

Michael McDowell and the *Black Diaries* – a correspondence.

Writing in the Irish *Times* about the removing of statues and the boarding up of those in Parliament Square in London, Michael McDowell concluded: “*They shouldn’t have to be boarded up – let alone be “defended” by a self-appointed gang of racist thugs. I think the answer is more statues, not fewer.*

I don’t mind Prince Albert lurking in the bushes at Leinster House, long after his wife was removed from there and transported, like her Young Irelander rebel felons, to Australia.

Perhaps, in Pride Week, Dublin might acknowledge the glaring truth that Roger Casement was gay and give him a decent statue to commemorate his struggles for Ireland, against imperialism and for the cruelly enslaved people of the Congo and Amazon basins.” (24/6/2020).

I sent him the Spring issue of the magazine, *Church and State*, in which I had the following article on the Trial of Casement which I thought might interest him – he being a well known legal eagle:

Concerning the *Black Diaries*

The book, “*Anatomy of Lie – Decoding Casement*” by Paul R. Hyde published last year creates a new paradigm for assessing the infamous case of the alleged *Black Diaries* of Roger Casement; it establishes the case that there is no verifiable evidence that these diaries existed in 1916 before Casement’s execution.

Hyde makes a convincing case and it is essential reading for anyone interested in the issue. For what it’s worth I would like to add a few points connected with the Trial that confirms his thesis.

I looked at the prosecution file at the British National Archives; a large six volume file (TNA DPP 1/46) prepared for the DPP that naturally included anything and everything available to help the case against Casement.

This file included, inter alia, the first appearance of the police typescripts, 24 carbon copy pages describing homosexual activity by Casement, submitted to the DPP on the 5 May 1916 with a covering note by Inspector Parker of the Metropolitan Police (MEPO) that explained: “*With reference to the Commissioner directions: I beg to report that on the 25th ultimo Mr. Germain of 50 Ebury Street, S.W. brought to this office a number of articles, including some diaries, which he stated were the property of Sir Roger Casement who had left them in his charge. A careful examination has been made of the diaries and a ledger, and extracts have been made of entries evidently written by Sir Roger Casement of his sexual habits with male persons, both in England and abroad. Six copies attached.*”

There are no diaries, or diary, or photographs of these alleged diaries, or even a page of a diary or a ledger included with the typescripts in the file.

Consider the scenario here: allegedly the most potent documents of all possessed by the police were not presented, photographed or *asked for* by the DPP. Even if the DPP had no interest in the typescripts of the alleged sexual behaviour of Casement why was he not curious about the rest of the content of the diaries and ledger which might well have included

very relevant evidence relating to the charge of High Treason? In fact, it is almost certain that these *would* contain invaluable evidence for the prosecution. But the DPP was not interested! Apparently there were no curious individuals in the DPP office whose very job was to check the validity of police evidence presented to it. And this was evidence for the most high profile case of the time for the gravest charge in English law - High Treason- by a Knight of the Realm.

Surely in such a case some substantive corroboration would be needed to back up any such evidence as the typescript of a diary. Nothing could be left to the chance of a challenge to its authenticity if the typescripts alone were ever used. Yet the police do not provide all the evidence they claim to have to avert such a possibility!

By contrast, the diligent RIC in Tralee to help the prosecution had produced evidence of everything they had found in connection with Casement's landing and arrest right down to the wrapping paper of a sausage – which became Exhibit Number 15 for the Prosecution.

But the infamous Diaries that the Metropolitan claimed to have in their possession did not merit the consideration accorded a sausage wrapping.

This was the moment of truth for the alleged Casement diaries. The Metropolitan Police and the DPP prepared very thoroughly to “*throw the book*” at Casement - but not the diary. How odd it may seem. Surely it would have been easier for the police to simply produce the alleged diary/ies for the prosecution file rather than go the trouble of typing out some entries from the alleged diaries?

I would submit that there is no chicken and egg mystery here about the ‘*diaries*’ and the police typescripts - the latter came first and the ‘*diaries*’ were hatched later!

