

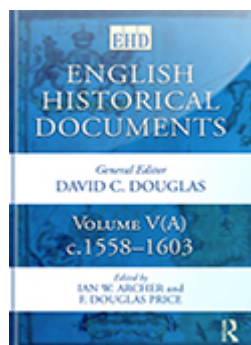
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William Allen answers Burghley: *A true, sincere and modest defence of English Catholics*

Kingdon 1965b: 60–1, 67–71, 73–4, 79–82, 84–9.

Now to the principal points of the libel: we first affirm that the very front or title thereof (importing that no Catholics at all, or none of them whom they have executed, were persecuted for their religion) is a very notorious untruth, and contradictory to the libeller's own words in his discourse following, where he confesseth underhand that some be corrected otherwise for religion. Or (if they will stand in the contrary) we appeal to the conscience and knowledge of all the Catholics and Protestants within the realm, who of their equity will never deny that most prisons in England be full at this day and have been for divers years of honourable and honest persons not to be touched with any treason or other offence in the world other than their profession and faith in Christian religion.

Secondly, we say and shall clearly convince that, contrary to the pursuit of the same libel, a number have been also tormented, arraigned, condemned and executed for mere matter of religion and upon the transgression of new statutes only, without any relation to the old treasons so made and set down by Parliament in Edward the Third's time, by which they untruly avouch all our brethren were convicted . . .

The truth is that in the first year and Parliament of the Queen's reign, when they abolished the pope's authority and would have yielded the same authority with the title of supreme head to the Queen as it was given before to her father and brother, divers . . . liked not the term and therefore procured that some other equivalent but less offensive might be used. Upon which formality, it was enacted that she was 'the chief governor as well in causes ecclesiastical or spiritual as civil and temporal'. And an oath of the same was conceived accordingly, to be tendered at their pleasures to all the spiritual and temporal officers in the realm, by which every one must swear that in conscience he taketh and believeth her so to be, and that no priest or other born out of the realm can have or ought to have any manner of power in spiritual matters over her subjects. Which oath is counted the very torment of all English consciences, not the Protestants themselves believing it to be true . . .

In the first Parliament of her Majesty's reign it was indeed in a manner thrust upon her against her will, because otherwise there could have been no colour to make new laws for change of religion, and this title of chief governess was thought to be a qualification of the former term of headship . . . But when in the new form of our statute it is expressly and distinctly added that she is the only supreme governor even in all causes, as well spiritual and ecclesiastical as temporal and civil, and furthermore enacted that all jurisdictions, privileges, superiorities, and pre-eminences ecclesiastical, as by any power spiritual have been or may be exercised, are taken from the pope . . . and are united . . . to the crown of England – this can have no excuse . . . making indeed a king and a priest all one, no difference betwixt the state of the Church and a temporal commonwealth, giving no less right to heathen princes to be governors of the Church in causes spiritual than to a Christian king. It maketh one part of the Church in different territories to be independent and several from another, according to the distinction of realms and kingdoms in the world. And finally it maketh every man that is not born in the kingdom to be a foreigner also in respect of the Church . . .

And the place serveth here to say somewhat of the cause also of their racking of Catholics, which they would have strangers believe never to be done for any point of religion. As for example . . . none is asked by torture what he believeth of the mass or transubstantiation or suchlike. As though (forsooth) there were no question pertaining to faith and religion but touching our inward belief. Whereas, indeed, it concerneth religion no less to demand and press us by torture where, in whose houses, what days and times we say or hear mass; how many we have reconciled; what we have heard in confession; who resorteth to our preachings; who harboureth Catholics and priests; who sustaineth, aideth, or comforteth them; who they be that have their children or pupils in the Society or seminaries beyond the seas; where such a Jesuit or such a priest is to be found; where Catholic books are printed and by whom, and to whom they be uttered in England. Which things, being demanded of evil intent and to the annoyance of the Catholic cause, God's priests, and innocent men, no man may by the law of God and nature disclose, though he be expressly commanded by any prince in the world, for that God must be obeyed more than man . . .

As for the moderation, great pity, and courtesy, which by your libel you would have the world believe her Majesty's ministers have ever used in giving the torment to . . . Catholics, the poor innocents have felt it, and Our Lord God knoweth the contrary. And we can put you in remembrance that you did it with extreme rigour and despite, commonly upon no due presumption nor reasonable suspicion of discovery of any important matter thereby . . .

See whether a portable altar be a sufficient cause to give the torture to a grave, worshipful person, not so much as suspected of treason or any disobedience, other than in cases of conscience. Whether books of prayers and meditations spiritual, or the printing of them, be a rack matter in any commonwealth Christian. Look whether your ordinary demands were of that weight and quality as were to be answered by constraint of the rack. Let the world see what one confession of treasonable matter you have wrested out by the so often tormenting of so many, and what great secrecies touching the state (which you pretend so earnestly to seek for) you have found amongst them all. No, no, nothing was there in those religious hearts but innocency and true religion. It is that which you punished, tormented, and deadly hated in them. If they would have in the least point in the world condescended to your desires in that, or but once for your pleasures presented themselves at your schismatical prayers, all racking and treasons had been cleared and past.

