INTRODUCTION

The newsletters and their historical context

The present series of newsletters comes from the archives of the archdiocese of Westminster – Series A (volumes XXIV and XXVI–XXIX), Series B (volumes 27 and 47), and Series OB (volume 1). They have their origin in the journey from London into exile in France of Richard Smith, bishop of Chalcedon, in 1631.

Bishop Smith had been appointed to his titular see in late 1624 at the behest of the French king, Louis XIII, and Smith's own patron, Cardinal Richelieu. (Smith's predecessor, William Bishop, first bishop of Chalcedon, had died in April 1624, after little more than a year in office.) Smith's promotion was a key move in the Bourbon regime's strategy to secure the Anglo-French dynastic alliance of 1624–1625. It was believed that he would be able to secure English Catholic support for the treaty.[1] Soon after he was consecrated (in Paris in January 1625) he returned to England. He and his allies among the secular clergy had, for a long time, harboured plans and projects to reform the structure and practice of Catholicism in England. William Bishop had already made a stab at implementing some of them. Now, with the same objectives in mind, Smith began a co-ordinated and aggressive campaign to enforce his authority over the entire English Catholic community, and particularly over the religious orders (notably the Jesuits and the Benedictines) and their patrons. Many of the religious and their benefactors were already his irreconcilable enemies and had no intention of acknowledging his claims.

It was a consistent line of Bishop Smith's friends and supporters that his conduct in office was peaceful, beneficent, and fruitful, and that there was no opposition to him until the point, in 1627, when he turned his attention to the (allegedly) small procedural matter of 'approbation', the (theoretically automatic) licensing of missionary priests in England to hear the confessions of their ghostly children. The quarrel escalated rapidly when it became clear that his policy was part of a much wider drive for conformity (to episcopal authority

[1] For the background to Richard Smith's appointment, and its significance, see Allison, RS; M.C. Questier, *An English Catholic Community? Aristocratic Politics and Confessional Conflict, c. 1550–1640* (forthcoming).

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and various hierarchical norms and Tridentine practices) among the English Catholic clergy. Numerous memoranda and position papers on the issue were soon circulating back and forth within the Catholic community.[2]

To many of Smith's enemies it appeared that his claims about the extent of his episcopal authority (and the various functions associated with such claims, in particular the setting-up of a 'tribunal' or quasi-consistory court to judge matrimonial and probate cases) were potentially offensive to the State. They argued that the exercise of such aspects of his authority would risk the increase of 'persecution' of English Catholics by the State. Representations made to the Caroline regime by Smith's Catholic opponents probably contributed to the regime's decision to issue a proclamation against him on 11 December 1628.[3] The proclamation denounced Smith as a traitor for persuading the king's subjects away from their allegiance, for usurping 'to himself exercise of episcopall jurisdiction from Rome', discharging this usurped authority within the realm, and holding continual intelligence with the king's enemies.[4] Matters had, of course, been greatly complicated by the Stuart regime's recent military enterprise against Louis XIII.

Catholics supposed that this was largely show on King Charles's part. 'When these matters were in hoatest treaty', related the priest John Southcot, 'the State was certainly informed where the bishop was and could have then apprehended him if they had meant it really'. Southcot said that 'the lord that was known ordinarily to harbour him had express warning sent him by order from the king to look to him self'. In other words, Charles was merely trying to head off the inevitable stream of anti-popish comment which would start when parliament next assembled. (It was scheduled to meet on 20 January 1629.) Charles was also, speculated Southcot, trying 'to terrify the French and perhaps to bring them on in their treaty of peace which is now in hand, the king being informed that the bishop hath bin a dependent of Cardinal Richelieu'.[5]

On the other hand, some members of the privy council, notably Sir John Coke, were far from happy about Bishop Smith's encroachments on the king's authority. A concerted effort had in fact been made in

[2] For the approbation controversy, see Allison, Q J.

[3] See AAW, A XXII, no. 154, p. 665; Allison, Q J, pp. 126–127; cf. D. Lunn, 'Benedictine opposition to Bishop Richard Smith (1625–1629)', *RH*, 11 (1971–1972), pp. 1–20, at pp. 14, 20, n. 163. Antony Allison comments that 'although Smith consistently denied ever having attempted to prove the public wills of Catholics, he later admitted that his tribunal dealt with [. . .] private wills', in which there were 'legacies for pious uses'; Allison, Q J, p. 127.

[4] AAW, A XXII, no. 153, p. 663; Larkin, *SRP*, no. 104.

[5] AAW, A XXII, no. 154, p. 665.

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1628 to arrest some of Smith's leading officials.[6] Edmund Arrowsmith was executed, and George Fisher believed that he was going to suffer the same fate.

Temporarily, the storm passed. Charles entirely failed to live up to the expectations of the anti-papists in the 1629 parliament. Smith, for his part, was now back-pedalling furiously on the scope of his authority. He tried to counter his enemies' jibes that he was a cat's-paw of the French. In a letter to the queen of 19 December 1628, he had admitted that he had been a pensioner of Richelieu, but he claimed that since he had arrived in England he had not taken a penny from the cardinal. Nor had he received any missive from him, nor written to him more than once or twice since the time when most of Henrietta Maria's French attendants had been forcibly repatriated by Charles. And before that he wrote to the cardinal for no other end than to move him to intercede with the French king that Catholics might now enjoy the tolerance which they believed had been guaranteed to them by the Anglo-French dynastic treaty. He would not concede that his authority prejudiced that of the crown. He denied that he had set up a 'new tribunal' for proving wills, or 'any other kind of tribunal than St Paul did when he excommunicated the incestuous Corinthians, or regular superiors do when they correct their brethren'. Nor had he 'all these 4 yeares exercised any authority at all over any lay person'.[7]

Nevertheless, a second royal proclamation, dated 24 March 1629, was issued against the increasingly beleaguered bishop. This was clearly intended to answer some of the crown's critics in the recent parliament.[8] Still no effective attempt was made to arrest Smith himself. But such repeated public denunciations were severely damaging to Smith's credibility and reputation.

[6] In October 1628 Humphrey Cross and Richard Tomlins were ordered by Viscount Conway to make a thorough search of the London prisons. In itself, this was nothing unusual, but on this occasion Conway prefaced the warrant with the observation that 'there is information and probable suspition of some undutifull combination or practise against the peace of the goverment of this kingdom and that the same is founded upon a supposed power from Rome and from thence communicated to severall persons within this realme', among them several 'prissonners [. . .] about the cittie of London'. In particular, Cross and Tomlins were directed to harass Smith's officials – William Harewell in the New Prison and George Fisher in the Gatehouse; PRO, SP 16/118/25, fo. 34r.

[7] AAW, A XXII, no 154, p. 665; Allison, Q J, p. 129. Smith asserted also, in a letter of 31 December 1629 to an unnamed lady at court, that his authority was only spiritual; *ibid.*, pp. 127–128. Although Smith's new thoughts on his authority were widely circulated, and his officials seemed on the verge of fixing up an accommodation between their master and his opponents, this prospective *détente* failed because Smith's enemies demanded that he should issue the supposedly private thoughts in these two letters as a public statement of his acceptance of the limits on his authority, and this he refused to do; *ibid.*, pp. 131–132.

[8] AAW, A XXIII, no. 93; AAW, SEC 16/1/4; Larkin, *SRP*, no. 109.

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Frantic attempts were made to shore up Smith's position, including a conference, in August 1629, to try to make peace with his Catholic opponents.[9] By now, however, Smith had been driven to take refuge in the French embassy in London. Sir George Calvert, 1st Baron Baltimore, returned from the New World in 1630. He assumed control of the campaign against Smith and revived the text of one of the principal polemical pieces that had, back in 1627, been circulated against Smith, the so-called 'letter of the three gentlemen'. In March 1631 it was issued again, now entitled 'The Declaration of the Lay Catholicks of England'.[10] It was presented to the Catholic ambassadors in London, and, in April, to the Spanish diplomat, Carlos Coloma, as he was returning to Spain by way of Brussels. Coloma went as far as to sign a statement that the documentation shown to him was factually accurate and genuine.[11]

Smith's supporters retaliated. They collected, from September to November, affidavits from the Catholic laity that they had not even heard of the 'Declaration'.[12] The French ambassador, François Duval, marquis de Fontenay Mareuil, was initially chary about supporting them. But he eventually signed, in late June 1631, an amended version of a document (of 31 May)[13] to this effect. It was printed at Paris under the title *Général Désadveu des Catholiques Lais d'Angleterre, contre une Déclaration qui a esté faussement publiée à leur Nom.*[14]

The bishop's position, however, had deteriorated beyond repair. He left the country on 24 August 1631. George Leyburn conducted him as far as Calais before returning to London.[15] The final straw had been the papal breve *Britannia* (issued on 29 April/9 May 1631).[16] It

[9] AAW, A XXIII, no. 126, p. 455.

[10] AAW, A XXIV, no. 77, p. 297; *Letter 3*. See also AAW, A XXIV, nos 72, 78, 85, 86, 155; Hughes, *HSJ*, pp. 200–201.

[11] *The Attestation of [. . .] Don Carlos Coloma* (St Omer, 1631); ARCR, II, no. 191; Hughes, *RCR*, pp. 382, 384. The 'Declaration' had signatures appended to it, though when it came out in print (in both English and Latin) the signatures were omitted; Allison, Q J, p. 134.

[12] See e.g. AAW, A XXIV, no. 113 (Essex). For general declarations in favour of Smith by the laity, some of which also mention the 'Declaration', see AAW, A XXIV, nos 155 (Wales), 157 (Lincolnshire), 158 (Staffordshire), 159 (Oxford [diocese]), 160 (Essex), 161 (Wells [diocese]), 163 (Hampshire), 164 (Northamptonshire), 165 (Yorkshire), 166 (Staffordshire and Cheshire), 167 (Sussex), 168 (Berkshire), 171 (Yorkshire), 174 (Durham), 175 (Hampshire), 177 (Suffolk), 178 (Northamptonshire), 181 (Cambridgeshire), 182 (Norfolk), 183 (Derbyshire), 184 (Worcestershire and Shropshire), 187 (London and Middlesex), 188 (Yorkshire), 189 (Yorkshire), 203 (Kent). See also AAW, A XXIV, nos 186, 190, 192, 210.

[13] Entitled 'Abrenunciatio Catholicorum Laicorum Angliae in Declarationem quandam sub ipsorum nomine false editam', AAW A XXIV, no. 98.

[14] Allison, Q J, pp. 134–135; AAW, A XXIV, no. 99, p. 401.

[15] Anstr., II, p. 193.

[16] AAW, A XXIV, no. 93, p. 381; Hughes, *RCR*, pp. 378–380.

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pronounced on the issues in dispute between him and his enemies, mainly in favour of his enemies, at least on the question of approbation.

Smith arrived in Paris and promptly resigned his episcopal title, thinking thereby to shame his enemies and push the pope into appointing another bishop in his place, or possibly more than one.[17] Urban VIII accepted Smith's retirement but then, with classic Roman indecision, left things as they were. By the time Smith realized he had made a tactical error, and tried to withdraw his resignation, it was too late.[18] He was never again to exercise the overarching power which he and his friends had craved within the English Catholic community. Smith's exile enraged his followers. They kept him and Peter Biddulph[19] (Smith's representative at Rome from 1631) supplied with a stream of newsletters, memoranda, and petitions, in order to try to persuade the papal curia to restore Smith, or at least to grant episcopal authority over English Catholics to one of their party.

