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# Forms of Post-Reformation Catholic Survival

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**ABSTRACT** With the establishment of Protestantism in Scotland by act of Parliament in 1560, Catholicism became illegal and the institutional church quickly disintegrated. Despite this, the Catholic faith persisted with very little institutional support until a prefect was appointed in 1653. This chapter will explore the prominent role of lay Scottish Catholics in maintaining their faith despite no organized institutional presence. The chapter will explore the significance of kin networks in providing discreet aid to priests and the employment of private chaplains, as well as the crucial role of women and the home, in shaping a continuing and distinctive Scottish Catholic culture. While Continental contacts were important, particularly those forged through the Scottish colleges abroad, it was chiefly the laity which fostered the faith rather than religious orders or ecclesiastical institutions.

**KEYWORDS:** Enduring Catholicism; lay networks; underground clergy; role of women; missions from abroad

## INTRODUCTION

In August 1560 the Scottish Parliament both ratified a Protestant confession of faith and outlawed the authority of the Catholic Church and its ministrations, deeming them idolatrous. The legal and political weight this gave the Reformation meant the Catholic Church's institutional infrastructure quickly fell away, with many clergy either taking a civil pension in exchange for ceasing their ministry, conforming, or (like James Beaton, archbishop of Glasgow) retiring to the Continent. Beaton remained an important interlocutor for Scottish affairs representing both Catholic and Scottish interests in Paris. He served as James VI's ambassador to France, for which he was restored in 1598 to the "honours, dignities and benefices" of the archbishopric of Glasgow (in royal patronage) as long as he remained abroad.<sup>1</sup> Despite this traditional office and financial resource, Scotland's Catholic ecclesiastical infrastructure had been disintegrating. As one commentator put it, the sudden change brought by the Reformation "so undermined ... the top-heavy medieval superstructure [that it] collapsed suddenly with the force of an earthquake."<sup>2</sup> Thus post-Reformation Catholicism lacked a hierarchy and an institutional form. As early as 1562, the

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<sup>1</sup> NAS: PA8/1, f. 9v.

<sup>2</sup> Anson, *Underground Catholicism*, 6.

papal nuncio sent to support the Catholic Mary, queen of Scots, reported the beleaguered state of both priests and the laity seeking to uphold the faith. The few “Catholic preachers” and “religious that remained” rarely had a fixed abode, claimed the visiting (1562) Dutch Jesuit, Nicholas Floris (Goudanus, or de Gouda), and that they depended on their families and friends for support. While some “nobility and wealthy Catholics hear Mass occasionally with the greatest secrecy, and in their own houses,” ordinary lay Catholics in general were “so trampled in the dust by the tyranny of their opponents, that they can only sigh and groan, waiting for the deliverance of Israel.”<sup>3</sup> This assessment would also be symptomatic of the following century. Notwithstanding, Catholicism survived. This chapter explores why and how Catholicism was suppressed, the key figures prioritized as opponents by both Kirk and civil power, and how lay Catholics maintained their faith devoid of institutional infrastructure at the national level. While an exhaustive history remains one of the regrettably great lacunae of Scottish history, some key themes and features can be identified.

#### DECLINE AND STATE OPPOSITION

In the early years of Reformed Scotland, Catholic worship continued in some localities and isolated pockets. In the Carrick region of south Ayrshire, Quentin Kennedy (1520–1564), abbot of Cluniac Crossraguel and son of Gilbert (d.1527), second earl of Cassillis, sustained Catholic ministrations throughout Carrick until his death in 1564. This was under the protection of his nephew, Gilbert Kennedy (d.1576), the fourth earl of Cassillis but who later converted to the Reformed faith. Gilbert Kennedy, described as a monk of Crossraguel, purportedly continued delivering the Mass and baptizing children down to 1588.<sup>4</sup> The same year the General Assembly also reported the Mass continued in Edinburgh and that Catholics in Dalkeith took advantage of using “kirks ... destitute of Pastors and provision, unot the which Papists flock and resort.”<sup>5</sup> Further away from the immediate influence of the government and Kirk, evidence suggests that in remote parts of Scotland new churches were even erected for Catholic worship in the 1570s in the west Highlands at Ardnamurchan and Arisaig by Eòin Muideartach [John of Moidart], chief of Clanranald (d.1584).<sup>6</sup> This may have been replicated in the territories of ClanDonald South in Islay, where Protestant

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<sup>3</sup> In Forbes-Leith, *Narratives of Scottish Catholics*, 75.

