

Love, Law and Oscar Wilde
by Jerry James

*At thy martyrdom the greedy and cruel
Crowd to which thou speakest will assemble;
All will come to see thee on thy cross,
And not one will take pity on thee.*

— James Rennell Rodd,
Inscription to Oscar Wilde
in *Songs in the South*, 1880



Oscar Wilde

When *The Importance of Being Ernest* opened on Valentine’s Day, 1895, Oscar Wilde was at the pinnacle of his success. He had two plays running in London, and aptly for the day, he was in love. Inconveniently, the beloved was not his wife of ten years, but Lord Alfred Douglas. That love would be the reason why, a little over three months later, Wilde would find himself bankrupt and imprisoned.

He had been a celebrity for fifteen years, “...the natural pet of the aristocracy whose selfish prejudices he defended and whose leisure he amused,” as his friend Frank Harris put it. To these, leading a double life was merely something that gentlemen, being men, at times found necessary. But there were rules about this, rules that late Victorian hypocrisy had raised to an art.

Wilde, however, was not an aristocrat. And he would find the penalty for breaking the first of those rules—thou shalt not get caught—far harsher than would Lord Alfred Douglas.

There is no indication Wilde did not deeply care for Constance Lloyd when they were wed on May 29, 1884. Indeed, had his intentions been mercenary, he would have married a much wealthier woman. But to what would be their ultimate regret, Wilde did not yet know himself. Before he did, they would have two sons.

In 1886, Wilde, 32, began an affair with Robbie Ross, 17. There has been much speculation about Wilde’s claim that this was his first same-sex experience. (He didn’t call it homosexual, because the term wasn’t coined until 1892.) But all agree it changed his life.

Intriguing fact: Until Oscar Wilde discovered his true sexual nature, he wrote nothing of value. In the next five years came a flood of short stories, (including the three in the Rogue’s adaptation); *The Picture of Dorian Gray*; and his first successful play, *Lady Windermere’s Fan*. Unfortunately, Wilde had discovered who he was just as it became illegal.

In 1861, the death penalty for sodomy was replaced by a ten-year prison term. But no statute forbade any other acts between consenting male adults until the Criminal Law Amendment Act of 1885, whose main purpose was to raise the age of consent from thirteen to sixteen.

At the last moment, an amendment was added providing for two years at hard labor for any male committing acts of “gross indecency” with any other male. But what constituted “gross indecency?” Presumably, Crown prosecutors would know it when they saw it.

“Wilde wanted a consuming passion; he got it and was consumed by it,” wrote Richard Ellmann. In June 1891, the beautiful, blonde Lord Alfred Douglas, nicknamed Bosie, was introduced to Wilde as a great admirer of *Dorian Gray*, which had created a sensation. Wilde was 37; Bosie, 21.

Douglas, the youngest son of the Marquess of Queensbury, was an unmanageable handful, given to reckless fits of entitled rage. But to Wilde, Bosie was Hyacinth to his Apollo. He was warned Bosie was a spendthrift. But so was Wilde. He had adopted “...the aristocratic feeling; one must have money, but must not bother about it.” And to Bosie, living on as grand a scale as possible was a necessity.

Wilde moved more or less permanently out of his home, choosing to live in a series of hotels with his lover, who later said, “It was a sweet humiliation to me to let Oscar Wilde pay for everything and to ask him for money.”

In 1893, Wilde was earning £100 a week and delighted in Bosie’s caprices. These caprices included patronizing the male brothels of the day, staffed by young, working-class rent boys.

Even though he had reformed the rules of boxing, Queensbury was a brute. Still, he had his reasons for persecuting Wilde. His eldest son had been private secretary to Lord Rosebery, the prime minister. This son committed suicide in October 1894, after

being suspected of an affair with the PM. Queensbury now saw his youngest son on the same path, seduced by Oscar Wilde. He didn’t know it was the other way around.

After months of abuse and threats, Queensbury hit upon a subtler plan. On February 18, Queensbury left his card at Wilde’s club. The words scrawled upon it were to be deciphered as, “For Oscar Wilde, posing as a sodomite [sic].” The word “posing” artfully suggested that while there was no evidence Wilde had committed sodomy, such a poser might well be guilty of gross indecency.

Wilde retrieved the card ten days later. Perhaps if he had waited a few days, talked with friends, he might have laughed, torn up the card and thrown it away. But he did not. Instead, urged on by Bosie, he swore out a warrant for the arrest of the Marquess of Queensbury on a charge of libel the very next day.

Even with two plays running, Wilde was broke. No matter, said Bosie. His mother and brother would cover all court costs. Because he loved him, Wilde believed him, and so put his head on the block.

Wilde’s friends, male and female, gay and straight, urged him not to trust in English justice. But his solicitor was certain he would win, Wilde assured them, because he and Bosie had told him there was no truth in the allegation.

That this was a lie seems to have escaped Wilde’s notice, as did the fact that if he lost the libel case, the libel would become truth—and Wilde, a criminal.

It took Frank Harris (in the company of Bernard Shaw) to sum it up to Wilde’s face: No jury would render a verdict against a father fighting to protect his son, even though the two despised each other. Wilde was going to lose.

He would have to leave England—*now*—taking Constance with him as a shield against slander. Urged by Shaw, Wilde seemed inclined to agree with Harris’ argument. Enter Bosie, who took in the situation, denounced Harris and Shaw as “no

friends of Oscar's," and exited. Oscar followed, "weakly," echoing Bosie.

The trial of Wilde v. Queensberry began on April 3. Wilde was surprised to find several rent boys prepared to testify. These had been rounded up by an actor whom Wilde had once slighted.

