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## Catholic Parenting in a Protestant State

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## Catholic Parenting in a Protestant State

### **Introduction**

The Protestant Reformation resulted in an unprecedented articulation of state power to regulate religious practice. Christians who found themselves outside the scope of the Church of England were among the first to advocate for liberties to practice their faith while maintaining the rights of citizenship. In the 17<sup>th</sup> century English Catholics made up between 2 and 10% of the population. Officially it was very difficult for them to practice their faith since ordained priests could receive the death penalty and hearing mass also came with strict punishments. The English government clearly wanted to gradually squeeze out Catholicism by making it hard for them to participate in civic life.

One effective way to look at the ambitions and limits of the British state after the Reformation is to assess the attempts by English families, mostly of the middling orders or higher, to pass along their faith to the next generation. While Catholic strategies for political survival and their polemical debates with Protestants have been well studied, we still need more to include Catholics in the long 17<sup>th</sup> century into both the burgeoning history of emotions and the rich history of childhood. Historians of Catholicism have long noted the important role of lay women in passing along the Catholic traditions, but this paper looks specifically at the intersection of the special role played by Catholic mothers and the early modern British state as the liberal theory of rights developed.

### **Legal Context**

It needs to be clear that in our time period, there was no sense of “parental custody” as we have in the modern era. Only heirs had a clear legal subordination to parents—but masters had rights over people, including children. “Guardians” were only for heirs,

otherwise there was no sense of guardianship over children.<sup>1</sup> Masters had their authority by contract, whereas there wasn't a "contract" between children and parents, so the law didn't come into it. And there was no sense that a child needed someone legally to nurture them—and even less that they "belonged" to their parents. According to Holly Brewer's study of this topic, the law didn't care about children's welfare, "but about their land and money." "Parents had no formal claim even to keep their children with them, let alone control their labor, except, of course, in the case of heirs." This was most significant in the case of the Poor Laws when children could be forced to labor. This is the context for Catholic parents dealing with control over their children's education and faith nurture.

Under Elizabeth, most of the enforcement of penal laws against Catholic families and attempts at controlling Catholic education came from the crown rather than Parliament. The taking away of minors and giving them in wardship to Protestant relatives or powerbrokers in the region was based on the feudal right of the monarch.<sup>2</sup> With the accession of the Stuarts, there was an increasing concern that the monarchs weren't sufficiently committed to stamping out Catholicism, so in 1625 Parliament forced a petition on the king for the enforcement of the penal laws, especially against sending children abroad for education.<sup>3</sup> Scotland's parliament did the same. To make it even more clear, in 1628 "the Commons passed... a Bill. . . 'to restrain the passing or sending of many to be Popishly bred beyond the seas'."<sup>4</sup> The penalty for Catholic parents could extend to losing their lands and goods and being "disabled" from engaging in lawsuits, which allowed the gentry to consolidate their inheritance for their children.

Parliament was frustrated that the king and the judges did not enforce these laws well enough. In 1635 the Privy Council engaged

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<sup>1</sup> Holly Brewer, *By Birth or Consent: Children, Law & the Anglo-American Revolution in Authority* (Chapel Hill: University of NC Press, 2005), 231-233, 236, 244.

<sup>2</sup> A.C. F. Beales *Education Under Penalty: English Catholic Education from the Reformation to the Fall of James II* (London: Oxford University Press, 1963), 59, 60.

<sup>3</sup> Beales, 97.

<sup>4</sup> *Commons Journal*, i. 873-4, cited in Beales, 98.

in suppression of Catholic schools by using spies and trying to identify clandestine education within the US and looking at the permits to go abroad.<sup>5</sup> While the Civil Wars raged, the Commons targeted royalist Catholics in order to raise income and to prevent the extending of that faith to the next generation, with Bills such as “An Act for the Breeding of Recusants’ Children in the Protestant Religion.”<sup>6</sup> Eilish Gregory’s study of *Catholics During the English Revolution* argues that the financial needs of Parliament during the Interregnum increasingly fueled their laws regarding Catholics, but that they were fairly challenges with enforcement.<sup>7</sup>