I think it must be blindingly obvious to anybody that the diaries did not exist. And the DPP knew they did not exist which is why they were not asked for. Is there any other possible explanation? It is a binary choice – they did or they did not exist - and a version of Schrödinger's cat will not suffice. The state of that proverbial cat is very analogous to the way the existence/non-existence of the *Black Diaries* has been treated by the British Government and the true believers down the years.

Of course, we must remember this was all happening within the highly secretive and confidential world of the upper echelons of British Intelligence and legal world where everything is shared among friends and all clearly knew the real situation and what to ask for and not ask for. A ruling class doing what comes naturally.

Consider another scenario; I estimate that there are 460 files held at the British National Archives at Kew relating to Casement. It has been estimated that the main authors have spent the following number of years on the Casement case:

MacColl: 1953 – 1971 = 18 years,
Inglis: 1953 – 1993 = 40 years,
Reid: 1971 – 1991 = 20 years,
Sawyer: 1975 – 2019 = 44 years,
O' Síocháin: 1995 – 2019 = 24 years,
Dudgeon: 1995 – 2019 = 24 years.

Do the sums and also allow for numerous others, all diligent and well resourced, who were involved and we are into at least two centuries worth of research. And as far as I know none have produced actual evidence of what was actually shown in 1916 apart from police typescripts. Claims made for such evidence is not the same as the actual evidence. Claims made, it should be remembered, by people who were set on destroying Casement in every sense. If such evidence can be found there is a great *Eureka* moment awaiting the finder. It would be a wonderful experience. It took some serious effort to ensure that all that was *shown*, not *given*, to people in 1916, apart from some typescripts have disappeared. This did not happen by accident.

Of course, some people were suspicious and did query what they were shown; a top US legal eagle, John Quinn, and a reputable journalist with the Associated Press, Ben Allen. These were very urbane men of the world and not easily fooled. Ben Allen demanded what he was shown so he could check it with Casement himself and was denied. Quinn wanted to take it to check the handwriting and the context. He was denied this. And both were neutralised.

British Intelligence had plenty of what it says on the tin – intelligence – to ensure that this happened and thereby covered its tracks.

PS. Hyde does another useful service in pointing out the deliberate misleading and ambiguity in the use of the word diary and/or diaries by Casement biographers and commentators when referring to the police typescripts and alleged manuscripts. This was a great way of confusing issues. The police typescripts were not diaries.

A classic example of this occurred when the British Government after 40 years was eventually forced to ‘come clean’ on what it had in its possession. The Cabinet decided at a meeting on 17th March 1959 to have restricted availability of the documents at the PRO. The Home Secretary, R. A. Butler, presented a background Memorandum on the issue, drafted by the PRO.

That draft, inter alia, explained that the Ambassador in the US “was given photographs of two passages from the typescripts”. In the memorandum itself that was deleted and replaced by “The ambassador was given photographs of two passages.” (TNA CAB 129/97/3).

Why did the Home Secretary make this change that was clearly and deliberately misleading? The Memorandum was recorded as being “Removed and destroyed on 5/10/93” in file HO 144/23481.

All curious—to say the least!

Church and State, Spring 2020

He promptly thanked me for the magazine and engaged in an email correspondence that day dealing with aspects of the forged diary controversy. I repeated the points as he made them and responded to him as follows. My responses to his points are in bold in the following account:

24/6/2020

Dear Michael,

Below is the more considered reply I promised earlier. My responses are in bold. I very much hope you will take time to respond.

All the best,
Jack

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I have to say that I cannot accept for one minute that the Black Diaries are a forgery that post dates the use of typescripts to discredit Casement. You have to understand that the Diaries were offered to Serjeant Sullivan, Casement's QC before the trial commenced. FE Smith did that in a hare-brained effort to persuade Casement's lawyers that their client could save his neck by claiming insanity.

This is simply not true. No diaries were offered to Sullivan. Police typescripts were offered to Artemus Jones as he himself verifies. This happened in May before the preliminary hearing at which Sullivan was not present. Smith's motive was to compromise the defence, not to save Casement. When Sullivan arrived in London in June he refused to look at the typescripts and told Jones to return them to Smith which he did.