<sup>4</sup> BUK 2, 722.

<sup>5</sup> Ibid., 720.

<sup>6</sup> MacDonald, *Clerics and Clansmen*, 263–264.

Campbell rivals claimed that even into the early seventeenth century – and before the Irish Franciscan mission which began in 1617 – Catholic worship continued.<sup>7</sup> Provision of ministry here, however, was provided outside the official church structures and aligned with the maintenance of Scottish and Irish Gaelic kin networks which spanned the North Channel. However, despite a series of claims around 1585 that up to 20,000 Scots were restored to the Catholic faith, in most of Scotland the public administration of Catholic sacraments became exceptionally rare after the end of the 1560s.<sup>8</sup>

For those attempting to continue provision of the Mass, punishments could be harsh. In 1572 a schoolmaster in Leith, Sir William McKie, was hanged for performing the Mass, while in the same year an anonymous priest was reportedly executed in Glasgow for the same crime.<sup>9</sup> The law made a distinction between those performing the Mass (understood to be idolaters) and lay participants; but the latter were punished as well for continuing to advocate the faith. As late as 1573, Lord Robert Semple (Sempill) (c.1505–1575) was accused of attempting to introduce a Catholic priest into the vicarage of Eastwood near Glasgow under the pretext of having as commendator the rights of the abbot of Paisley. He was excommunicated by the Kirk. And in 1576, William Henderson, former prior of Black Friars in Stirling, was accused of working to sustain the Catholic faith in the burgh and further afield.<sup>10</sup> By 1580 the Jesuit, Robert Abercrombie (1536–1613), reported that the remaining priests continuing to work in Scotland had become chaplains in private homes. In 1585, two Jesuits were reported to be living with the sixth earl of Huntly (George Gordon, 1563–1636) in the north, while two others lodged with the earl of Morton.<sup>11</sup> The earl of Eglinton, the laird of Blackadder, Lord Maxwell and Lord Seton were also all accused of employing Catholic chaplains.<sup>12</sup> Thus, while Catholicism was distinctly de-institutionalized, the provision of ministry beyond the houses of nobility and lairds who employed chaplains provided a degree of political capital to the families who afforded wider access to these priests. This strengthened ties between Catholic social elites and the wider faithful.

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<sup>7</sup> Gregory, *History*, 365; Campbell, “The Catholic Isles of Scotland,” 109; MacPhail, *Highland Papers* 3, 186; Giblin, *Irish Franciscan Mission*, vii.

<sup>8</sup> Forbes-Leith, *Narratives of Scottish Catholics*, 206.

<sup>9</sup> Sanderson, “Catholic Recusancy,” 88.

<sup>10</sup> *RPC* 1, 575.

<sup>11</sup> Forbes-Leith, *Narratives of Scottish Catholics*, 206.

<sup>12</sup> Sanderson, “Catholic Recusancy,” 96.

Fears over lingering Catholic practices prompted the Scottish Parliament to pass an act in January 1573 ordering nominal archbishops, bishops, Reformed superintendents and commissioners of all historic dioceses and provinces to record the names of men and women suspected of being “papistis” or those who failed to partake in the Reformed sacraments. The order went on to demand that all Scots give a testimony of their Protestant faith as set out in the Scots Confession and to submit themselves to the discipline of the “trew Kirk” under pain of excommunication.<sup>13</sup> By this point, “recusancy,” or somehow maintaining the Catholic faith, meant a lack of conformity and non-attendance at Protestant services, rather than regular participation in the Mass. This is because Catholic ministrations were infrequently available due to the paucity of priests. As a result, the avoidance of weekly worship in the Kirk and failure to participate in the Reformed sacraments became “tantamount to admitting catholicism.”<sup>14</sup> However, this guilt by absence meant prosecution could be a long drawn out process and could not be readily be detected when there was generally insufficient space in church buildings for the whole population to attend anyway. As a result, evasive measures could be taken by those under suspicion. Thus, recusancy might seemingly represent a less egregious offence than “resetting” – the harbouring and maintenance of priests. However, as the parliamentary act mentioned above indicates, failure to profess the approved statement of faith and to partake of Reformed Communion rightly administered as well as not submitting to ecclesiastical discipline represented a serious threat to both Kirk and nation.