During the Restoration, laws for nonconformity were enforced less on Catholics and more on Protestant Dissenters until the mid-1670s when an up-tick in anti-Catholicism led to a spate of laws regulating education and office-holding.<sup>8</sup> During the Popish Plot, Lord Shaftesbury and the Whigs tried to pass the most stringent law yet, closing the loopholes they saw in earlier laws. The “Popish Recusants (Children’s Education) Bill” fined parents 1000 pounds (half to the king and half to the person prosecuting) for any woman or any boy under 21 being sent abroad in the care of a Catholic. The boy or woman themselves had to forfeit their inheritance to the nearest of kin who was Protestant. If they were too poor to pay the fine, they had to serve 7 years in prison. “All popish recusants were to register the names, ages and places of education of all their children, once every year, at general and quarter sessions.” The law passed its second reading in the Commons and Catholics were saved by Charles dissolving Parliament (because of the Bill excluding the Duke of York).<sup>9</sup>

Again, after the Glorious Revolution there was a step up in the penal laws. In 1689 a Bill was brought to Parliament to disarm papists, prohibit them from owning horses of value, and by 1700

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<sup>5</sup> Beales, 100; Scott Sowerby, *Making Toleration*, (??), 262.

<sup>6</sup> *Commons Journal*, ii, 523; iv, 332, cited in Beales, 101, 102.

<sup>7</sup> Eilish Gregory, *Catholics During the English Revolution, 1642-1660* (Rochester, NY: Boydell Press, 2021), 33, 34, 62, 80, 117.

<sup>8</sup> Beales, 111, 112

<sup>9</sup> Beales, 113, 114.

there was a fine for sending students abroad, prison for life if you were found keeping a Catholic school and a 100-pound reward for informers on people saying mass. Heirs were disinherited if they didn't convert to Anglicanism by the age of 18.<sup>10</sup> These laws had real consequences for children and their parents. Spies were sent to intercept children at the ports who were going abroad and each trip had the potential to end with children being placed with Protestants.<sup>11</sup>

### **Goals for parents**

Catholic parents both cared about their children's faith and the expansion of Catholicism within England. These goals combined in the idea of the lay apostolate, which focused on lay Catholics bearing witness and spreading true Christianity within mission settings such as England. The trials of separation, of travel to a new country and living in a convent school or returning to England to practice secretly—all of these were described by Catholic parents as a kind of martyrdom or holy suffering. Liesbeth Corens argues that the travel to and from the Continent was articulated as a kind of pilgrimage, allowing for spiritual growth.<sup>12</sup>

Sir Solomon Swale, baronet from Yorkshire, had been orphaned, but helped by Catholic relatives and by dint of becoming a "church papist", he was practicing as a barrister in 1642 when he was also convicted of recusancy. In his will of 1675 he wrote to his son Henry Swale "that he spare not his purse in the good education of my grandsonne but that he will breede him abroad at school to be a good scholar by Gods blessing and about his age of 21 yeares to admit him to the Inner Temple to study the Common Law."<sup>13</sup> This is the sort of having one's cake and eating it to that some Catholic

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<sup>10</sup> Beales, 261; Sowerby, 262, 263; Gabriel Glickman, *The English Catholic Community, 1688-1715* (Woodbridge: Boydell and Brewer, 2009), 57, 58.

<sup>11</sup> Glickman, 102.

<sup>12</sup> Liesbeth Corens, *Confessional Mobility and English Catholics in Counter-Reformation Europe* (Oxford, 2019), 56, 80, 92-95.

<sup>13</sup> JCH Aveling, *The Handle and the Axe: The Catholic recusants in England from reformation to emancipation* (London: Blond and Briggs, 1976), 121

families engaged in in order to achieve both spiritual commitments but also professional and financial achievement.