The enormous hole in the fabrication theory is that *it seems to follow* that Casement *must have been aware* of the fact that the Diaries, in whatever form, were in the hands of his prosecutors. *Nobody has ever suggested* that Casement's lawyers decided to hide from their client the offer to view *the diaries* made pre-trial. That would have been an inexplicable breach of duty. (My emphasis)

Again not true and confused and this is all speculation as indicated by 'it seems to follow' and 'Nobody has ever suggested' etc. Classic circular argument – 'the Diaries, in whatever form ...' The typescripts are not diaries and Casement did not type the typescripts. The typescripts were kept by Jones in a safe until Sullivan's arrival in London just before 12 June for the trial on 26 June. Jones was junior counsel and had no authority to show anything to Casement so no breach of duty happened. There is no evidence that Casement was aware of either Diaries or typescripts being in the hands of his prosecutors. Sullivan's remarks are contradictory and the BMH statement is suspect being unsigned. I have read many of these statements and this is the only unsigned statement I have come across.

If, as is argued, they were a complete fabrication, Casement would have protested vehemently at this utterly disgraceful attempt to besmirch him as he faced into a treason trial. He would hardly have remained impassive in the face of such a shocking defamation.

He would only have protested if he had been told of the defamation. There is no evidence that he was told before the trial in late June. There is evidence that he was told by Doyle of the defamation after the trial and he repudiated it vehemently. Neither Duffy, Jones nor Sullivan ever saw bound diaries despite searching for the source of the rumours. Jones saw typescripts only. Duffy and Sullivan saw nothing.

I don't agree with the conspiracy theorists. The majority of his biographers no longer argue for fabrication.

The majority of the biographers have never argued for fabrication.

Look at the controversy that surrounded Sullivan's letter to the Irish Times on the subject.

That controversy was caused by MacColl's artful deception after his interview with Sullivan. He cleverly concocted his interview report to indicate that Casement

admitted the diaries were his. But Sullivan refuted this in the Irish Times debate -
“*Casement told me nothing about the diaries or himself*” (26/4/1956)

Look at Casement’s poetry.

This is about alleged diaries not about poetry.

Casement’s homosexual relationships were well known to British intelligence before he ever went to Germany.

There is no evidence for this claim. Who in British Intelligence allegedly knew this? If you have this evidence, you must cite it.

If you google Serjeant Sullivan the Bureau of Military History letter is available online.

In the Irish Times debate that you mention Sullivan contradicts the BMH statement typed by an unidentified person 7 years earlier and he says “*Casement told me nothing about the diaries or himself*” (26/4/56/ Irish Times). He is therefore not a reliable witness on the issue.

The BMH statement is unsigned and it says that he is unable to write but no explanation is given. (<http://www.militaryarchives.ie/collections/online-collections/bureau-of-military-history-1913-1921/reels/bmh/BMH.WS0253.pdf>)

BMH Witnesses statements were not to be made available for 50 years so none could be challenged or verified at the time. Many did not submit statements for that very reason. That was not the case with the publicly available Irish Times discussion which is therefore a more credible source. Moreover, Sullivan does not refer to this BMH statement in that debate.

And there are many other oddities about the BMH Statement. The request letter is addressed to London, to barristers' chambers but Sullivan was 78 in 1949 and long retired. It is not credible that the BMH thought he was still in chambers in London. He had a house in Terenure.

The statement is typed (by whom?) and mysteriously Sullivan cannot write nor can he put his initials to the statement. No explanation for inability to write. The text would therefore be dictated to the unknown typist but the grammatical structures of many sentences strongly suggest that the text was copy typed, not dictated by a 78 year old without preparation. If copy typed there was an original written version - by whom?

If the invitation was sent to London, how would London know he was in Cork when the BMH did not know?

Neither Inglis nor O' Siochain mention Humphreys handing 'the Diary' to Sullivan at the trial opening on 26th June. We know for sure that the reference is to typescripts as confirmed by Jones' reference to the preliminary hearing in May.

Sullivan did not type the BMH statement and it does not bear his signature ergo cannot be accepted as genuine.