#### Covenant and Idolatry: Catholics in a Protestant Nation

Even before the Reformation had been enacted in Scotland, John Knox had identified the obligations of a nation which professes Christ “to be bound to the same leage and covenant that God made with his people Israel.”<sup>15</sup> Thus Scotland was, for Knox, in covenant with God and this in turn required “we declair oure selves enemyis to all sortis of ydolatrie,” which was explicitly equated to the Mass.<sup>16</sup> This model of national obligation represented one of the great strengths of the Scottish Reformation and explains why in terms of national policy, Protestant Scotland used such invective language against Catholicism, for “in making whilk league, solemnedlie we sweir never to haif fellowship with ony religiou, except that whilk

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<sup>13</sup> RPS: A1573/1/3. Date accessed: 27 December 2017.

<sup>14</sup> Todd, *Culture of Protestantism*, 114.

<sup>15</sup> Knox, *Works* 4, 505.

<sup>16</sup> Knox, *Works* 3, 190.

God hath confirmit be his Word.”<sup>17</sup> Knox defined Catholics as “apostatis and tratouris.”<sup>18</sup> Thus the toleration of Catholic practice was understood to be idolatry – the most blatant violation of a people’s covenanted obligations as the Old Testament narratives about Israel so vividly depicted – and as a newly covenanted nation, toleration of the Mass put the entire nation at risk of God’s punitive judgement. For this reason, Parliament declared in 1592 “that in all tyme coming the saying of messe, ressetting of Jesuites, seminary preistis and trafficqueing papistis aganis the kingis majestie and the religiou presentlie professit within this realme is and salbe ane just caus to infer the pane and cryme of tressoun.”<sup>19</sup> In 1614 the Privy Council continued to emphasize that recusants and non-communicants “are most pernitious pestis in this commounweale.”<sup>20</sup>

Despite this intense rhetoric, the degree to which recusants were pursued in the first two decades of Protestant Scotland varied greatly due to local circumstances, personal relationships and the degree to which pressure from the government demanded it. Evidence exists for synods and presbyteries regularly demanding the investigation of those habitually absent from Kirk services and therefore suspected of “papistry.”<sup>21</sup> However, local and national policies did not always align. Fears over the risk posed by counter-Reformation plots were fuelled by the political aspirations of Spain, as well as the violence of France’s wars of religion. However, few Scottish Catholics harboured realistic ambitions of restoring the Old Church, albeit those who did found support in, or perhaps were inspired by, the establishment of a Spanish-funded Jesuit mission for Scotland in the early 1580s. Although the mission rarely exceeded six Jesuits, peaking at ten, and tended to be reliant on family connections between the early missionaries – William Crichton (1535–1617), James Gordon (1541–1620), Edmund Hay (1540–1591) and their kin – it worked closely with foreign interests. Crichton certainly harboured ambitions for a full-blown counter-reformation in Scotland and produced a map of 48 Scottish Catholic gentry for sympathizers in Spain [fn. Yellowlees “‘So strange a monster,’ Plates X and XI, and pp.182-83]. Links between Scots Catholics were maintained through the 1580s via multiple networks, but key within these were Crichton and Colonel William Sempill (1546–1643) (a Scot in Spanish service and founder of the Scots College in

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<sup>17</sup> Ibid., 191.

<sup>18</sup> Knox, *Works* 4, 125.

<sup>19</sup> RPS: 1592/4/32. Date accessed: 27 December 2017.

<sup>20</sup> RPC 10, 216.

<sup>21</sup> Sanderson, “Catholic Recusancy,” 91.