The Blundell family archives also demonstrate some of the challenges for parents and children. William Blundell wrote to his daughter Jane in the 1680s upon her arrival at a convent in Rouen after a difficult trip. He listed her trials (the sea, horses, etc) and said that he was happy that in spite of it all she had arrived “safte at your desired Harbour and Home” and encouraged her that God was allowing challenges to mold her character. In fact, Blundell told her that it was better for her to have gone through all this than to have been magically transported.<sup>14</sup>

Ensuring an effective Catholic education through travel on the continent when longterm education in Catholic schools wasn't possible, was another tactic for Catholic parents. It was the Catholic priest Richard Lassels who thought up the term “Grand Tour” in the mid 17<sup>th</sup> century. Parents wanted to save their children from contamination by heresy, but also to prepare them to be active missionaries to restore the true faith to England. This could happen by sending them to places of spiritual significance in Catholic countries, culminating in a pilgrimage to Rome. This sort of historical and theological context could serve them for the rest of their lives.<sup>15</sup>

Even parents who practiced occasional conformity did not do so because of lack of religious commitment. The patriarchal responsibility of saving Catholicism for future generations may have appeared to some to require taking an oath, but they still took risks in sending their children abroad and keeping personal chaplains. They also connected their families through marriage and patronage. This wasn't only true for the gentry, but also for the middling sorts of yeoman and artisans.<sup>16</sup>

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<sup>14</sup> Corens, 1.

<sup>15</sup> Corens, 78-80.

<sup>16</sup> Alexandra Walsham, *Church Papists: Catholicism, Conformity and Confessional Polemic in Early Modern England* (London: Royal Historical Society, 1993), 78, 81, 107.

## **Strategy One: Risking it on the Continent**

It appears that after each new penal Act, there was a bump in the number of children going abroad for education. While most of them made the trip without incident, going to the continent risked being caught and losing freedom as well as property. For instance, William Robins was one of four boys caught on the Holyhead road in 1592 with the priest William Davis. Davis was executed, and the boys escaped on a ship to Spain, were betrayed, were imprisoned in Dublin Castle, and then examined by Cecil, sent to labor in prison, and escaped again to become ministers after spending time in the College of St. Omer.<sup>17</sup> In 1620, a “renegade Catholic” testified before Commons that three boys “being taken going beyond the sea to be in some priory there” were taken and released for 20 pounds upon promising that they wouldn’t go to the Continent, but then they did and were supposed to be friars in some houses there.<sup>18</sup>

Parents were often reluctant to send their children abroad for education. According to Aveling, not only was it illegal, and if they were stopped it could get “awkward”, but also they didn’t see their children for several years and the travel itself was difficult. The paperwork that they used to pass through the ports often listed “health” as the reason for needing to travel.<sup>19</sup> When Thomas Churchill’s parents died in 1637, he was left to Protestant friends and family, but his uncle (a secret Catholic priest) took him to Wales where he was converted and then sent him to Catholic schools on the continent. This could be a way to prevent orphans being raised by Protestants and thus ending a Catholic family heritage.

The relationships parents developed with their children and the care they took of them even while they were abroad is obvious in the records of the continental colleges. Lewis Sabran, whose binational French and English heritage stood him in good stead as head of the English Jesuit college at St. Omer at the end of the reign

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<sup>17</sup> Beales, 117, 125-126.

<sup>18</sup> Beales, 202.

<sup>19</sup> JCH Aveling, *The Handle and the Axe: The Catholic recusants in England from reformation to emancipation* (London: Blond and Briggs, 1976), 147-149.

of Queen Anne, kept a letterbook which gives a taste of the ways the schools negotiated with parents, including many who seemed to be what today we might call “helicopter parents.” English mothers, aunts, grandparents and fathers all expected to be kept regularly informed about the grades, health, and safety of their progeny. The greatest danger to all of them was illness, and Sabran occasionally wrote daily reports to parents when a young boy was especially ill. From time to time a parent would indicate that if their goals of spiritual development were not being met, they needn’t bother with the expense and stress of sending them to a Catholic college. And while sometimes they were delighted with the idea of their child taking on religious orders, at other times they were worried that he was too young to make such a choice, or that he was needed at home to contribute to the household income.<sup>20</sup>