Wilde was the only witness for the prosecution. Douglas was not called, although he attended the trial every day. On the first day, Wilde gave witty testimony. On the second, under cross-examination, he was asked about the rent boys and utterly destroyed. On the third, Wilde was absent from court, as his barrister negotiated a directed verdict for Queensberry.

The Crown could have chosen not to prosecute. It did not. Instead, Wilde would be arrested as soon as the warrant was sworn. He had gotten caught, and the aristocracy would now make him pay.

In the few hours between the end of the trial and his arrest, Wilde's friends once again begged him to flee to France. But they did not know what his mother had said. "If you stay, even if you go to prison, you will always be my son, it will make no difference to my affection, but if you go, I will never speak to you again."

Oscar Wilde was arrested in the early evening of April 5. His plays were closed. Deprived of his income and incarcerated, he had no means of defense when Queensberry demanded his libel judgment. Bosie termed his promise to pay those costs "a debt of honor," and no gentlemen ever paid a debt of honor.

The loyal Robbie Ross managed to scoop up papers and manuscripts before Wilde's house and everything in it was sold for pence on the pound on April 24. The sale failed to cover the debts; the estate would remain in receivership for years.

On April 26, Wilde, now a bankrupt, stood in the dock. Douglas had been sent abroad. To the surprise of all, the trial ended in a hung jury. Wilde was released on bail, which his friends urged him to jump. Frank Harris even offered to pay the forfeited bail

bond. But Wilde would not, even though he surely knew his fate.

During the final trial, Harris noted, "The foreman of the jury wanted to know, in view of the intimate relations between Lord Alfred Douglas and the defendant, whether a warrant against Lord Alfred Douglas was ever issued." The judge replied, "I should say not."

Harris saw it clearly. "[The English] love to abide by rules and pay no heed to exceptions, unless indeed the exceptions are men of title or great wealth." He would later get up a petition for Wilde's early release from prison. Not one British author would sign it.

On May 23, the jury deliberated for three hours and found Oscar Wilde guilty of gross indecency. Sentenced to two years at hard labor, he must have thought Valentine's Day very far away.

Shaw put it bluntly. "Douglas was in the wretched position of having ruined Wilde merely to annoy his father, and of having attempted it so idiotically that he had actually prepared a triumph for him."

The British penal system's unofficial motto was "hard labor, hard fare and a hard bed." Barbara Belford described the regimen:

Put on the treadmill to grind flour six hours a day (twenty minutes on and five minutes' rest), [Wilde] stood in a cubicle holding on to iron circular handles; his left foot was placed on the higher step, the right foot on the lower, and in that position he paddled and moved the treadmill, making an ascent of 6,000 feet.

Wilde lasted three days on the treadmill. By then, diarrhea had so weakened him he was sent to the infirmary. Upon his release, he was set to picking oakum in his cell. This meant "untwisting old ropes, which were then mixed with tar to caulk the seams of ships." His fingers bled.

At Reading, his third prison, things gradually got better. Wilde worked in the library and garden. And a new prison

governor allowed him to write a “therapeutic letter” to Bosie. Entitled *De Profundis* (From the Depths), it is at once a 50,000-word screed against his faithless lover and one of the most beautiful pieces of prose in the language. It would not be published in its complete and correct form until 1962.

Constance moved to the continent with their sons and changed the family name. Upon Wilde’s release from prison, she would settle £150 a year on him, with one stipulation: He must keep away from Douglas.

Wilde was released from prison on May 18, 1897, having served every minute of his sentence. He immediately went to France, where he managed to keep away from Bosie for only a little over three months. “Everyone is furious with me for going back to you, but they don’t understand us,” Wilde wrote.

Their reunion ended after Constance made good on her promise. When the money ran out, so did Bosie’s interest in Wilde.

Constance sent a little money through Robbie Ross, but Wilde’s habits inevitably made him a beggar of the boulevards. When Queensbury died in 1900, Ross asked if Bosie could spare some of his £20,000 inheritance to assure Wilde an income. He replied, “I can’t afford to spend anything except on myself.”

Wilde wrote only one more creative work, “The Ballad of Reading Gaol” (1898). There are better poems in the language, but few that show so deeply the bitter cost of the author’s knowledge.

His death by meningitis has long been blamed on tertiary syphilis. But the more likely cause was an out-of-control ear infection caused by a fall in prison. The

irony is that Wilde’s father had been one of the foremost ear surgeons in the British Isles. Had someone with his skill been available, Wilde might have been saved.

Oscar Wilde died in Paris on November 30, 1900, a death-bed Catholic convert. Bosie paid for the funeral expenses—but chose only a sixth-class internment. Nine years later, Wilde’s remains were moved to Pere Lachaise Cemetery, where they rest today, along with the ashes of Ross, who brought the Wilde estate out of receivership and assured Wilde’s copyrights for his sons.



Oscar Wilde’s tomb in Paris

The law under which Wilde was convicted remained on the books until 1967. He would not be pardoned by the Crown until January 31, 2017.

Let Oscar Wilde have the last word. “Close the eyes of all of us now and... a hundred years hence, no one will know anything about Curzon or Wyndham or Blunt... but my comedies and my stories and ‘The Ballad of Reading Gaol’ will be known and read by millions, and even my unhappy fate will call forth world-wide sympathy.”

Jerry James has been working in the theatre for over fifty years. For forty of those years, he lived in New York City, where he was an award-winning writer and director. Being possessed of an intense curiosity, he found writing this essay immensely satisfying.