Whereby all the world seeth you did all for religion, not as for any conscience that way (wherewith most of you are not much troubled), but because the particular state of a number dependeth on this new religion . . .

When the politiques of our country, pretending to be Protestants, saw the Catholic religion, contrary to their worldly-wise counsels and determinations and against their exquisite diligence and discipline and twenty years' endeavour (in which time they thought verily to have extinguished the memory of our fathers' faith), to be revived in the hearts of the greatest number, noblest, and honestest sort of the realm; and that neither their strange, violent, and capital laws for the Queen's spiritual superiority over the pope's pre-eminence, the power of priesthood in absolving penitents, the saying and hearing of mass, having or wearing of *Agnus Deis* or other external signs of our society with the Catholic Church of all times and nations; nor the execution of many by death and other penalties and punishment, according to the said laws, would serve nor were of force to hold out of England the priests of the Society and seminaries, to whom Christ had given more apostolic spirit, courage, zeal, and success than of so small a beginning was looked for; by whom the Protestants began to fear lest great alteration of religion – whereon they think their new state (that is to say, the weal of a very few in comparison) dependeth – might ensue; they thought good by their long exercised wisdom to alter the whole accusation from question of faith and conscience to matter of treason. Which being resolved upon, they went about by divers proclamations, libels and speeches, first, to make the people believe that all Catholics, and specially Jesuits and such priests and scholars as were brought up in the seminaries or colleges out of the realm, were traitors. And for their better persuasion [they] gave out one while that by the said priests and others in banishment there was a marvellous confederation of the pope, King of Spain, duke of Florence, and others for the invasion of the realm. But that being shortly proved nothing, they feigned that the said Jesuits and priests were confederated with the Irish quarrel, and to give more colour of somewhat they sticked not to rack Father Campion extremely for search of that point.

But this fiction failing, they found out another as foul: that the death of the Queen and divers of the Council was contrived (forsooth) in the seminaries of Rome and Reims; of which conspiracy in fine they resolved to indict them, as they did, and pursued them to death for the same with such evident partiality, default of justice and equity, as was in that court (once most honourable for justice) never heard or read of before.

Such as pleaded against them, to make them odious in judgment, discoursed (as this libel now doth) first of the nature and horror of rebellion in general, and then of a rebellion in the north for religion a dozen years before, when the parties there accused were young boys in the schools and universities of the realm; of the pope's bull of excommunicating the Queen a good many of years before any of them came over sea or ever saw pope, Rome, or Reims, yea, when some of them were yet Protestants in England. They discoursed also of the rebellion in Ireland by Stukeley, Sanders, and others, none of which men divers there arraigned ever saw or knew in their lives; of their being made priests by the pope's authority, and of their obligation and obedience to him, being the Queen's enemy; of their authority to absolve and reconcile in England, received from him; of their coming in at the same time when they were in arms in Ireland, as though they had not entered their native country and exercised those spiritual functions seven years before, or could not then exercise them but in favour of such as took arms against the Queen.

And when these generalities were uttered only to make them odious and amaze the hearers with those that should have to judge of their guiltiness or innocency, the good fathers and priests made just exceptions against such vulgar invectives as could not touch them that there stood in judgment more than any other priest or Catholic in the realm, and many of the points such as they were sure none should have been arraigned of in King Edward the Third's time, upon whose statute nevertheless the indictment was pretended to be drawn; humbly praying the judge and bench that they would more directly, plainly, and sincerely pass on them for their faith and exercises of the Roman religion (for proof whereof they should not need to seek for so impertinent and farfetched matter), which they openly professed and desired to die for with all their hearts. Or if they would needs proceed against them as for treason, in the sense of the old laws of our country, that then

it would please them to aggravate no farther to their disadvantage and death either other men's faults or matter of pure religion, but to come to the indictment and to the particular charge of every person there arraigned, which was of conspiring the Queen's death. Whereof if they could by any proof or sufficient testimony of credible persons convict all or any of them, then their death to be deserved. If not, their innocent blood upon all that should be accessory to the shedding thereof . . .

Therefore all other idle and vagrant speeches, odiously amplifying either the pope's, Jesuits', seminaries', Dr Sanders', or any other man's peculiar actions for religion or otherwise, set apart (whereupon, as the counsellors then at the bar, so now the writers of this libel, voluntarily and vainly do only stand and make their rest), there is nothing in the world that can prove effectually these men's lawful condemnation nor avow the justice of that execution (which the libeller taketh upon him to do, but in truth no whit toucheth the matter), saving only such allegation and testimony as may convince Father Campion and his fellows with him arraigned to have compassed the Queen's destruction or invasion of the realm.

What other thing soever they were guilty of; or what affection soever they bear, in respect of their contrary religion, to their prince and state; or what treasonable opinions (as they fondly call them) concerning the excommunication or depriving the Queen were afterward discovered in them; or what other reasonable cause in respect of the adversaries' fear and jealousy over the state or doubt of the times then troubled the officers then or the libellers now, to satisfy the people or the world abroad, do allege for their excuse: none of all these things can justify that execution, so long as the matter for which they were only indicted cannot be proved, nor the statute of King Edward the Third, upon which they pretend to have indicted them, is transgressed by them . . .