One particular family situation illustrates the drama that hovered over the entire community. The Calvert family, through which the title of Lord Baltimore passed, had in the 17<sup>th</sup> century been a devout Catholic family. In 1713, four of the Calvert boys were at St. Omer. However their father, Benedict Calvert, had finally decided to convert to the Church of England in order to retain his lands in the colony of Maryland. Because of this, he wrote to St. Omer asking that the sons be sent home. It was clear that the eldest would also be asked to convert to Anglicanism in order to inherit. The boys’ grandfather, who was still devout, attempted to stymie their return by asking the priests at St. Omer to delay sending them back because they were so young he worried their faith hadn’t had time to cement. But the training the boys had received stood them in good stead. They expected to be martyrs and upon their eventual return home, they refused to convert. The oldest, Charles was reported to have said he would sooner be disinherited than lose his religion. The intergenerational conflict these sorts of restrictive laws

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<sup>20</sup> Lewis Sabran. *The Letterbook of Lewis Sabran, S.J.* Geoffrey Holt, S.J., ed. (St. Albans, UK: Catholic Record Society, 1971), ix-xii, 56, 128, 107, 110, 168-171.

engendered can be seen here, including the fact that the boys were kept from seeing their grandfather on their return to England.<sup>21</sup>

### **Strategy Two: Playing the Game at Home**

While it was illegal, there were many small Catholic schools and private Catholic schoolmasters and tutors throughout England in the 16<sup>th</sup> and 17<sup>th</sup> centuries. Some of these schools were attended by Protestants even though the teachers were Catholic and the students were taken to Anglican services.<sup>22</sup> Most Catholic parents were able to keep their children at home, but not without risk. It does appear that the lower and middling orders bore more of the brunt of the penal laws than the gentry, due to not having the financial means to buy their way out of the most severe consequences.

In 1584, four boys from the Worthington family in Lancashire were being educated by a priest and upon being discovered they were all taken out of their homes. They were held for more than a year, examined and kept without food, flogged, separated from each other, remained insistent that they wouldn't become Catholic, and eventually escaped. (It seems that they may have been "allowed" to do this because of the challenge of what to do with them). All four ended up as priests. Another example of middling Catholics' challenges with passing along their faith can be seen in the example of William Hutten, a draper from Yor, who was imprisoned in 1585 for having heard mass. 'An order was made that his children be placed with their mother. . . shortly afterwards even their mother was denied access to them.' This situation persisted for the best part of two years, till the Privy Council was induced to rescind the order by 'the murmuring of the people.'<sup>23</sup>

### **Strategy Three: Coordinating with Protestants**

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<sup>21</sup> Lewis Sabran. *The Letterbook of Lewis Sabran, S.J.* Geoffrey Holt, S.J., ed. (St. Albans, UK: Catholic Record Society, 1971), 26-28, 54.

<sup>22</sup> Beales, 120, 121; Aveling, 149.

<sup>23</sup> Beales, 59, 60.

The tactic of coordinating with Protestant friends and family in order to avoid loss of property has been well documented. Many Catholic families sold their lands to a Protestant friend who held it in trust to them.<sup>24</sup> The petitions to Parliament to get their property back to be exempt from the penal laws are filled with references to Protestant tenants, neighbors, and friends who could testify to their good behavior. Clearly it was important to Catholic parents to make sure their children were on good standing with their communities.<sup>25</sup> Paperwork was required for travel and in order to get a travel pass, and Catholics in these contexts also called on their relations with Protestants as they gave their bond--even though it seems clear all parties knew they were planning to they planned to violate it.<sup>26</sup>

### **Implications for history of childhood and privacy**

Holly Brewer's *By Birth or Consent: Children, Law & the Anglo-American Revolution in Authority* argues that before the Reformation there wasn't much organized thought in Christian Europe about what the age of consent was for children. Protestants started thinking about reasoned agreement to religious commitments with the result that contract law increasingly important and such contracts required agreement and reason with the attendant focus on who had such abilities. By the 19<sup>th</sup> century there was more of a sense of what children could or couldn't do, but according to Brewer's study these debates happened starting with **Common Law scholar Edmund Coke** in the 17<sup>th</sup> century. He consistently argued that there should be a minimum age for voting and for taking a seat in Parliament, but no such law was passed till after the Glorious Revolution. John Locke's concern with human understanding is also part of all this—a republic requires people who can engage in contracts and the idea was that if you didn't have property or reason you couldn't participate in contracts and therefore couldn't be part

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<sup>24</sup> Gregory, 62, 117, 143-148.