These newsletters and other documents supply the material for this volume. I have decided to print in their entirety virtually all the letters in the Westminster archdiocesan archives which were written, between December 1631 and May 1638, by Smith's two faithful lieutenants in London, John Southcot and George Leyburn. I have included a few other letters as well – written by Richard East (*Letter 33*), William Case (*Letter 58*), Richard Smith himself (*Letter 71*), and Anthony Champney (*Letter 95*), and also some memoranda drawn up by Smith's supporters (*Letters 67*, *69*, *78*, *79*) which describe the state of religion in England in the mid-1630s. Some of Biddulph's dispatches are extant in copies in the Westminster archive, and many of Smith's own letters to Biddulph (mainly for the period 1632–1634) are bound in the final volume (B 27) of the Westminster archive's 'Roman letters' series. (I have used these principally to edit and annotate Southcot's and Leyburn's letters.)

We can get, therefore, an accurate glimpse from these letters of an active Catholic clerical traffic of information and exhortation, a glimpse which allows us to discern the aims and ambitions of one of the most powerful and determined English Catholic clerical factions of the day, a faction struggling not just to exert its authority over English Catholics but also to affect decisively substantial areas of the Caroline regime's ecclesiastical and foreign policy. These newsletters also allow us to see a good deal of the internal politics of the English Catholic community, in particular the way in which these clerics tried to appropriate and retain the aristocratic and gentry patronage on

[17] AAW, A XXIV, no. 179, p. 671.
[18] See AAW, A XXIV, no. 214; *Letter 14*; AAW, A XXVI, nos 21, 29.
[19] Better known by his alias of Fitton.

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which their claims to and assertion of authority and superiority so heavily relied.

Bishop Smith and his friends alleged that he enjoyed the support of the majority of English Catholics, particularly those whose social status added weight to their opinions. In a report to the Congregation for the Propagation of the Faith (De Propaganda Fide) of 14/24 June 1631, he insisted that a paltry 'seven, or eight at most, English notables came to see the French ambassador' on the issues in dispute, in order to express opposition to Smith, 'nor could others have been to see his Spanish colleague' for that purpose. Of these 'notables', two (Cashel and Baltimore) had Irish, not English, titles. Another (Herbert) was 'not a peer of the English parliament'. Yet another had now withdrawn his opposition. Smith stated that, since there were in total twenty-four Catholic peers, the malcontents were an unimpressive number 'in comparison with the whole body'.[20] The pro-episcopal lobby collected attestations and affidavits about the extent of aristocratic support for Smith. Letters were obtained from, for example, the marquis of Winchester, who protested his respect and reverence for the bishop.[21]

This battle for support among the leading aristocratic patrons of the community came out into the open with the 'Protestatio Declaratoria' of October 1631. This new attack on Smith was delivered shortly after he had withdrawn in disgust to Paris. It was dispatched to Rome, with additional documentation and lists of subscribers and supporters from among the Catholic nobility. Twelve nobles had signed the protestation itself. Five others had registered their assent but did not actually put their signatures to it. It was claimed that only one peer (Baron Arundell) was completely committed to Smith's cause. Two others were basically supportive of him but did not think that episcopal jurisdiction should be restored at that time. Another two were not committed to either side. Three hundred gentlemen were alleged to have signed the document, and even more were said to have sanctioned it.[22]

What all this suggests is that there was a fairly even balance between Smith's supporters and his opponents, and that noble and gentry opinion about the rights and wrongs of his cause was fluid and changeable. In short, there was still all to play for, even after Smith had gone into exile. If those nobles and their families who positively supported the conformist line spun by the clergy in sympathy with Smith were rather few in number, Smith was still able to protest that

[20] Hughes, *RCR*, pp. 382–383; Hughes, *HSJ*, p. 219.

[21] AAW, A XXV, no. 21, p. 39.

[22] Allison, QJ, pp. 138–139; Hughes, *HSJ*, p. 225. See also AAW, A XXVI, no. 98, p. 273; no. 122, p. 339; no. 123, p. 341.

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his enemies' claim that virtually none of the aristocracy supported him was false.[23] Whatever such people actually said when they were besieged and badgered for their support by leading clergy on both sides, Smith's backers may well have been right to think that things were much more evenly balanced than the 'Protestatio Declaratoria' claimed. They certainly argued, with some confidence, that if Smith were restored, or if another bishop were to come in his place, many of those Catholics who currently resisted episcopal authority would desist from their opposition.[24]

On the surface, of course, these spats and disputes do generally look rather pernickety and tedious. But they were one of the central processes by which Catholicism in England was identified, defined, and redefined, and through which its meanings and significance were hammered out, during this period. Also, these newsletters, which describe these quarrels in such detail, are a crucial key to the structure of the community which gave rise to them. For example, they delineate some of the tight familial and kin networks which sustained the leading clerical protagonists in these quarrels. John Southcot was himself a cousin of another of Smith's friends and leading clerical officials, Richard Broughton, and also of the influential political theorist, Thomas White (better known by his alias of Blacklo), a relationship which tied Southcot into the wider kinship circle of the lord treasurer, Sir Richard Weston, created earl of Portland in February 1633, whose daughter had married Thomas White's brother Richard.[25] George Leyburn was a cousin of the influential priest, Henry Holden. The foundation in the mid-1630s of an Augustinian convent at Paris for English Catholic women (under the patronage of Cardinal Richelieu and Louis XIII) recruited personnel from among the families of the convent's English clerical sponsors. Relatives of Richard Smith and John Colleton were among the first to be professed there. On 28 October 1636 Smith noted that his niece, Mary Gildon, was 'to be clothed' in the new convent 'on Al[l] Saintes daye when I am to preach'.[26]

[23] AAW, B 27, no. 107; *Letter 13*.

[24] See AAW, A XXVII, no. 131, pp. 407–408.

[25] See *Letter 26*.

[26] AAW, A XXVIII, no. 176, p. 569. See A.F. Allison, 'The English Augustinian convent of Our Lady of Syon at Paris: its foundation and struggle for survival during the first eighty years, 1634–1713', *RH*, 21 (1993), pp. 451–496, at pp. 458–459; *Letter 66*; F.-M.-Th. Cédoz, *Un Couvent de Religieuses Anglaises à Paris de 1634 à 1884* (London, 1891), p. 32. Kinship did not, however, necessarily lead to ideological affinity and harmony. As is made clear in these letters, there were sharp divisions even within leading Catholic families. Peter Biddulph's father and John Southcot's father were both patrons of the Jesuits and seriously disapproved of what their sons were doing. Southcot's cousin Thomas White's mother was Mary, the

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But, just as significantly, the ways in which the Caroline Catholic community argued with itself about how it should be governed actually informed the relationship between English Catholicism and the Caroline State. These newsletters' rehearsals of the to-and-fro, and tit-for-tat squabbles between different factional groups among the clergy are also the substance of a narrative of the changing fortunes of Catholicism as a political issue during the 1630s.

What were the issues at stake between Bishop Smith and his opponents?

The arguments aired in the approbation controversy were not in themselves particularly new. Conflict between the diocesan authorities in national churches and the members of religious orders was endemic in Europe at this time, especially in France. But the strife caused by such arguments within the English Catholic community reached a new stage of intensity during the 1620s, when local episcopal authority was instituted among and over the English Catholics for the first time since the Reformation.

Since the appointment of the archpriest, George Blackwell, in 1598 there had been disputes and quarrels about how far the Catholic missionary clergy in England were conforming to the godly patterns and ideals which were desirable for men of their profession. As is well known, some of the secular clergy accused the religious of corrupting the ideals of the English 'mission' as it had been inaugurated during Elizabeth's reign, and of draining, for their own selfish purposes, the English Catholic community of men and financial resources. The religious, particularly the Jesuits, retaliated by alleging that their critics were only a small fraction of the secular clergy – embittered, ambitious, and failed men who were jealous, or 'emulous', of the success of the regulars in evangelizing the kingdom, and were now campaigning against them only in order to cosy up to the State in the hope of obtaining a measure of toleration (though only for themselves and, in effect, at the expense of the majority of English Catholics). But, with the restoration of episcopacy and the appointment of a secular priest as a bishop, the secular clergy who had spearheaded the appeals to Rome against George Blackwell now had the instruments of disciplinary authority to start enforcing one version of what those

daughter of the lawyer Edmund Plowden, and thus a cousin of the influential lawyer, Francis Plowden, who was an opponent of Bishop Smith.

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godly patterns and ideals were, to the possible exclusion of other versions.[27]

Crucially, as we shall rehearse in more detail shortly, this was happening at almost exactly the same time that certain Church-of-England men (often described by historians as avant-garde conformists or Laudians) were making almost precisely the same kind of bid to enforce conformist patterns of godly behaviour in the Church of England, and were using not dissimilar weapons to do it. In both cases, the agency making the bid claimed to be moderate and mainstream, restoring, not revolutionizing, the Church, and acting entirely in conformity with the traditions which all members of their Church could presume to have inherited from the time of its inception.

We may, of course, conclude that the bid by English Catholic avant-garde conformists failed while the bid by avant-garde conformist elements in the Church of England succeeded (at least in the short term). This was in large part because of structural differences between the two. (The English Catholic conformist impulse was reliant on resources a lot more limited than those available to the Laudians.) Many of the letters printed in this volume lament the lack of success of the secular clergy in making their case to the authorities in Rome, and they deplore the continued stubborn delinquency of their opponents in England. But it is clear that these secular priests did have the ear of the queen and prominent courtiers. And for much of the 1630s it seemed to them, and to their enemies as well, that local episcopal rule might well be restored by Rome over Catholics in England and Scotland. As these letters show, for a time in the early 1630s, the seculars believed that, even if Smith was forced finally to step aside, the Roman curia might invest one of his colleagues (or more than one) with episcopal authority.

In addition, the often apparently rather petty arguments aired in the controversies between different Catholic factions were part of a much wider, and widely recognized, contemporary rhetoric of order and discipline. To dominate this rhetoric was absolutely essential for those who aspired to any kind of controlling authority within the English Catholic community. The conflict at the rhetorical heart of these debates over episcopacy was about what the Catholic clergy in England were supposed to be doing. In some senses it was quite obvious: to dispense the sacraments and, indeed, to perform all the services to the faithful that a good missionary priest should. But if it was accepted, as in theory it was, by all these clerics, that the purpose

[27] For an excellent summary of the issues in controversy among the English clergy at this time, see E. Duffy, 'The English secular clergy and the Counter-Reformation', *Journal of Ecclesiastical History*, 34 (1983), pp. 214–230.

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of the Catholic missionary clergy was to roll back the tide of Protestant heresy, then there was more to it. This was because, in contemporary English Catholic thought, there was reckoned to be more than one way of achieving the 'conversion' of England.

In fact, the action of 'converting' (evangelizing, sanctifying, and saving) one's fellow man (Catholic as well as Protestant) was capable of causing deep divisions among Catholics. John Bossy has described how the modes of evangelization which the Society of Jesus adopted were likely to antagonize others who only partly shared the Society's goals or view of the world.[28] As one typical memorandum concerning episcopal government (sent to Rome by the secular clergy in July 1627) stated,

> [. . .] the necessity of having this authority here well established and continued is apparent to any indifferent judge, both for the comfort of the good and for the correction of the bad. For without this authority the wisest men, that understand the case of England truly, are of opinion that this great work of the conversion of our country will advance nothing at all, and never be achived, and that the abuses and inward impediments, which have hitherto chiefly hindered the same, will rather grow and encrease daily, as by experience we see they doe.

