in the 15th century sought out sodomy in Florence. 17,000 men in a city of only 40,000 inhabitants were investigated; 3,000 were convicted and thousands more confessed to gain pardon. Because of the detailed records left by the Office, it is estimated that one in two Florentine men came to the attention of the authorities for sodomy.

As an aside, and revealing what can yet be unexpectedly found in archives, I instance the discovery in the 1930s of Christopher Marlowe’s inquest record, written in Latin. It helped to reveal the intelligence complications of his violent death and that it was much more than a tavern brawl over an unpaid bill. It is well described in *The Reckoning* by Charles Nicholl, a superb piece of historical detective work.⁵

And then we have the two greatest gay men of the 20th century – Oscar Wilde and Roger Casement. Both Irish, both taken through the courts, and both the subject of an enormous amount of literature, as well as documentary archival records.

Since 1970s gay liberation, gays and lesbians are well documented, but even starting from the 1920s, personal records were made, kept and preserved in the form of letters even film, and increasingly transmuted into literature. After that has come the pre-digital deluge of archival material, both on campaigns and on the lives of the more ordinary. This is where I come in, both creating archives as a gay man and searching them as a writer, about Roger Casement, in particular.

Belfast is well stocked with libraries and repositories which are a pleasure to research in (including QUB and its magnificent new library) but for my Casement book I also worked in Kew in London (now The National Archives), the NLI in Dublin with its elegant Manuscript Room, and even in the US in the New York Public Library.

The Public Records Office, Northern Ireland (PRONI) has the NIGRA (Northern Ireland Gay Rights Association) files, catalogued⁶ and uncatalogued, for some 15 years now and latterly those early files from Cara-Friend,⁷ of gay men and women coming in from the provincial cold while the Linen Hall Library also has some gay material. In London there are the Hall Carpenter archives and, as mentioned, the Irish Queer Archive (IQA) in Dublin.

⁵ Charles Nicholl, *The Reckoning: The Murder of Christopher Marlowe* (London: Vintage, 2002).

⁶ D3762, NIGRA 1975-86

⁷ D4337, Cara-Friend

I later served on the PRONI Forum, a users' advisory committee, until it was stood down after a fracas. It was not replaced in the same form anyway, if at all, being considered too elitist and professional, failing in that form the appropriate equality proofing.

Later, I sought and achieved a change in PRONI's annual release procedures whereby they will list, from January 2014, those previously closed or redacted government files now being made public, on top of those being released under the (current) 30-year rule. These files, closed for longer periods are, by definition, the most interesting, but were normally declassified without the public (and historians and journalists) being specifically aware.

I also managed to make some progress with PRONI in helping to get their inquest records indexed, even if the documents are still subject to a 100 year rule. In the case of contemporary coroners' records, I failed to move the Minister of Justice to decline to require public listing on the Coroners Service website of contemporary inquests held and verdicts given. They remain secret unless you or the press attend the inquest itself.

Dr Ed Madden, of the University of South Carolina, has usefully written,⁸ 'at the centre of the PRONI queer archives is the collection of organizational files and related materials donated by NIGRA, and the heart of the PRONI collection must undoubtedly be the extensive documentation of Dudgeon's legal case—organizational histories and legal reform central to Irish lesbian and gay archives in both the North and the South. PRONI archives also include a relatively unused but heartbreaking and rich collection of phone counseling transcripts from Cara-Friend, which could document a very different social history of queer experience. Further, like the Irish Queer Archive, early NIGRA holdings include press clippings, which may suggest something of the deep impulse of these collections—what we might call, after Foucault, the insurrection of subjugated knowledges. They include several scrapbook annuals filled with newspaper stories about violence against gay men and simultaneous attempts at legal reform'.

In matters Casement, the NLI has index and cataloguing difficulties, not to mention provenance issues and, as they announced, last year mislaid and newly discovered files. They had been described as 'not for consultation' since the 1950s for no apparent reason. I have also found batches of folders that were numbered but failed to get on or into any NLI index or catalogue and were effectively lost for ever in its stacks. Provenance is especially important because the Casement story involves long-argued accusations of forgery and thus all his archived papers need good provenance. They haven't which only

⁸ [The Irish Queer Archive: Institutionalization and Historical Narrative](#), 21 July 2012

adds fuel to the flames. Sadly the NLI does not make its accession register publicly available, even in edited form.