<sup>25</sup> Glickman, 60-69; Beales, 61, 73.

<sup>26</sup> Beales, 59.

of a republic.<sup>27</sup> Concomitantly, the early English Enlightenment discussions about citizenship versus subjecthood involved the understanding that subjects were born into their status and citizens chose theirs.<sup>28</sup> What this study of English Catholic parenting under penalty has demonstrated is that in the 17<sup>th</sup> century these conversations were going on in the context of religious commitments. Could Catholic parents choose the religious identity for their children? Could children choose their own faith? Should they be allowed to choose Catholicism?

Additionally, the ability of people to have privacy in their own homes is also part of this debate. While the Conventicle Acts of the Restoration set the tone for respecting Dissenting Protestants as long as they were in their home, Catholics were not included in this. But as we have seen, even with Catholics there was a reluctance on the local level to violate the privacy of the family. Neighborliness and the commitment to social cohesion within the community were powerful motivations. And the notion of the neighbor emphasizes homes and the idea of respect for the boundaries between domiciles. Even the class solidarity that Alexandra Walsham has identified as decreasing prosecution of religious minorities involves an increasing sense of privacy.<sup>29</sup>

Fascinatingly, it seems that we can see nascent English nationalism at work in the practices of these Catholic parents. They wanted their children to identify with their nation and to see themselves as loyal to their monarch. Lisbeth Corens has argued that subjecthood was portable and so English Catholics prioritized loyalty to the community more than geography and citizenship in a bordered territory. They even tried to find alternative oaths in the

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<sup>27</sup> Holly Brewer, *By Birth or Consent: Children, Law & the Anglo-American Revolution in Authority* (Chapel Hill: University of NC Press, 2005), 248, 249, 110.

<sup>28</sup> Holly Brewer, *By Birth or Consent: Children, Law & the Anglo-American Revolution in Authority* (Chapel Hill: University of NC Press, 2005), 132.

<sup>29</sup> Alexandra Walsham *Charitable hatred* (Manchester: Manchester University Press, 2006), 260, 261, 271, 274-276.

late 17<sup>th</sup> and 18<sup>th</sup> century that could prove their loyalty while keeping their faith.<sup>30</sup>

## **Conclusion**

Okay, so it's clear that most parents wanted both spiritual and financial security for their children. But thinking in the collective meant that such security could be communal. One child might not be baptized or married into the church. Another might not have an inheritance in order to keep the land and property together. English Catholics, depending on their financial and social resources, were able to accomplish those goals in a variety of ways. But it is also clear that promoting their faith, furthering the cause of the Roman church in England, was deeply important to them. So important that they saw the hardships of travel, living apart, taking legal risks, as a critical element in shaping their character, in allowing them to be part of the legacy of suffering within Christian history. They wanted their children to feel tied to this, to have this identity. Investigating the ways they communicated with their children, what they thought their rights and duties as parents were, and what their children thought about their situations should provide both a window into how English Catholics contributed to our ideas of childhood and what family rights were incorporated into the nascent ideas of liberalism.

The Protestant Reformation in England, regulated as it was by the state, required limits to the practice of one's conscience as well as statutes regarding the age of consent and rules for when legal majority began. This regulation began to impinge on parenting and to communicate expectations about the frontier between the rights of parents and the obligations of the state. While this was happening in the midst of the development of liberalism, it definitely demonstrates the limits of the rights we associate with liberalism.

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<sup>30</sup> Corens, 49, 57, 58.