At this point the author of the memorandum launched into a recitation of the normal catalogue of 'intolerable abuses' which lack of episcopal control was reckoned to have caused. Some priests

> [. . .] have come into England, and have practised their priestly function without a lawfull mission. Others have practised beiond the extent of their faculties. There are divers particular religious men here that do acknowledg[e] no superiour in England. Some have committed notorious and daungerous indiscretions. Some live scandalously, and the like.[29]

It is clear that, for all the overt polemical overtones of these remarks, those seculars who were in favour of an immediate restoration of local episcopal jurisdiction among English Catholics knew that they had identified a live issue when they floated their claims to authority on a polemic of decorum and order in the Church. Thomas McCoog's research has shown that there were doubts, even from the inception of the English Jesuit mission, about how far the Society's vocation and purposes were being realized and fulfilled in England. In the 1570s, the Jesuit general, Everard Mercurian, had hesitated about authorizing an English mission precisely because of the foreseeable difficulties which Jesuits would experience in living there in accordance with

[28] J. Bossy, *The English Catholic Community 1570–1850* (London, 1975), section 1.
[29] AAW, A XX, no. 102, p. 354.

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their institute.[30] Such concerns were the inevitable result of not being able to wear clerical dress, live openly as Catholic clergymen, and benefit from the discipline exerted by the priests' immediate superior – since the hunted life of priest-missioners did not easily allow for regular visitation, renewal of vows, and the like. And, of course, the political activities of some leading English members of the Society gave their enemies the opportunity to criticize them for provoking the wrath of the State against all English Catholics.

Privately, the Jesuits continued to air their worries about how well they fulfilled their apostolic mission, how difficult it was for a mission superior to visit his community and provide spiritual and other direction, and even about apparently rather minor questions such as how their devotions were to be carried out, and how much time during each day was to be spent in prayer. McCoog notes that, in 1626, i.e. just before the approbation crisis broke, the Jesuit general, Muzio Vitelleschi, 'issued a series of ordinances and regulations for the religious life of the missioners in England'.[31]

Similarly, the Benedictines had begun their mission in 1603, as David Lunn points out, 'with very little formal organization'. More reliance was placed on the charisma and ability of the local superior than on any very developed chain of command. When the local superior was, like Thomas Preston (head of the Cassinese Benedictines in England), refractory on an important political issue such as the oath of allegiance, or generally incapable of keeping order, as was Leander Jones (the vicar general of the Spanish congregation of the Benedictines in England), then this could cause serious difficulties. The result was a series of anxieties and discussions, similar to that which McCoog traces among the Jesuits, about how to regularize the often rather irregular aspects of the Benedictine mission in a country where there were no cloisters.[32]

In 1615, for example, there was a draft Benedictine proposal for a structure for their missionaries' lives, virtually identical in some of its suggestions to what the Jesuits were recommending. It counselled two hours of mental prayer each day, as well as the normal liturgical routine which the monks were supposed to perform. It also advised the appointment of additional officials ('provincials') who would, in effect, go on visitation in order to guarantee that monks were not

[30] T.M. McCoog, *The Society of Jesus in Ireland, Scotland, and England 1541–1588: 'Our Way of Proceeding?'* (Leiden, 1996); *idem*, 'The religious life of the English Jesuits' (forthcoming).

[31] *Ibid.*

[32] For the reconstitution of the English Benedictine congregation, see Lunn, *EB*, p. 147; *idem*, 'Benedictine opposition', pp. 4–6.

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involved in commercial ventures or in politics.[33] A number of codes followed in subsequent years. A set of rules was drawn up for the newly united Benedictine Congregation in England in 1617, and there was another series in 1633.[34] It is clear, however, that there remained real difficulties.[35] In consequence, the pro-episcopal lobby could fashion a *prima facie* convincing critique of the regulars' alleged irregularities.

A significant branch of the pro-episcopal, or hierarchalist, priests' propaganda concentrated on proving, however, that their censures of the regulars did not imply that they were opposed to religious orders *per se*. In fact, they tried to show that, in seeking to police and regulate the religious orders, the secular clergy could claim to be assisting the regulars' own purposes and best interests. Even if Richard Smith and his friends evinced no specific concern about whether the Jesuits and Benedictines completed prescribed annual retreats, renewed their vows, and so on, the pro-episcopal lobby could convincingly parade their interest in promoting a culture of order and discipline as a benefit to all the clerical groups on the English Catholic mission.

For this reason, it was in the interests of the pro-episcopal secular clergy to be able to show that they retained the friendship of the well- or better-intentioned among the regulars. Since the revival of the Order of St Benedict's mission in England, the seculars had got on reasonably well with the Spanish Benedictine congregation.[36] Among the regulars who were prepared to support Smith actively was the Carmelite, Thomas Dawson. In October 1627 he wrote to the Congregation for the Propagation of the Faith asking permission to live under the authority of Smith as bishop of Chalcedon, instead of that of his own order.[37] The leading secular priest, John Jackson's Franciscan brother, Bonaventure, was also well regarded by Smith's friends.[38] There were even a few Jesuits of whom they approved. One was Edmund Arrowsmith who served, until his arrest and execution (see above), as one of Smith's officials in the north of England.

[33] Lunn, *EB*, p. 147.

[34] *Ibid.*, p. 148.

[35] David Lunn suggests that 'the loose, Jesuit-type organization, which had its heyday among the Benedictines between 1603 and 1619, was less advantageous to all concerned than might be supposed', and he speculates that 'it might have been better, at least for the laity, if the regulars had submitted to the ordinary jurisdiction of Bishop Richard Smith in the 1620s'. There were a number of 'rebellions' against the imposition of authority on monks in England, and 'even after 1619, quite apart from the rebels, it has to be said that proper discipline, monastic observance and supervision were unsolved problems'; *ibid.*, p. 148. Failings in the order's loose missionary organization 'were spotlighted' in the approbation controversy; *ibid.*, p. 151.

[36] *NAGB*, *passim*.

[37] AAW, A XX, no. 138, p. 503; Hughes, *RCR*, pp. 342, 363.

[38] Dockery, *CD*, pp. 22, 26, 27, 29, 41, 117.

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Smith's agent in Rome, Thomas White, was advised in July 1627 to inform the curia that

> [. . .] not only the secular priests of England, but also the religious them selves of all orders (the Jesuitts only excepted) togeather with the archbishop of Rehemes [William Gifford OSB], the college of Doway, the English residence at Paris, with all the Catholicks of England (save only such as depended upon the Jesuitts) did all jointly concurr to sue to his Holinesse for a bishop.[39]

Here, then, we have a rhetorical as much as a strictly jurisdictional dispute over what was the best way to maintain and promote a godly ministry within the English Catholic community. The approbation controversy was always more than a technical debate about the precise legal extent of Smith's powers. It was also informed by a number of crucial contemporary anxieties about the relationship between clergy and laity.

In the first place, patronage dispensed from the upper echelons of the community to seminarist chaplains always threatened to create conflicts of interest. Gentry and aristocratic largesse could imply clerical obedience, even subservience, on the chaplains' part. As Thomas McCoog asks, 'would the patron take advantage of his position and demand that the priest involve himself in occupations inappropriate for a religious?' And, generally, 'there would be an ever-present temptation' for the clergyman 'to ape the behaviour and style of [. . .] [his] hosts'. If 'the exigencies of the English mission and the demands for concealment required the clergy to pose as [. . .] stewards and gentlemen, where did the necessity end and self-indulgence begin?' Would such role-playing corrode the cleric's 'religious fervour and apostolic zeal'? The real problem was that, heavily reliant upon the support of lay gentry patrons, priests were often very much at their patrons' beck and call. The patron might compel his chaplain into seigneurial service in a way which would cramp his clerical style and damage the structure and original purpose of the 'mission'.[40]

It was unavoidable that the social tensions and frictions caused by many Catholic clergymen's status and duties should be incorporated into the struggle between the different factions which were fighting for political dominance within the community and for the right to represent themselves to the State as the true spokesmen of that community. The perceived lack of regulation and discipline among both clerics and laity became a central topic of argument between these factions. The regulars claimed that their own institutional

[39] AAW, A XX, no. 102, pp. 354–355.

[40] McCoog, 'Religious life', citing Bossy, *English Catholic Community*, p. 259. Cf. W. Gibson, *A Social History of the Domestic Chaplain 1530–1840* (Leicester, 1997), pp. 38–42, 44.

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structures guaranteed the integrity of their mission against the temptations generated by the style of life lived in the houses of their patrons. The clergy who saw episcopal regulation as the key to raising clerical standards and ensuring discipline argued that, without the mechanisms of episcopal government, godly Catholicism was likely to be corrupted, not just among the clergy but among the laity as well.

One document, from July 1627, enumerated the 'fruict' of William Bishop's and Richard Smith's own episcopal 'endeavours' under twelve separate heads. Stress was laid on the fact that 'the hierarchy hath bin sett up in an orderly and dew manner, by making vicar generalls, archdeacons, rurall deanes and other officers belonging therunto'. 'Ecclesiasticall discipline, which was utterly decaied, doth begin hereby to florish againe.' The effects of that discipline were then listed. Disorderly priests had been 'corrected and reclaimed from their bad courses'. Those who had subscribed to the 1606 oath of allegiance had been made to recant. Many of the laity had received the sacrament of confirmation 'to their singular comfort and encouragement'. The 'gravity, good example and zealous exortations of the bishops' had 'helped very much to confirme the Catholickes in that constant profession of their faith', and in a 'true devotion and obedience to the Sea Apostolicke'. Smith had not only 'taken particular care to determine of the feasts and fasts proper to our country', and started to collate a definitive martyrology, a true record of English Catholic witness to the faith, but also, 'by his authority', he had 'donn many good offices to reconcile divers discontented wives and husbands, who lived ordinarily before a sunder', and had even sought to make peace between the warring clerical factions.[41]

The Jesuit authorities' own warnings about the dangers of relying too heavily upon lay patronage accurately anticipated and tried to deflect the kind of charges which were being levelled against the Society by its enemies. As early as January 1607, an admonitory letter was sent by the Jesuit general, Claudio Acquaviva, to the English mission. He advised that, in place of external poverty, where it could not be practised, an interior one should be cultivated instead. The fact that the Jesuits could not simply apply to their superior for financial supply meant that they would have to be even more careful about their calling of evangelical poverty. And they should avoid familiarity with the patron's family in order to fend off threats to chastity.[42] The English Jesuits' vice-provincial congregation of 1622 issued instructions which advised the Jesuit missioner to extract himself from any kind of

[41] AAW, A XX, no. 102, pp. 355–356.
[42] McCoog, 'Religious life'; cf. Gibson, *Social History*, pp. 49–52.