There were three NLI indices in modern times, the Hayes Irish Civilisation volumes (recently digitised) for all accessions up to 1965, a card index for several decades afterwards and, since about 1990, computer-based accessions. They have also usefully created several Casement special collection lists.

There are huge, and largely unnoticed, archival gaps in Casement papers despite his prodigious industry – he once diaried of writing 50 letters in one day. This tendency answers the much asked question as to why he wrote his famous Black Diaries. He just wrote everything down and could not stop. Gaps include pretty well all the letters he received from his cousin Gertrude and his long-time Congo Reform collaborator, E.D. Morel, not to mention those from boyfriends. His Belfast solicitor friend, F.J. Bigger from Ardrigh on the Antrim Road, on instructions from Berlin, initially hid the papers kept there, and later, after reading them, burnt the diaries and presumably all the letters.

Angus Mitchell in an extensive *Field Day Review* article,⁹ has said Casement ‘understood the archive as a component of the memory of the state’, which hardly tallies with the enormous quantity of his papers scattered across the world’s archives. He was well aware of their purpose and was always keen to keep his letters and articles for posterity – as justification for his actions. Mitchell also talks of ‘[t]he avowed requirement to control archival knowledge in the name of “national security.”’ I have answered this view in my responding pieces in the online *Dublin Review of Books*. States¹⁰ and governments need some degree of secrecy, but the fact that they keep records, and ultimately release them is a matter for gratitude if not congratulations. Increasingly they store non-state material which is another cause for thanks.

In conclusion, Madden controversially asks¹¹ ‘[w]hat are the risks of institutionalization? Is the institutionalization of gay history part of the ongoing normalization and commodification of gay and lesbian culture – and if so, what resources does the archive offer to resist those current cultural and political imperatives?’

I leave his questions hanging in the air and will conclude with listing some problems and contemporary issues – the impact and archival organisation of electronic records and digitisation; the downside of FoI

⁹ See Angus Mitchell, “‘A Strange Chapter of Irish History’: Sir Roger Casement, Germany and the 1916 Rising”, *Field Day Review*, 8, 2012.

¹⁰ Part I, *Casement’s War*, <http://www.drb.ie/essays/casement-s-war>, 25 March 2013; Part II *Casement Wars*, <http://www.drb.ie/essays/casement-wars>, 4 June 2013

¹¹ <http://lgbtialms2012.blogspot.co.uk/>

with comments in government papers no longer being recorded; the surfeit of archival material that leaves nothing for the social historian except distillation, and little to the imagination for the novelist; and the issue in Northern Ireland that the paramilitaries did not self-document, certainly not as compared to the state.

Worth noting however, having only just come across it, is the Bureau of Military History in Dublin. It recorded in the 1950s, and lately digitised, the memories of the surviving Irish from the War of Independence and the Rising. Some of those records are almost literary in their descriptive quality, others honestly brutal.

Lastly, I ask if the swing of the pendulum has gone too far in the other direction and do gay men, in particular, keep too many papers?

Biography:

Jeffrey Dudgeon was the successful plaintiff at the European Court of Human Rights at Strasbourg whose 1981 judgment relating to the right to a private life led to the passing of the law decriminalising male homosexual behaviour in Northern Ireland the following year. This was a European first. He is the author of *Roger Casement: The Black Diaries - With a Study of his Background, Sexuality, and Irish Political Life* (2002) and continues to be involved in related Irish historical controversies. He worked in the Department of Health dealing with public health issues including hospital infection. He stood for a Trinity seat in the Seanad in 2011 to offer an alternative voice from Northern Ireland and was awarded an MBE in the 2012 New Year's Honours List for services to the LGBT community in Northern Ireland. He is chairman of the South Belfast Ulster Unionist Association. His website <http://jeffdudgeon.com/> has much material on the continuing Casement controversies and current LGBT and Irish political issues. The online Dublin Review of Books carries some of his latest work on Casement in Germany 1914-16. He is currently working on removing the teacher exception from fair employment law and the extension of the 2013 Defamation Act to Northern Ireland.