When it came to the very point of the accusation, and all roving and railing talk against pope, Rome, religion, seminaries, bulls, masses, preachings, reconciliations, *Agnus Deis*, and beads (with which they larded all their evidence, though of such things they professed not to condemn them), was to be set aside, and now by witnesses to be proved that they were guilty of the foresaid conspiracy against the Queen's person, etc., two or three such fellows were sought out and procured to give testimony against them as first professed themselves to be heretics and therefore by St Augustine's judgment were not to be heard against a Catholic priest. Secondly (seeing heresy maketh no exception in England), they were known to be otherwise common cozeners, lost companions, saleable for a sou and bought by the enemy to betray them and bear witness against them. Thirdly, some of them [were] charged in the face of the court with shameful adultery, with double or triple murder, and other like horrible crimes pardoned for this purpose. Fourthly, they were discovered both then and afterward of notorious falsehood, incongruity, and discord of times, persons, places, and other circumstances, and their iniquity eftsoons disclosed by their own fellow.

And to see now the men of God, so many, so excellent for virtue, so famous for learning, religion, zeal, and devotion, to hold their lives upon the conscience of such notorious atheists and outcasts of the world . . . it was surely very pitiful to behold, but not marvellous to us that considered the condition of our time and easily foresaw that these holy men's deaths were now designed and thought necessary by our politiques for conservation of their state . . .

Well, thus their good witnesses gave in evidence of things spoken and contrived in Rome and Reims which were known to be most false of all that were in either place the times and days by them named. And whatsoever was either truly or falsely testified to be done or said in either of the two places by any English there dwelling, it was unjustly applied to all and every one of these good men now standing in judgment. Yea, it served against some that were never in either place in their life . . .

But yet when these things were, for the impossibility of the fact, laid down and opened at the bar by the holy confessors themselves, it prevailed nothing, though otherwise also the evidence were given by such persons and of such matters as it was neither possible nor credible that they could be guilty. It was found sufficient for their condemnation that they had kissed the pope's foot; that they were his scholars and had received *viaticum* from him; that they had seen or spoken with cardinals in Rome and were made priests either there or at other places and finally sent home by authority of their superiors, accounted enemies in the present state of our country. Which things, together with the partial, unwonted, and unlawful dealing used in the proceeding of that day of their judgment, and the known innocent quality and trade of the persons, cleareth them against this libel and all other false accusation whatsoever.

But most of all, everyone's sincere protestation, in the hour of their honourable conflict and martyrdom, that they were ignorant of all conspiracies and most innocent of that for which they were condemned in particular cleareth them thoroughly in the judgment and conscience of every reasonable man, seeing it is not probable that such men would

against their consciences and against the truth have avouched a falsehood at that instant, to the present and everlasting perdition of their souls, which would not relent in any point of their faith to save only their temporal lives.

And this is also an invincible proof of their innocency, and that all was for religion and nothing in truth for treason, that if they would have confessed the Queen to be their chief in causes spiritual, or have relented in their religion, they should have had life and pardon, which was proffered to every one of them, not only at the execution but often before. Yea, for once going to their heretical service, any of those whom they pretend to be so deep traitors might have been quit with favour, as also with great thanks and goodly preferments.

And plain it is that now at the hour of their death, being past further fear of man's laws, if they had meant anything against the Queen's person, or had received order by their superiors, or had thought it agreeable to their spiritual profession, to deal in other matters than religion and conversion of souls by preaching, persuasion, prayers, and other priestly means, they might have spoken their minds boldly now at their passage and departure from this world . . .

All their confessions, both voluntary and forced by torments, are extant in the persecutors' hands. Is there any word soundeth or smelleth of conspiracy?

They have all sorts and sexes of Catholics in prison for their faith, and divers honourable personages only upon pretence of dealing and conversing with them. Hath any one of all the realm, in durance or at liberty, by fair means or foul, confessed that ever either priest or Jesuit persuaded them in confession or otherwise to forsake the Queen? That ever they were absolved on that condition? That ever they received *Agnus Deis* at their hands or other spiritual token for earnest or prest to rebel and join with the enemy, as this slanderous libel doth not so much avouch (for that were intolerable) as by guileful art insinuate, without all proof or probability?

Wherein, as at the place of their judgment, the magistrate professing that nothing should be prejudicial unto them that touched only their religion (yet indeed had no other matter for their conviction but the functions of their order and priesthood), so this libeller now, pretending their treasons to be old and of another sort, and acquitting them for their Romish tokens, ceremonies, books, beads, and opinions (as he speaketh), yet cunningly windeth himself about in words and only condemneth them in the end for the same, not as capital (forsooth) in themselves, but as serviceable to the pope and applicable to the benefit of rebels at home or abroad. So cunningly they play in such men's lives and deaths as our country was unworthy of.