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involvement in 'marital and domestic arguments'.[43] A memorial in 1630, codifying the rules which, in theory, governed Jesuit missioners' lives in England, set out ways of avoiding conflict with patrons. As McCoog remarks, 'no matter how great the cause, no Jesuit should ever complain to his host about food and lodging'. And there were strict warnings against 'involvement both in the management of the house and the inner workings of the marriage'.[44]

But the Jesuits' opponents frequently alleged that the religious did not balk at such meddling. The involvement of the Jesuits in such disputes was, as the secular clergy's correspondence and newsletters during the 1620s and 1630s make clear, used to fuel accusations that the religious disrupted the life of the Catholic community. In 1636 the Jesuit Henry More forwarded to Rome various complaints against the Society, notably concerning the Jesuits' allegedly 'excessive involvement in the financial affairs of laymen'.[45] Of course, the Society's general congregations did legislate on such issues (though their deliberations and decisions were obviously not limited to England alone). But, as far as many leading secular clergymen were concerned, here was evidence which showed that the loose life and morals of the regulars not only set Catholics against each other but also gave public scandal and turned people away from the Catholic Church back towards the Church of England. This was a dreadful distortion of the 'conversion of England', which was the proper function of the Catholic missionary clergy.

In this context, it is possible to see the English Jesuits' annual letters not just as upbeat reports of the Society's activities in their own country, but also as carefully crafted polemical replies to their enemies' accusations. At the Jesuits' residence at Clerkenwell in March 1628, government searchers seized, among other papers, a list of points to be incorporated in the Society's annual report for the English province. This list included not just numbers of baptisms and 'generall confessions', but also how many had been reconciled and converted, in particular 'straunge and notable conversions'; 'how many have bene recalled or kept from taking the oath [of allegiance] or falling otherwise'; 'what p[ar]ticuler benefitts have happened for the good of the Society'; 'how many have bene directed to the seminaryes, or religious howses, men or women'; 'how many prisoners, or what p[er]secution hath befallen us or our freinds'; and 'what reliefe prisoners or pore Catholikes have had by our meanes'; 'what good example or edification hath bene given by us or our freindes in life

[43] McCoog, 'Religious life'.
[44] *Ibid.*
[45] *Ibid.*

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or death'; and 'what opinion the Society hath in those [. . .] parts'; 'what charity or almes hath bene given to the Society'; and 'how many attonm[en]ts have bene made by those who were at dissension'.[46] The results of such surveys would inevitably be taken, by a significant section of the Catholic community, as direct challenges to the claims of the pro-episcopal lobby which had often implied that the religious, and the Jesuits in particular, did none of these things properly, if at all.

The accounts written by the hierarchalist clergy of devout and selfless secular priests serving large numbers of all social ranks or classes (while, implicitly or explicitly, we are led to understand that the religious avoided such service) were themselves generated by the logic of the controversies between these factions, as each tried to represent itself as the true basis for a rebuilding of the Catholic Church in England. We can see this clearly in e.g. Thomas Green's well-known memorandum of 1635 (printed as *Letter 78*). Of the Jesuit, Thomas Keel, Green noted that he 'calls himselfe the pore mans p[riest] and takes at tymes a long circuite', but the fact remained, said Green, that he 'performeth not well that office', because he inconveniently turned up on 'working days', 'well horst', and because 'his fashion of habitt suteth not with [. . .] Gods pore'. Here was the classic indictment, first perfected during the notorious 'appellant' controversy, of the, as it were, 'society' Jesuit, too much on his high horse, or here, literally, on a horse, to have even the faintest understanding of the spiritual needs, crude as they might be, of the labouring poor. In the polemical context that Green wrote, the fact that it was equally hard to imagine Richard Smith or his well-born agents and officials, John Southcot, George Leyburn *et al.*, in this role of the poor man's priest seems to have been neither here nor there.

As we have already mentioned, the polemical and ideological significance of the feud among English Catholics over Richard Smith's authority was not confined within the boundaries of the English Catholic community. The debates and quarrels about Smith's powers both fed into and fed off similar debates and quarrels raging in the contemporary French Church. Smith and his enemies both had patrons among the French clergy and they appealed to them for support. They represented their own concerns as part of the larger struggle between a contemporary species of gallican sentiment and a virulent ultramontane critique of that sentiment. Smith's cause, championed by English writers such as Matthew Kellison, was taken up by French gallican theorists in order to attack the papalist Jesuits.[47]

[46] Foley, I, pp. 127–128.
[47] Allison, RSGB, I, p. 330.

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It was crucial for Smith to win, and be seen to win, the plaudits of those French clergymen who could be taken, by at least some English Protestants, as representative of a national Church which, though Roman Catholic, was not antithetical to the English one.[48] What French churchmen wrote in his favour was circulated in England. In August 1632, Southcot noted that twenty copies of a tract by the Abbé de Saint-Cyran (Jean Duvergier de Hauranne) which supported Smith had been brought across from France and were now being distributed via the secular clergy's network.[49]

But English Catholics' interest in mainland Europe was not limited to the concerns of their gallican friends. As Antony Allison has shown, the approbation controversy of the later 1620s was a continuation of the political passions aroused among Catholics by the Stuart regime's negotiations with the Spaniards and the French in the early 1620s (leading, finally, to the Anglo-French dynastic treaty of 1624–1625, and the marriage of Charles to Henrietta Maria). The opportunity for improving the political fortunes of English Catholics had been raised by the prospect of one dynastic match, with Spain. But the desired amelioration of their situation was then (in part) achieved by a completely different treaty, i.e. with the French. This fractured the political coherence of the Catholic community in a way that would not have happened if the accommodation with the State for which all Catholics hoped had been achieved via the attempt to forge an alliance with Spain. As we might expect, the new authority claimed by Bishop Smith came to be seen as an adjunct of a royal foreign policy which increasingly was viewed by some English Protestants as a betrayal of the pan-European Protestant cause. Ironically, it was also believed by many Catholics to be contrary to the interests of the Spaniards who, they thought, alone had the true interests of English Catholics at heart. In the 1630s the spectacle of Catholic powers pitted against each other, as the Thirty Years War dragged on, allowed the different English clerical factions to accuse each other of confused and misdirected loyalties. In particular, the Jesuits' enemies argued that the Society was criticizing the pope, Urban VIII, for siding with the French against the Habsburgs.[50]

[48] For the Laudians' attitudes to the French Church, see Milton, *CR*, pp. 264–269. Anthony Milton shows that, although some English Protestants believed gallican Church theory was simply a lesser version of the general evils represented by the Church of Rome, others, such as Richard Montagu, took its moderation, or at least aversion to high papalism, to represent the basis for a reunion between the Church of England and the Church of Rome.

[49] See *Letter 25*.

[50] See e.g. *Letter 3*. Urban VIII had been nuncio in Paris during the reign of Henri IV; Hibbard, *CI*, p. 42. For perceptions that he was biased against the Habsburgs and the

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Catholics and English politics in the 1630s

However, were the jurisdictional concerns of these warring Catholic clerical factions more than a rather minor branch of the relationship between the Caroline regime and the leading European Catholic powers? The answer may well be that they were.

There is, as is well known, a consensus among historians that Catholicism was a substantial cause of the Caroline regime's political difficulties during the 1630s and was partly responsible for its collapse in 1640–1642. Professor Hibbard's superb monograph, *Charles I and the Popish Plot*, shows that there appeared, to many contemporaries, to be convincing proof of a 'popish' conspiracy to subvert substantial areas of the law and, of course, the crown's stewardship of the Church of England. Kevin Sharpe concedes that 'what perhaps alone served to connect the religious issues of 1640–2' with William Laud and the Caroline regime 'was the fear of popery', and 'more than anything else it was the solvent that eroded trust in the king'.[51] But Professor Sharpe calls this 'paranoia'. He suggests that it was ridiculous for John Pym (and many others) to characterize Laud as a covert papist. And, indeed, it is hard to see the general run of English Catholics as any kind of fifth column. Allegations of 'popery' look, primarily, like a running commentary on the regime's supposed mishandling of foreign policy, the rise of 'Arminianism' and a host of other 'commonwealth' issues.

It is therefore worth asking again, and trying to explain, why such Catholics as the ones who wrote and featured in the newsletters printed in this volume were, in fact, part of the 'popery' equation in the 1630s. One reason was that their aims and ambitions clearly coincided with what many historians have seen as a series of new, even revolutionary, directions in royal, and especially royal ecclesiastical, policy-making in the 1630s, even though, as is clear from these letters, it is not the case that the Catholic pro-episcopal lobby suddenly threw themselves into the arms of the Laudians or were even necessarily personally acceptable to Laud and like-minded Church-of-England men.

Rather, as contemporaries themselves observed, the ideological circumstances and assumptions of certain sections of the English Catholic community and certain sections of the Church of England's clergy started, in the 1630s, to look distinctly analogous. Anthony Milton has demonstrated how many disputes and debates within the

imperial cause, see Albion, *CI*, pp. 160, 177–178. But, as Hibbard points out, with France's engagement in the Thirty Years war against the Habsburgs involving financial pressure on the French clergy for increased tax contributions, the curia became increasingly less Francophile in the second half of the 1630s; Hibbard, *CI*, p. 47.

[51] Sharpe, *PR*, pp. 938, 939.

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Church of England at this time took the Roman Church as a focal point. Those who wanted to put, what for shorthand purposes might be called, an anti-Calvinist or avant-garde conformist case naturally played up certain positive aspects of the relationship between the two Churches which much English Protestant polemical thought tended to describe entirely negatively.[52] Certainly, the structure of political conflict within the English Catholic community invited Smith, and those who sympathized with him, to make comparisons between their ideals and those of conformist Church-of-England clergy who were trying to bring about extensive changes in the discipline and the doctrine of the established Church.

Of course, those comparisons were not, of themselves, necessarily 'true'. However, when certain Catholics decoded the rhetoric of clergymen such as Laud, they accurately concluded that there was enough in such rhetoric for them to be able to claim that all their interests and concerns were in some sense in alignment, and that the Caroline regime could take this as a sign that Catholicism was now both an acceptable, and even desirable, force to be, if not quite incorporated, then at least positively tolerated within the wider, monarchically-governed English Church, as well as around the person of the sovereign himself.

After Smith had been forced into exile, his friends continued to lobby the privy council and powerful courtiers. Not all members of the regime who were thus approached were likely to be sympathetic to the, allegedly Francophile, secular clergy leadership. Sir Richard Weston and Sir Francis Cottington were generally regarded as Hispanophiles and were probably hostile to Smith's pretensions.[53] Cottington was regarded as a friend of the Society.[54] But John Southcot believed that they should be lobbied as hard as any other councillor. Smith himself petitioned Weston over the travails of Jean Arismendy (a retainer of the 3rd Viscount Montague) in 1633.[55]

One privy councillor in whom they enthusiastically placed their confidence was Edward Sackville, 4th earl of Dorset.[56] At the end of June 1634, the aged priest, John Colleton, formerly one of Smith's

[52] Milton, *CR*.

[53] See e.g. *Letters 9*, *17*; AAW, A XXVI, no. 86, p. 237. For Weston's and Cottington's political relationship, see Havran, *CC*, ch. 6f, and esp. ch. 10, and p. 123. For their position at the centre of the 'Spanish faction' in the 1630s, see A.J. Loomie, 'The Spanish faction at the court of Charles I, 1630–8', *BIHR*, 59 (1986), pp. 37–49.

[54] AAW, B 27, no. 101. For Cottington's crypto-Catholicism, see Havran, *CC*, p. 77. Cottington's brother, Edward (d. 1602), had joined the Jesuit novitiate; *ibid.*, p. 3.

[55] See *Letters 52*, *53*.