Madrid) and the active agents and messengers such as Robert Bruce, David Graham of Fintry and George Kerr.<sup>22</sup> The political justifications for counter-reformation were fuelled for some by a letter written by the exiled Mary, queen of Scots, at Fotheringhay Castle in 1586 ceding the Scottish throne to the Spanish Crown should her son, James VI, continue his espousal of a Protestant faith.<sup>23</sup> In this milieu of international intrigue, several internal rebellions were plotted by leading Catholic nobles in Scotland. The most notable of these were first: the 1589 “Brig o’Dee Affair,” in which the earls of Huntly, Crawford and Errol briefly raised an army on hearing false news that a rebellion against James VI had broken out in Edinburgh, and second: the 1592 “Spanish Blanks,” in which the earls of Angus, Errol and Huntly signed otherwise blank pieces of paper purportedly to be filled in by William Crichton SJ upon his arrival in Spain.<sup>24</sup> Only the “Spanish Blanks” had undeniable Jesuit involvement.<sup>25</sup> James’s response, however, was altogether lenient. This doubtless rested in part on the close, personal and long-standing friendship between the king and Huntly, reflected in the claim made in 1587 that Huntly was “ane greit curteour and knawis mair of the Kingis secreittis nor ony man at this present doithe.”<sup>26</sup> In fact, despite Huntly’s involvement in three separate intrigues, as well as taking up arms against a royally commissioned army at the Battle of Glenlivet in 1594, he apparently remained on excellent terms with both the king and queen consort, Anne of Denmark, before James elevated him as first marquis of Huntly in 1599.<sup>27</sup> However, as an English ambassador reported, “the King’s fond affection towards Huntly emboldens the papists and puts the well-affected [Protestants] in fear.”<sup>28</sup>

James VI demonstrated a consistent degree of forbearance of Catholics, despite increasing pressure from the Kirk for harsher enforcement of the anti-Catholic legislation implemented by Parliament and the General Assembly. This tolerance was exhibited within his own family. His wife, Anne of Denmark, allegedly converted to the Catholic faith around 1593 and James permitted a Jesuit to remain in the household as the superintendent of the

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<sup>22</sup> For modern studies of these agents, see Saenz-Cabra, “Scotland and Philip II”; Grant, “The Brig o’ Dee Affair,” 93–109.

<sup>23</sup> *Archivum Arcis*, 128.

<sup>24</sup> Shearman, “The Spanish Blanks,” 81–103.

<sup>25</sup> RPS, A1594/1/17/4. Date accessed: 27 December 2017.

<sup>26</sup> CSP Scot. 9. 476.

<sup>27</sup> CSP Scot. 13, part 1, 132

<sup>28</sup> CSP Scot. 10, 12.

royal falconry.<sup>29</sup> He also permitted known Catholics to serve in government offices, much to the dismay of many Protestants whose outrage came to a head in 1596 resulting in public riots in Edinburgh against the king's preferment of some Catholics, most notably the "Octavian's" managing the finances of the royal household.<sup>30</sup> In general, however, crown policies towards Catholics remained moderate until the end of the century and James even met and debated with Catholic priests, including Fathers John Hay (1579) and James Gordon (1585).<sup>31</sup>

#### PATTERNS OF PERSISTENCE

Despite, or because of the crown's general leniency, the national Kirk's anxiety over the Catholic threat remained high. James Melville (1556–1614) expressed this angst in 1584 decrying his belief that "Peptises and Jesuits ... flocks ham[e] out of France, Spean, and Italia, and finds gritter favour and credit in Court, the[n] all the Ministers."<sup>32</sup> The 1587 General Assembly produced a list of known Catholics, some of whom were excommunicated. But generally, these individuals were dealt with locally in a manner that did not deprive them of their role and status, which were understood as important for social stability. The General Assembly also noted that the prevalence of Catholic activity in the south (meaning the southwest and Borders) and the north (from the Dee to Caithness).<sup>33</sup> The accuracy of the General Assembly's list can be corroborated by a similar account of Catholic and sympathetic nobility and gentry produced by William Crichton SJ.<sup>34</sup> These pockets reflect the intentional maintenance of Catholicism under the influence of prominent regional magnates, in particular the Gordons in the north and Maxwells in the south. Keith Brown and Ruth Grant have demonstrated that the involvement of the eighth Lord Maxwell (1553–1593) and sixth Earl of Huntly, respectively, while perhaps initially motivated by international ambitions, was largely driven by consolidating regional influence.<sup>35</sup> Maxwell sway meant that Dumfries retained an

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<sup>29</sup> Loomie, "King James I's Catholic Consort"; Meikle and Payne, "From Lutheranism to Catholicism," 45–69.