The essential facts of the case are that there were no witnesses to Casement's authorship of the diaries and there is no scientific evidence that he wrote them. Nor is there any evidence that the bound diaries materially existed during his lifetime. It follows that there are no sound reasons for believing them to be authentic and an abundance of solid reasons for believing them to be false.

Moreover, the major biographies are 'unreliable' on the diaries question as Hyde's book demonstrates very clearly (cf. Chapter 6). For authenticity to be tenable requires irrefutable proof of the material existence of the bound diaries in 1916. Without that proof, no rational person can judge them authentic. That proof would have to be independent witness testimony – there is none.

Authenticity has become a dogma precisely because there is no evidence to support it. In all instances the 'diaries' are found to be the typescripts, allegedly copies of unseen bound diaries. It is a pity you have not read Hyde's book because his analysis is based mostly on HM documents and avoids opinions and conjectures. By the way, he reviews your lecture to the Bar Council on the subject at some length, pages 47-9.

The evidence presented by him demonstrates that there was indeed a conspiracy which began in October, 1914. It is of course understandable that people who have long been convinced of authenticity would find it almost impossible to set aside that deep-seated conviction and to consider that they might be mistaken, might have been misinformed for a long time, might have been deceived, might have relied on false evidence. It takes rare courage and a lucid intellect to re-examine one's own convictions, to overcome the fear of admitting error. Those who are afraid, won't; those who are not afraid, will.

All the best,
Jack.

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The Black Diaries keep doing their job

This was evidenced by another response to McDowell's article - a letter in the Irish Times on 26/6/2020 which illustrates very well the original purpose of the 'Diaries' over a hundred years ago when the views and feelings expressed in this letter would be magnified a thousand times:

"A statue of Roger Casement

Sir, – Further to "Sanitising Britain's imperialist past would require collective amnesia" ([Michael McDowell, Opinion & Analysis, June 24th](#)), would the "decent statue" of Roger Casement, "to commemorate his struggles for Ireland, against imperialism and for the cruelly enslaved people of the Congo and Amazon basins", also detail his sexual exploitation of vulnerable young boys in South America, just to complete the picture? No historical figure is either all good or all bad. – Yours, etc,
GERALD FLYNN,

Ranelagh,
Dublin 6.”

And a note on Sullivan’s BMH statement

It should be noted that the BMH tried unsuccessfully to get Serjeant Sullivan to sign his statement and gave up trying.

A memo from its Secretary, P. J. Brennan, had reported that: “In the opinion of the Director, the letter dated 23 May, 1949 from Mr. Serjeant Sullivan, K.C. in reply to my letter of 10TH May 1949 regarding the trial of the late Roger Casement is of little value. The Director decided, however, to place the letter on record and a copy of it has been kept on this file for convenient reference.

Rúnaí
25 May 1949”

This means that Serjeant Sullivan’s statement, by which Mr. McDowell sets so much store, was not accepted by the BMH as a proper statement as it did not meet a basic requirement of the BMH. Is it not odd that an S.C. and former Attorney General finds such a statement acceptable today?

Serjeant Sullivan’s inability to write and his delay in replying to the BMH is odd when his letter to the *Irish Times* seven years later on 26 April 1956 was written in reply to Rene MacColl’s letter of the previous day. His writing ability and speed appears to have improved enormously during the previous seven years. In terms of getting a letter published in the *Irish Times* it is the equivalent of the speed of light. All in all, a veritable miracle, I would suggest. He changed his name once to ‘Serjeant’ Sullivan, perhaps he should have changed it again to Saint Sullivan.

Of course there are other questions going a begging about Sullivan’s statement. This always happens when pursuing any aspect of the Black Diaries issue - there are rabbit holes aplenty to go down. Why was he commissioned for a statement in the first place? He was a despised individual by all Republicans because he was firmly on the British Government’s side during the War of Independence and was forgotten about. This is shown by the fact alone that the BMH was not aware of his Dublin address. But he was located for a statement and then produced one that the BMH did not wish to be considered a valid statement but against their better judgement let it stand as one.

Why?

Jack Lane