[56] For an assessment of the 4th earl of Dorset's religious opinions, see D.L. Smith, 'Catholic, Anglican or puritan? Edward Sackville, 4th earl of Dorset and the ambiguities of

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officials, dined with Dorset. Dorset told Colleton that he sympathized with Smith's position, and indeed had kept him from harm. Allegedly, Dorset believed that the 'puretans did not persecute the byshop soe much as the regulars did'.[57] (Here the pro-episcopal lobby could proudly point to a prominent member of Henrietta Maria's circle mouthing that much-repeated dictum from appellant times onwards – namely that the English Catholics' troubles were caused principally by the ill humours within their own community rather than by the malice of the State.)

Dorset intervened in the notorious Worthington–Parkins marriage dispute, a case which was recorded in its full and disgusting details by John Southcot and George Leyburn. Dorset could be admired here as an agent of royal justice who was, in effect, enforcing the discipline which a Catholic bishop should and would exercise over English Catholics if only he were allowed to. (Smith remarked that 'if no [episcopal] justice be setled there, men will seek justice at heretiks hands'.)[58]

In 1633, during the fuss over the satirical anti-regular play, *Hierarchomachia or the Anti-Bishop*, Smith noted with glee how some privy councillors had actually thought well of the piece. Although it had not been published as such, the Jesuits' friends 'prosecute the matter hotely at the councel table, and have brought thither one who was 8 years a Jesuit and priest for to know of him who is the author'.[59] But their malice backfired, Smith observed in June, for 'the Jesuits, having got a copie of the comedie, spred it but to their shame, and giving one to the councel, hoping therby to get the author punished, the councel recreated them selves with the comedie, and wil have it plaied in Oxford'.[60]

With other prominent royal servants it was more difficult to argue that they naturally sympathized with Catholics. One such was William Laud, whose rise and rise consistently fascinated the secular clergy. They had, of course, no real illusions about Laud's attitudes to Rome. They lamented in May 1636 that, when Cottington was urging Charles not to compel court Catholics to take the oath of allegiance, Laud weighed in to tell Charles that they should definitely be coerced into

religion in early Stuart England', *Transactions of the Royal Historical Society*, 6th series, 2 (1992), pp. 105–24.

[57] *Letter 61*.

[58] AAW, A XXVII, no. 61, p. 179. For the Worthington–Parkins case, see *Letters 9*, *10*, *11*.

[59] AAW, B 27, no. 118.

[60] AAW, B 27, no. 121.

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taking it.[61] As the Venetians noted, what Laud's critics interpreted as his quasi-Romanism was not how Laud interpreted the beliefs and practices which he wished to inculcate into the English Church.[62] But this did not mean that it was not possible for Catholics to represent Laud as, at the very least, 'a religione Catholica [. . .] haud aversi'.[63] In 1632, Southcot observed how the new secretary of State, Sir Francis Windebank, who was so favourable to Catholics, had achieved his promotion by Laud's means as well as Weston's.[64] Colleton affected to believe that Laud was not unsympathetic to the Catholics who wanted to see a bishop restored in the realm.[65]

Catholics, the queen, and the court

More important, for Catholics, than any individual councillor was, of course, the queen. Several scholars have remarked on the religious pluralism of Henrietta's entourage. Known for her often rather pushy

[61] *Letter 60*. For the political friction between Laud, on the one hand, and Cottington and Weston, on the other, see Havran, *CC*, p. 89, and *passim*. Havran notes that Laud accused Weston and Cottington of being overly lax towards Catholics; *ibid.*, p. 121.

[62] The Venetian ambassador, Anzolo Correr, observed in May 1637 that although Laud 'is pronounced by the generality to be the protector of the Catholic party' because he 'not only does nothing against them, but [. . .] seems to make a very close approach to the rites of the Roman Church', 'the well informed know that his aims are very different, and [. . .] he lets things run with their present freedom not from inclination but from a forced connivance'. This was because 'he aims at destroying the party of the puritans, which has grown so much as to cause apprehension to the government. In order to abase them he can only adhere to those forms which are most objectionable to them'; *CSPV, 1636–1639*, p. 217. See also *ibid.*, pp. 151, 358. (For a good evocation of Laud's attitude to conformity, and hatred of 'puritanism', see Sharpe, *PR*, pp. 288–292.) For Laud's attitude to the Church of Rome, and his efforts to strike anti-Romish poses, see e.g. Albion, *CI*, pp. 188–189, ch. 9; Hibbard, *CI*, pp. 6–7. The archbishop, at his trial, cited the occasions when he had persuaded Catholics to convert to the Church of England. And, at various times, he enforced the law against recusants, protested about Catholics at court (and particularly about courtiers' conversions to Rome), tried to take the eldest sons of Catholics to be bred up as Protestants, restricted the circulation of Catholic books, and even arrested the occasional priest, and, finally, attacked Catholics via the canons of 1640; Hibbard, *CI*, pp. 58, 257, 261; Milton, *CR*, pp. 86–87; Sharpe, *PR*, pp. 305–306, 648–649; *CSPD, 1637*, p. 78; *CSPV, 1636–1639*, p. 359. Sharpe argues that the claim that Laud was a crypto-Catholic 'is a charge completely without foundation' because 'Laud proceeded vigorously against recusants in the country and at court, and alienated the queen by his outspoken opposition to the attendance of English Catholics at her private chapel'; Sharpe, *PR*, p. 285.

[63] AAW, A XXVIII, no. 5, p. 23.

[64] *Letter 17*. For Windebank, see Hibbard, *CI*, p. 34. Windebank was the primary instrument for securing liberty and protection for priests from the operation of the penal statutes, Hibbard, *CI*, pp. 41–42. For the protection warrant issued by Windebank in February 1636 for Southcot, see AAW, A XXVIII, no. 91. In May 1635 Leyburn noted how two priests had recently been arrested, but were released again, and Windebank sent for one of the pursuivants involved, and 'did chid[e] him fearefully'; *Letter 72*.

[65] *Letter 34*.

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Catholicism, she nevertheless extended her patronage beyond her Catholic friends and retainers. One of her court favourites was the earl of Holland, who, on many contemporary accounts, was a puritan.[66] Holland was one of a group of hot Protestant, or puritan, notables who, by 1635/1636, felt that even a France which had quite recently crushed the Huguenots was a necessary ally in the fight against the Empire and Spain. These included Robert Rich, earl of Warwick; Francis Russell, earl of Bedford; and members of the Providence Island Company (such as John Pym, John Hampden, Lord Brooke, and Viscount Saye and Sele). Holland was a 'court link' for Warwick and other proponents of a French alliance who did not have such immediate access at the court.[67] As Hibbard shows, this group engaged in an entirely traditional commonwealth polemic, which included a fair dose of anti-popery. They stressed the wisdom of calling parliament; their capacity to help the crown to the levels of financial supply that it required; and the need to reform the Church of England (and get rid of Laudian innovation).

We might not expect Catholic suitors for the favour of the queen to be particularly enthusiastic about her entertainment of such people. But, as Hibbard also demonstrates, Henrietta attracted other supporters of a French alliance who were not so thoroughly opposed to Laud, anti-Spanish but not actual zealots, and not so committed to calling parliament. These people were essentially an aristocratic entourage based on the Percy family, and included Robert Sidney, earl of Leicester.[68] This group was a more pleasing prospect for Catholic observers. The earl of Leicester was one of Richard Smith's contacts in Paris. The earl served there as an ambassador in 1636, and advocated closer diplomatic and military Anglo-French ties (for the purpose of regaining the Palatinate for Charles Louis).[69]

[66] R.M. Smuts, 'The puritan followers of Henrietta Maria in the 1630s', *English Historical Review*, 93 (1978), pp. 26–45; Sharpe, *PR*, pp. 164–165.

[67] Robert Philip, Henrietta Maria's Oratorian chaplain, pointed out to Gregorio Panzani that the queen 'se la teneva più con li puritani, che con li Protestanti', but this was only because of her hatred of Weston; VA, PD, fo. 49r.

[68] Hibbard, *CI*, pp. 32–33.

[69] *Letter 75*; Sharpe, *PR*, pp. 525f; Hibbard, *CI*, p. 73. As Sharpe points out, Leicester did not see eye to eye with Viscount Scudamore, the resident ambassador, who was also a confidant of Smith. For Scudamore, see I. Atherton, 'Viscount Scudamore's "Laudianism": The religious practices of the first Viscount Scudamore', *Historical Journal*, 34 (1991), pp. 567–596, esp. pp. 587–588, 590–591; *idem*, *Ambition and Failure in Stuart England* (Manchester, 1999), ch. 6.

The 'French option' in British foreign policy drew support from several different points on the spectrum of contemporary English/British political opinion, both Catholic and Protestant. It allowed Catholics an *entrée* into the deliberations of court and council where, in other circumstances, they might not have been expected to have had a voice. Henrietta

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The Catholic secular clergy's newsletters of this period show how the queen was approached as a patron and supporter of their projects and ambitions.[70] Smith, of course, was one of Richelieu's chaplains, and he had expected to benefit personally and politically from the peace concluded with France in 1629. Considering how much Henrietta basically disliked Richelieu, it is easy to see why the pro-episcopal lobby's Catholic enemies should have chosen to blacken Smith's name by harping on the close personal link between him and the cardinal. Smith's associates, however, consistently represented the Jesuits and their friends as Hispanophiles and enemies of the Queen.[71] A report compiled by the seculars to be sent to Rome alleged that

Maria was never one of Cardinal Richelieu's most enthusiastic supporters, but the death of Lord Treasurer Weston in 1635, and the real possibility of some kind of alliance with France to assert the young elector Charles Louis's claim to the Palatinate, led to a spectacular U-turn on Henrietta's part. She decided to support Richelieu, partly in order to see her mother Marie de Médicis, one of Richelieu's severest critics, honourably repatriated, and partly because the now open war between Bourbon and Habsburg reduced Henrietta's freedom to deal with Hispanophiles at the English court; Sharpe, *PR*, p. 538. Sharpe notes how the 'Spanish' faction at court and on the council fragmented, with Cottington intimating that he was open-minded about the possibility of doing a deal with France; *ibid.*, pp. 539–540. By 1635 the French were fully committed to fighting the Habsburgs. (A formal declaration of war was made in Valencia on 29 April/9 May 1635; *ibid.*, *PR*, p. 510.) In 1635 the arrival in England of a new French ambassador, Henri de Ferté Nabert, marquis de Senneterre, was the occasion and means of arranging *détente* between Henrietta and the cardinal; and Henrietta started to urge English participation in the war; Smuts, 'Puritan followers', pp. 35, 38. It was only later, when the negotiations for some more permanent Anglo-French diplomatic and military understanding came to nothing, that Richelieu's enemies were able to take advantage of the disintegration of the British Isles' internal political coherence. In 1637, as the Scots rebelled, Henrietta realigned herself so as to support the intrigues against the cardinal and started to agitate on Spain's behalf, and (with the arrival in England of Marie de Médicis and then of Strafford) the queen's 'puritan' friends were finally discomfited; Smuts, 'Puritan followers', pp. 41–43; Sharpe, *PR*, pp. 175, 837f.

[70] In 1631, George Leyburn, via the good will and recommendations of Henrietta's closest clerical advisers, notably Robert Philip and William Thompson OFM, was in effect installed as one of her chaplains. He was sworn 'provisor' of her chapel on 9 August (though this was a purely formal appointment); Anstr., II, p. 193; BL, Harleian MS 1219, no. 108, fos 373r–v, 374r. He does not appear on any of the queen's establishment or pension lists. (I am very grateful to Caroline Hibbard for this point.) In early 1641, when a list of exemptions was being compiled after the king was forced to agree to the exile (before 7 April 1641) of all Catholic clergy except for the queen's chaplains, those who figured prominently on this list included Leyburn, and the secular priest George Gage, who was the secretary of the secular clergy's episcopal chapter; Hibbard, *CI*, p. 186. Walter Montagu's additions to the list included Anthony Champney and six other priests who were members of the chapter, implying that they were in some sense regarded as being in Henrietta's service; Anstr., II, p. 122; Hibbard, *CI*, p. 191. Montagu had claimed, in March 1637, that Peter Biddulph, Smith's agent in Rome, would receive a pension directly from the queen; AAW, A XXIX, no. 15, p. 31.

[71] As Loomie points out, the Peace of Madrid (1630), negotiated with the Spaniards, was predicated on a Spanish acceptance that there was nothing they could do now to assist the English Catholics. Olivares had, in July 1630, received advice from John Knatchbull (one

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the Jesuits 'affect not the person of our most religious and Catholike queene as appeareth by the perpetuall muttering against her of their cheif adherents; and calling her the head of the puritan faction'.[72] Smith, however, informed Biddulph in November 1632 that Robert Philip

> [. . .] told me that she never missed daye to heare Masse since she came to England, but the twoe dayes of her deliverie of child. That everie moneth she confessed and communicated besides other principal feasts, and that she told him that she never had the least tentation to change her religion. Fie upon such admirations. Who can be free from them if such a queene be not?[73]

Whether they were imps of Richelieu or not, the pro-episcopal lobby worked hard to influence the queen. They expected her to campaign on their behalf at Rome, and she did. They made every attempt to cultivate her Scottish Oratorian confessor, Robert Philip (although they were hostile to some of her Capuchin chaplains). Philip seems to have been consistently supportive of Smith and his friends.

In mid-1636 Sir William Hamilton was sent to Rome to function as a diplomat there on behalf of the queen (in place of the deceased Arthur Brett).[74] In Rome, Hamilton's first audience with the pope was a great success, and Cardinal Francesco Barberini presented him with a gift of '2 very fair horses for his coach'. Hamilton kept correspondence with Windebank by means of the Benedictines' letter-carrying network.[75] Smith and his friends believed that Hamilton would negotiate at Rome on their behalf, though, as Smith learned in August 1636, Hamilton would not do so without specific instructions from the queen.[76]

of the enemies of the pro-episcopal lobby) that although Philip IV was the true protector of English Catholics, Henrietta Maria was beginning to exert a claim over those Catholics' loyalties, 'and would even do them harm' if they continued to look to Spain. Prominent Catholics told Knatchbull that it was in their best interests to conceal their Hispanophile tendencies altogether; A.J. Loomie, 'Olivares, the English Catholics and the peace of 1630', *Revue Belge de Philologie d'Histoire*, 47 (1969), pp. 1154–1166, quotation at p. 1162. Henrietta was noted by George Con as saying in January 1637 that the English Catholics, meaning, of course, those who were Hispanophiles, 'would think little of Heaven itself, unless they got it at the hands of Spain'; Albion, *CI*, p. 164.

[72] AAW, A XXV, no. 98, p. 369; cf. Smuts, 'Puritan followers'.

[73] AAW, B 27, no. 132.

[74] Albion, *CI*, pp. 154f. For the issues which Brett, as agent, was directed, by the king (though he went as the representative only of the queen), to deal with principally – the question of the appointment of a bishop, and the oath of allegiance, see *ibid.*, pp. 155–156. As Albion points out, Sir William Hamilton was brother of the earl of Abercorn, and a relative of the marquis of Hamilton, the duke of Lennox, and the king himself; *ibid.*, p. 157.

[75] AAW, A XXVIII, no. 139, p. 467; *Letter 83*.

[76] AAW, A XXVIII, no. 151, p. 509. One of Hamilton's functions in Rome was to persuade the papal curia, especially Cardinal Barberini, that the oath of allegiance demanded nothing

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In return a series of papal representatives was dispatched to Henrietta Maria–Gregorio Panzani, George Con, and Carlo Rossetti. The first two in particular became a prime focus for the secular clergy leadership's attention. Panzani was well liked by the seculars; they regarded him as no friend to the Society.[77] Con, however, was viewed by them in a different light. The seculars sometimes complained that he listened too much to the Jesuits. However, for Con to keep, as he did, in Charles's good books, it would have been very difficult for him to evince any kind of overt sympathy towards the Society. (From time to time, the seculars themselves affected to believe that he was opposed to the Jesuits' ambitions.)[78]

Clearly, the papal agents had concerns and issues to consider other than the factional disputes among the English Catholic clergy. Panzani, in particular, is well known for having pushed his curial masters towards considering the possibility of reunion of the Church of England with the Church of Rome.[79] Panzani and Con were both very keen to report every sign that the culture of the English Church had changed, and that Charles had decisively rejected much of his Jacobean ecclesiastical inheritance. Every irenic sermon, every uncensured Catholic-sounding doctrine, every insult flung at the 'puritans', every glance cast favourably by Charles towards his Catholic subjects, the Catholic ambassadors in London, or towards Rome itself, were all picked up on, committed to paper, and then sealed up to be sent to Rome. Here, of course, the papal agents were doing much the same kind of thing as the English Catholics, who were reporting that the regime had turned a tolerant corner, and that the ecclesiastical temper of the Church of England was now markedly less anti-popish than it had formerly been. Undoubtedly, English Catholics and the papal agents fed off each other's enthusiasm for the new order of things. Many of the 'advices', preserved in the secular clergy's Roman agent's papers, which describe the allegedly tolerant climate of the 1630s, are very similar to Panzani's and Con's reports; they may even have been written in part to assist the papal agents' work.[80]

more than temporal loyalty, and to explore whether Rome might be persuaded to recognize it as a lawful oath; Albion, *CI*, p. 264.

[77] Panzani was more pro-active in pushing for the restoration of Smith, or at least some secular priest in episcopal orders, to rule over the English Catholics; *CSPV*, *1636–1639*, pp. 68, 69, 302.

[78] See e.g. AAW, A XXVIII, no. 177, p. 571; no. 178, p. 575; *Letter 80*.

[79] Albion, *CI*, ch. 7.

[80] Hibbard, *CI*, pp. 66–67.

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Catholic loyalism and the oath of allegiance

During the mid-1630s, there were several high-level attempts to modify the oath of allegiance in order to make it acceptable to English Catholics and to Rome. The Benedictine monk, Leander Jones, tried to hammer out a compromise on the oath, and several Catholics (including the 2nd Baron Baltimore and Sir Tobie Mathew) devised new formulations of the oath which they believed Charles might also find admissible.[81] This bargaining process did not, initially, bear fruit, at least not in any formal sense. The alterations to the oath which Charles suggested in negotiation with George Con were not well received at Rome, as the king probably anticipated. The Catholics who tried to frame variations of the oath inevitably ran into royal demands that they should concede more than they were in fact prepared to do. Simultaneously, they ran the gauntlet of criticism from co-religionists who tended to claim that they made too many concessions to the regime. As Gordon Albion points out, in early March 1638 a long accusatory letter had been received by the committee in Rome which was considering the question of a joint papal-monarchical revision of the 1606 oath. The letter was very hostile to Con himself, who had got as far as any Catholic ever had in moderating the demands made of Catholics by the crown over the question of allegiance.[82]

The secular clergy leadership's public position on the oath was that it ought not to be taken under any circumstances. Their official line was still that Pope Paul V's condemnation of it must be honoured and obeyed. They rejected allegations that they exhibited any weakness on this score. And they attacked the religious and their patrons for cutting and running over this issue.[83] The 2nd Baron Baltimore's variant of the Jacobean oath was described by his critics as, in effect, a capitulation to the State's unjust demands that Catholics should violate their consciences in order to prove their loyalty to the king.[84]

[81] See G. Sitwell, 'Leander Jones's mission to England, 1634–1635', *RH*, 5 (1960), pp. 132–182; VA, PD, fo. 117r.

[82] Albion, *CI*, pp. 272–281.

[83] Smith's friends compiled long lists of those (mainly the religious and their sympathizers) who, they alleged, had compromised over the oath. See e.g. AAW, A XXVIII, no. 68.

[84] See AAW, A XXV, no. 100. This undated document is endorsed 'Lord Baltimores oath', and is a version of the 1606 oath of allegiance. It contains some important modifications. For example, whereas the original oath condemned as 'impious and heretical', 'this damnable doctrine' that 'princes which be excommunicated and deprived by the pope may be deposed or murdered by their subjects' (J.P. Kenyon, *The Stuart Constitution* (London, 1966), p. 459), Baltimore's oath omitted the word 'deposed'. Baltimore was trying to prevent the Catholic's declaration of loyalty to the crown being understood as a condemnation of the papal deposing power. Baltimore, a friend by turns to both Jesuits and seculars, drew up the oath for his Maryland colony; Hughes, *HSJ*, pp. 355–359. Panzani recorded in his diary on

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Although the secular clergy were themselves desperate to come to an accommodation with the regime on the question of Catholics' loyalty to the crown,[85] they sought to show that the papacy would never allow their enemies' compromises with the regime, for example those proposed by the 'irenic' monk, Leander Jones. Smith was delighted in July 1632 that Jones was 'dejected in mynde, perhaps becaus[e] his writing in favour of the oathe is not wel taken [...] [in Rome] as in truthe it deserveth'.[86] By April 1634 the Benedictines were incensed against Smith and the seculars for attacking Jones's attempted compromises on the oath.[87] The seculars continued to censure Thomas Preston (who, in 1634, under the pseudonym of William Howard, published *A Patterne of Christian Loyalty* in favour of the oath).[88]

The problem, though, was this. If the regime was as broad-minded and ready to compromise on the loyalty issue as some Catholics enthusiastically said it was, to accuse those Catholics of, as it were, betraying the cause actually added to their credit with the regime. What might then transpire was a situation where such people would achieve a genuine understanding with the State, and finally square the loyalism circle. In August 1635 John Southcot was preparing a damage limitation exercise to minimize the benefits which he feared the Jesuits were about to reap by negotiating with the regime over the oath of allegiance.[89]

What was obviously crucial here was the change in personal style which marked Charles off from his father. There was a good deal of semi-public irenicism in the talks between Charles and Con. As Albion remarks, 'Charles's intimacy with the papal agent was no backstairs affair conducted only in the privacy of his own or the queen's apartments'.[90] In other words, even if Charles's alleged admissions (to Con) that the Church of England was arguably schismatic, and that reunion was, if not immediately practicable, then at least theoretically desirable, were more the stuff of light-hearted banter than deep

4 December 1635 that George Leyburn came on that day 'a discorrere della formola del Baltimoro'; VA, PD, fo. 121r.

[85] See e.g. *Letter 69*.

[86] AAW, B 27, no. 101. For Leander Jones's attempts to persuade Rome that Charles's intentions in retaining and enforcing the 1606 oath of allegiance were different in kind from those of James I, and so should not be condemned now in the terms employed by Paul V, see Albion, *CI*, pp. 146–147, 255–257.

[87] See *Letter 70*.

[88] See *Letters 60*, *64*. For Preston's long career as an apologist for the regime on this issue, see *NAGB*, *passim*; P. Milward, *Religious Controversies of the Jacobean Age* (London, 1978), pp. 103–113.

[89] *Letter 75*; AAW, A XXVIII, no. 33, p. 135; no. 34, p. 137.

[90] Albion, *CI*, p. 236. See also Hibbard, *CI*, p. 50.

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theological and ecclesiological discussion, this must unavoidably have created a swirl of rumour and expectation, and perhaps not just among Catholics, that the king really thought along such lines.[91] This must have been the case if Charles was so careless as to drop hints to such prominent Catholics as Edward Somerset, heir to the earl of Worcester, that, as Con related it to Barberini in 1637, 'the oath as it stood contained a scandalous proposition, and that he had to sympathize with those who refused it'. By November 1636, Charles was himself drawing up possible modifications to the oath formula.[92]

'Toleration'

Many contemporaries (and not just Catholics) believed, therefore, that in this period the English Catholic community was edging towards the enjoyment of some kind of official tolerance, even if not necessarily a full legal toleration. Of course, in the 1630s there were still high-profile incidents where the regime looked rather intolerant towards Catholics. Foreign diplomats in London reported fisticuffs and swordplay when the regime tried, as it did in March 1630, to prevent English Catholics from going to the chapels of the Catholic ambassadors in London, and to the queen's chapel as well.[93] In 1633 the Irish friar, Arthur McGeoghan was executed for treasonous words (though clearly Richard Smith, for one, was not heartbroken at the demise of a member of a religious order at the hands of the State).[94]

But, as the 1630s progressed, it became clear not only that many of the Catholic clergy were now enjoying a *de facto* tolerance quite contrary to the intentions of the Elizabethan treason statutes, but also that the system of punishment of Catholic recusants for their nonconformity was changing quite radically. This was because of the introduction of a formal system of compounding for recusancy debts, a system which had been instituted in the later 1620s but which had taken a little time to become established.[95]

Kevin Sharpe argues that the Caroline measures against recusant separatists in the 1630s were not lenient: 'even those recusants who

[91] See Albion, *CI*, ch. 10. Hibbard describes very well the 'genuine intimacy' between Charles and Con; Hibbard, *CI*, pp. 17, 38–39, 49.

[92] Albion, *CI*, pp. 264–271. For the negotiations over the oath between Charles and the Roman curia via the two agents, Con and Hamilton, see *ibid.*, ch. 11; Hibbard, *CI*, pp. 69, 265.

[93] *CSPV*, *1629–1632*, pp. 304, 308, 314, 315, 319; A.J. Loomie, 'London's Spanish Chapel before and after the Civil War', *RH*, 18 (1987), pp. 402–417, at p. 403.

[94] *Letter 53*; AAW, B 27, no. 113.

[95] For the compounding policy, see Havran, *CC*, pp. 120–121; K.J. Lindley, 'The lay Catholics of England in the reign of Charles I', *Journal of Ecclesiastical History*, 22 (1971), pp. 199–221, at pp. 209–214.

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pursued their faith privately and quietly in the country were not left alone'; Charles was 'not prepared to treat recusancy lightly'. For Sharpe, the compounding policy was not just to provide a cash-starved crown with revenue. 'The fines were intended as punishment and disincentive' as well. Sharpe points to some of the well-known recusant family heads whose composition payments were pretty hefty.[96] And Sharpe is undoubtedly right that the amounts which the State derived from compositions for recusants' debts shot up during this period.

But, as the newsletters printed in this volume make clear, the issue here was also about whether the State would, in return for recusants' compositions, do as it promised and call off its attack dogs, the low-life army of private operators who harried recusant Catholics. There was widespread sentiment among Catholics that, whatever the composition arrangements were, they would be worth it if the petty and sometimes brutal harassments by 'pursuivants' and other officials were to be brought to an end. (The deal was also that the continuous exchequer reassessments of recusants' property would stop.)[97]

Some Catholics in the early 1630s complained that the new policy was not being properly implemented.[98] But, by November 1632, Smith was saying that he believed the pursuivants were at last being reined in. Pests such as the self-proclaimed convert from Catholicism, James Wadsworth, were still arresting Catholics, but proceedings against them went no further.[99] In October 1633 Smith believed that the New Prison was 'quite empt[i]ed'. In particular, his friend George Fisher had been released, and in fact any imprisoned priest in London who wanted his liberty could have it.[100] The compounding scheme seemed, at last, to be working.[101]

Of course, precisely what the Catholic community still did not have was a toleration in the sense that most of the community's tolerance discourses had envisaged ever since the accession of James VI in 1603. Even in May 1636, a report compiled by the seculars was compelled to gloss over the occasional harassments of Catholics that were still taking place.[102] But it made political sense for Catholics to characterize the compounding policy as essentially lenient even when certain recusants were having to fork out quite large sums for

[96] Sharpe, *PR*, pp. 302–303. For exchequer accounts in the 1630s concerning the composition payments made by Catholics, see PRO, E 101/630/4, 5; PRO, E 101/629/3, 4, 6.

[97] See e.g. AAW, A XXVIII, no. 66, p. 279; *Letter 49*.

[98] See e.g. *Letters 6*, *20*, *28*; AAW, A XXVI, no. 105, p. 293.

[99] AAW, B 27, no. 113.

[100] AAW, B 27, no. 131.

[101] See e.g. *Letters 32*, *41*, *44*, *45*, *49*, *51*.

[102] *Letter 79*.

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the privilege of being left in peace. (After all, sour puritan critiques of royal policy towards Catholics were saying precisely that it was very lenient.) The Catholic clerical perspective on the issue was, in any case, not primarily concerned with the material wellbeing of individual Catholics. The secular clergy's interest was in the creation of a public climate of tolerance, via political change, in order to persuade Rome that the secular clergy's programme for institutional change and reform within the English Catholic community could be successfully and safely implemented. As Smith wrote to Peter Biddulph in July 1633, 'though we had a cardinal of our nation, yet we should get little' from Rome, 'unles there were present hope of the conversion of our countrie. And, if you remember, my predecessor', William Bishop, 'was made when there was great hope by reason of the Spanish ma[t]ch then treated, and I was made when the French [match] was made, and, unles some such hopeful times come agayne, I doubt you labour in vayne and wil be paid with delaies' by the Roman curia.[103]

The king, the Church of England, the Catholics, and the puritans

This climate of (potential) tolerance, then, was the context for Catholics' accounts of royal sympathy for them. They claimed that the king evinced not just a tolerance of Catholic ideas and practices but also engaged in a biting critique of certain kinds of Protestants within the Church of England. Catholic newsletter writers seized avidly on stories about the king's aversion to puritans. Just before Charles set off for Scotland in March 1633, for a coronation which was conducted along lines which were offensive to the Scottish kirk,[104] he had discoursed on the 'severitie of the Inquisicion', and that 'the Inquisicion was good to keep an uniformitie of religion'.[105] (Smith opined, with the thoughts obviously connected in his mind, that 'there was never greater calme for religion than now, and [. . .] it were the fittest time to send in a [Catholic] bishop'.)[106]

It is not difficult to see why these Catholic clerical *engagés*, with their hierarchalist agenda, should have taken up and repeated so emphatically and enthusiastically the claim that Charles's regime had detected a threat to itself from 'puritans' within the Church of England. For here they were able to tap into and share the 1630s Church-of-England rhetoric of anti-puritanism, at least as it has been described by one school of modern historians. According to these scholars, the Laudians widened the meaning of the word 'puritan',

[103] AAW, B 27, no. 123.
[104] D. Smith, *A History of the Modern British Isles, 1603–1707* (London, 1998), p. 101.
[105] AAW, B 27, no. 117; *Letter 44*.
[106] AAW, B 27, no. 117.

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and swept into it practices and attitudes which the alleged 'puritans' would have regarded as merely 'orthodox' and acceptably conformist, but which avant-garde conformists were determined to consign to the dustbin of heresy.[107]

The secular clergy collected and retailed stories that 'puritans' were opposed to Charles's ecclesiastical vision. In October 1633 they tut-tutted at a 'book printed by puritans' against Laud, entitled '*Flagellum Pont.*', the work, of course, of John Bastwick. Earlier in the year, they noted the prosecution of the Feoffees for Impropriations and of Henry Sherfield. In 1637 they applauded the condemnation of Bastwick, Henry Burton, and William Prynne.[108] A famous public occasion on which Catholics believed they could detect royal anti-puritanism was the well-known visit made by the king to Oxford in August 1636, during which Charles and Henrietta watched an explicitly anti-puritan play, written by one of Laud's protégés, incorporating, for example, criticism of those who were opposed to the collection of Ship Money.[109]

These Catholic accounts of the 'puritan' threat to monarchical authority and the ecclesiastical establishment fed neatly into their analysis of their own need for episcopal government. A paper in Peter Biddulph's hand bluntly states that,

> [...] the goverment of the Catholikes by a bishop is conformable to the goverment established in the [...] Church of England, and therefore the Protestant bishops have no reason to be offended with it, especially considering that the Catholike bishop beeing only a titular bishop he standeth in no competencye with them, nor trencheth at all upon their autority.

None would be elected except such as should be thought fit by the king. And the bishop elected would take an oath of allegiance of the kind taken to the crown by former Catholic bishops in England, and by bishops in other Catholic countries, by which oath he would be obliged to discover all disloyal attempts by Catholics. And he would force all priests to take the same oath. 'Lastly he shall make known to his Majestye his arrivall at his first comeing over, and his usuall place of abode in the countrye' so that he could be called to answer at any

[107] See N. Tyacke, 'Puritanism, Arminianism and counter-revolution', in Conrad Russell (ed.), *The Origins of the English Civil War* (London, 1973), pp. 119–143; Tyacke, *AC*, p. 186 and *passim*; Hibbard, *CI*, p. 21. For a critique of the same, see J. Davies, *The Caroline Captivity of the Church* (Oxford, 1992), esp. ch. 2; Sharpe, *PR*, ch. 6. Ironically, one of the best accounts of Laud's programme for enforcing conformity in a variety of venues, from the parish upwards, combined with an explanation of how that vision of uniformity of worship was described by Laud himself as an essay in anti-puritanism, is to be found in *ibid.*, pp. 288–292, 649–654.

[108] See *Letters 34*, *35*, *93*; AAW, B 27, no. 131.

[109] See *Letter 83*. Cf. Sharpe, 'Archbishop Laud', pp. 156–157, 160.

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time, and give an account of all priests 'that come from tyme to tyme into England'.[110]

Catholics argued that moderate Protestants should not only find nothing offensive here but should positively welcome these Catholic efforts to reinstitute episcopacy within the Catholic community. Such efforts were analogous to the reform programme currently being implemented in the Church of England.

Another issue where self-proclaimed Catholic enthusiasts for hierarchalist conformity and episcopal government could draw a contrast between their own loyalism and the alleged disloyalty of those Protestant critics of the crown who claimed that the Caroline regime was resorting to unwarranted innovations in the practice of government was the question of royal revenue. Picking up on the religious overtones of the quarrels in the parliaments of the late 1620s about the extent and limits of royal revenue-raising powers, some Catholics intimated that a Catholic bishop would side with the king in such disputes. In one position paper of 1634, alongside all the good 'commonwealth' effects which it was alleged a Catholic bishop would have (everything from the suppression of 'excesse [. . .] drinking' to the prevention of 'inordinat recourse to forreine ambassadors'), it was added that 'a Catholick bishop, being tolerated by the State, by his gravity and authority may perswade Catholickes, more forcibly than any other can, to graunt extraordinary contributions or benevolences when they shalbe required for the supply of his Ma*je*st[i]es [. . .] occasions'.[111]

The main point, therefore, of this stream of Catholic advice to the Caroline regime was that the enemies of the Caroline vision for the Church of England and the enemies of loyalist Catholics were substantially the same. The Catholic avant-garde conformists also identified 'puritans' in their own community. In another advice paper, compiled to demonstrate the wisdom of tolerating a restored Catholic episcopate in England, it was alleged that 'as the State and Church of England have ever thought it fitt to maintaine hierarchicall government against the puritans, so may it be thought lickwise behoofull, in regard of safty, to permitt the Catholicks to have their hierarchie also supported by a bishop against the opposers thereof'.[112] It was even possible to allege that the shape and structure of the Church of England were to be commended precisely because the Henrician Reformation had wiped out the religious houses and their

[110] AAW, A XXIV, no. 43, pp. 138–139. See also *Letter 67*.
[111] *Letter 67*.
[112] AAW, A XXVII, no. 207, p. 731, cited in *Letter 67*.

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parasitic privileges. In March 1632 John Jackson reflected at length on the misdemeanours of the religious and concluded that

> [. . .] it is a great greif to many of us to think of the time we spende in bemoaning our selves one to an other, in complayning to superiors in petitioning, in defending our selves from their slanders in informing etc., all which we might fruitfully bestowe in reading, studying, writing or converting of sowles or defending our religion etc. And it is a shame to see what bookes and volumes the Protestants set owt, of sermons, discourses of pietie, according to their maner, and how they imploy their time in learning, because they have noe regulars in their religion to troble them or hinder them, as our regulars doe us.[113]

We find Richard Smith writing, on 26 March/25 April 1635, to Archbishop William Laud himself in order to emphasize what he and Laud had in common, and where their common interest lay.[114] Among the other Church-of-England men whom the Catholic pro-episcopal lobby regarded as allies was Brian Duppa. In April 1635 George Leyburn enthused about a recent sermon by Duppa in front of the king, on Good Friday, the day after Duppa became tutor to Prince Charles.[115] Not surprisingly, Richard Montagu (who, of course, was known to be anti-Jesuit) was viewed in a similarly favourable light by the English Catholics who most admired Laud's style of Church government.[116]

Smith and his friends claimed to believe that the realignments and epistemic shifts which they perceived in the upper echelons of the Caroline Church were not in fact limited to a few senior churchmen at court. Southcot recorded stories about disgruntled and disappointed university men and provincial clergy who held the same opinions.[117] In addition, Smith's friends collected and played up the news of more general changes in attitudes towards doctrine, church fabric, and the sacraments (especially confession).[118]

A long report, compiled by the seculars in 1636, on the condition of the Church of England, constitutes an accurate guide to the political significance of all these scattered observations.[119] The writer wanted

[113] AAW, A XXVI, no. 33, p. 107.
[114] *Letter 71*.
[115] See *Letter 70*.
[116] For Gregorio Panzani's discussions with Richard Montagu, see Albion, *CI*, p. 182. In the secular clergy's Roman agent's papers there is an account of one of Panzani's meetings with Richard Montagu; AAW, A XXVII, no. 182. The account incorporates a description of Montagu's London chapel.
[117] *Letter 17*.
[118] See *Letters 48*, *49*, *50*, *61*. For the best modern evocation of the collective ideological thinking behind the 'beauty-of-holiness' aspects of Laudianism, see P. Lake, 'The Laudian style', in K. Fincham (ed.), *The Early Stuart Church* (London, 1993), pp. 161–185, at pp. 164–168.
[119] *Letter 79*.

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to portray a Church which had changed so utterly, and so quickly too, as to be virtually unrecognizable from the Jacobean one. Here, for his own purposes, the writer of this report is reproducing some of the essential catch-phrases about puritanism which were uttered at the extreme end of the avant-garde conformist/'Arminian'/Laudian spectrum. As Peter Lake writes, 'it is only when the Laudian project', in the sense of its positive liturgical claims and innovations, 'is set over against this polemically constructed image of puritan deviance and subversion that the full polemical and political resonance of the Laudian project can be recovered'.[120] The same sort of conclusion could quite reasonably be drawn about the English secular clergy's account of the, as it were, 'nonconformist' tendencies of those who opposed the hierarchalist programme for reform and renewal of the Catholic Church's structures in post-Reformation England.

In some ways, none of this should surprise us. After all, for years, Catholic commentators had been looking for signs of splits and dissensions in the higher reaches of the established Church. The hierarchalist secular clergy desperately wanted to show that some 'moderate' Church-of-England men were moving closer to Rome on some issues. Occasionally they allowed themselves to speculate about how 'further union and reconciliation' might take place.[121] But what is significant here is that these secular clergy newsletter writers do not use evidence of this kind of rapprochement simply to anticipate the reunion of the Churches. Indeed, the topic of reunion, at least as it was discussed by clerics such as the Franciscan Christopher Davenport, generally got short shrift from the pro-episcopal priests. Where they do mention the ideas and writings of Davenport it is usually with derision.[122] The seculars were well aware that Laud was not in favour of talk about reunification.[123]

[120] Lake, 'The Laudian style', p. 180.

[121] See *Letter 79*.

[122] For Davenport, see Dockery, *CD*. The seculars attacked Davenport for too easily reconciling the two religions (even while their own memoranda and advice papers to Gregorio Panzani and others said that the new conformist outlook in the Church of England was potentially compatible with the religion of the Church of Rome). In April 1633, Southcot believed Davenport's approach would hinder conversions to Catholicism; *Letter 44*. Panzani reported, evidently on the basis of advice which he was being fed by the secular clergy, that Davenport's famous tract, *Deus, Natura, Gratia*, was regarded by some as 'far too condescending to schismatics and heretics'; Dockery, *CD*, p. 76. Although Laud refused to licence Davenport's book, Leyburn believed that the State would take advantage of its admissions that, in effect, Catholics both admitted that Protestants practised true religion and conceded the validity of the Church of England's ministry and orders; *Letter 59*.

[123] Contact with Davenport placed Laud and his protégés, such as Jeremy Taylor, in an uncomfortable position. Laud tried to deny at his trial that he had ever had much dealing with Davenport; Dockery, *CD*, pp. 81, 54, 59–60; cf. *ibid.*, p. 91.

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So the hope, entertained quite seriously by such people as Gregorio Panzani, of an ever closer union between the two Churches, was not really the issue for the most committed of the Catholic clergy who meddled at the court and had access to the ear of the queen and also of a number of cardinals at Rome. What they saw and enthused about was the impact of the Laudian shifting of the boundaries of what was considered orthodox belief in the Church of England, and the way in which conformity was glossed and enforced. Here they saw opportunities not so much to assist some grand but ultimately rather fanciful reunification project but rather to assert and justify their own dominance within the Catholic community by stressing, ironically, how much they shared certain conformist ideals with the 'best' kind of Church-of-England clergy, and by extension the king, thus proving their loyalty to the regime, and reversing the evil effects of the years of conflict between Catholics and the State.

It was not surprising, then, that the pro-episcopal lobby cast hostile glances at the Jesuit polemicists of the 1630s. There had, of course, always been a certain amount of carping by various Catholic factions at their Catholic opponents' attempts to select and deploy the right polemical tone when confronting the Protestantism of the established Church. It was as easy to depict (some) Catholics' zeal as intemperance and disloyalty as it was to portray (some) Catholics' moderation as lukewarmness and compromise. But in the 1630s the hierarchalist secular clergy excoriated, increasingly loudly, the regulars for alienating the hearts and minds of moderate Protestants (thus, impliedly, hindering the 'conversion of England'). So, for example, Leyburn condemned Matthew Wilson SJ's *A Direction to be Observed by N.N.* This tract was penned in defence of Wilson's own *Mercy & Truth. Or Charity Maintayned by Catholiques*, written in reply to Christopher Potter's *Want of Charitie* (itself a reply to the Jesuited Sir Tobie Mathew's *Charity Mistaken*).[124] The seculars were well aware that Potter was a creature of Laud.[125]

At the same time, however, we can see how potentially threatening the rhetoric of the pro-episcopal lobby might also appear to many Protestants. It was hardly a secret how ambitious the secular clergy's schemes for a 'tolerated' Catholic episcopal presence in England actually were. One of the assurances which the pro-episcopal secular clergy had trumpeted during the first half of the 1620s, as they manoeuvred to secure the appointment first of William Bishop and then of Richard Smith as bishop of Chalcedon, was that a Catholic bishop in England would be titular only, i.e. he would not style

[124] *Letters 87*, *88*; Hibbard, *CI*, pp. 67–68.
[125] *Letter 50*; Milton, *CR*, pp. 155–157.

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himself bishop of any of the established English sees. (This was part of the secular clergy's claim that they were pursuing a merely spiritual programme of reform within the English Catholic community, and that they were in no way challenging the crown's authority in ecclesiastical matters as far as the Church of England was concerned.) But in the 1630s they were actively considering having bishops who *would* use the names of established English sees for their titles. Briefly they speculated that one of them might even use the title of archbishop of Canterbury.[126] They petitioned Rome to grant them not just one but three (or more) bishops in England to replace Smith.[127] In mid-June 1633, Smith's friends thought that he might even be made a cardinal. They had petitioned Cardinal Richelieu for Smith to be accorded this honour, though Smith himself believed that it would be taken as a sign of 'ambition' and should be postponed until more English bishops had been appointed by Rome.[128]

The religious, according to John Southcot, retaliated by noising it about that the seculars would have '3 bishops and an archbishop'; and 'a certaine Jes[uit] pr[iest] demanded of an other pr[iest] that had ben a Jes[uit] (hearing that we were to have more bishops)', whether it were 'a mortall sin to seek to hinder it by meanes of the State, by which it appeares how these men are minded and how strangely they are bent against episcopall power'.[129] Southcot would, however, have confirmed Smith's enemies' worst fears when he wrote that,

> [. . .] perhaps in time and by degrees we shall come to have them [i.e. bishops], and no doubt it were needful for the good government of this Church that so many were made, bycause neither the regulars nor the State would then have any hope to suppresse episcopall authority, being setled in so many, and, the faculties of missionaries being once well ordered, they would quickly bring all things here to a good passe and the laity to some conformity and unity of minds, who are now pittifully divided amongst themselves by reason of their ghostly fathers differences.[130]

Conclusion

We can see here, then, how a series of different issues and concerns seriously divided the English Catholic community during the Caroline

[126] See *Letters 3, 4, 5.*
[127] See e.g. *Letters 5, 14, 17, 18, 26, 28, 29, 45, 46, 85.*
[128] AAW, B 27, no. 133.
[129] *Letter 45.*
[130] *Ibid.* There was, in fact, a partial reconciliation between the seculars' leaders and some of the religious in late 1635, brokered by Panzani, but the Jesuits either kept or were kept out of it. See *Letter 76.*

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period, but these ideological tensions and collisions were not merely or only the result of personal bitterness and antagonism. Rather, the airing of Catholic political aspirations and ambitions, particularly around the court and the queen, was a highly articulate and sophisticated polemical exercise, performed in order to attract and retain support both within and outside the community and also to attack and damage a number of enemies, both Catholic and Protestant, in a high-stakes game which many contemporaries were well aware might result in a complete reversal of the legal and political orthodoxies which had framed the Reformation settlement and had proscribed many aspects of Roman Catholicism within the English Church and polity.

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