<sup>30</sup> The Octavians were a financial commission of eight first appointed by James VI in 1596. See Goodare, "The Attempted Scottish Coup of 1596."

<sup>31</sup> Bellesheim, *History*, vol. 3, 339.

<sup>32</sup> Melville, 209.

<sup>33</sup> BUK 2, 715–724

<sup>34</sup> Yellowlees, "Father William Crichton's Estimate."

<sup>35</sup> Brown, "The Making of a Politique"; Grant, "The Making of the Anglo-Scottish Alliance."

active Catholic community into the seventeenth century, and it served to enhance the loyalty of those committed to Catholicism. The Privy Council moved to quell the recusancy in the burgh in 1601 and named twenty-nine burgesses, a schoolmaster and a notary for persisting in the faith.<sup>36</sup> However, a quarter century later, the ministers of Dumfries still complained of the “insolent behaviour of papists” in the area, blaming the Maxwells, namely Robert Maxwell, the first earl of Nithsdale, and John Maxwell, the sixth Lord Herries.<sup>37</sup> Yet this all needs to be understood within the context of maintaining their regional hegemony. For instance, while the Maxwells may have flexed their muscles locally to maintain Catholicism within their regional bounds, the first earl of Nithsdale purportedly instructed his nephew, James Maxwell, to leave the Jesuits in 1625. He feared direct involvement in the order would lead to the destruction of the house of Nithsdale and Herries.<sup>38</sup> Yet Nithsdale himself continued correspondence with George Conn (Conaeus) (d.1640), a Scot from Aberdeenshire and author working for Cardinal Barberini in Rome and for other leading Catholics on the Continent, including Cardinal Richelieu. Accordingly, Catholicism served to strengthen local and international networks for Nithsdale, but he stopped short of openly opposing the national Protestant establishment and provoking the ire of the government.

Perhaps the exemplar of how Catholicism could serve to underpin regional hegemony was evidenced by the Gordon earls of Huntly, and the first marquis George in particular. From the early 1570s, the parliamentary commissioner in Aberdeen entrusted with bringing recusants to heel complained about the impossibility of the task; this was due to the interference of leading north-east nobles and gentry, in particular Huntly. According to the Privy Council in 1593, the openly Catholic nature of the north-east rested upon the earl of Huntly’s influence over his tenants, albeit the Hays, Ogilvies and Leslies were largely Catholic as well.<sup>39</sup> The Gordons of Huntly expressed the centrality of their Catholic faith in their production of a new coat of arms above the entrance at Huntly Castle in 1605. This included the five wounds of Christ, the Virgin Mary and St John, as well as Galatians 4:14 (in Latin): “*God forbid that I should glory save in the Cross of our Lord Jesus Christ.*” Atop the whole panel sat St Michael, an allusion to both the fourth earl of Huntly being admitted to the French Order of Chivalry in 1545 and the Last Judgement – implying their expectation that

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<sup>36</sup> Sanderson, “Catholic Recusancy,” 92.

<sup>37</sup> Fraser, *Book of Carlaverock* 1, 76, 344.

<sup>38</sup> *Ibid.* 2, 67–68.

<sup>39</sup> Sanderson, “Catholic Recusancy,” 95–96.

loyalty to the true faith would ultimately be rewarded. Yet the heraldic declaration had a political as well as a religious aspect. On either side of the religious iconography were the Scottish lion rampant and the double-headed eagle of the Holy Roman Empire.<sup>40</sup> This expression of identity in stone provides a distinctive framing of Scottish, European and religious identity etched into the seat of the Gordons of Huntly. Although the Catholic imagery was defaced by Covenanter troops in 1648, the fact that it survived intact for over four decades evidences both the significance of Catholicism to Huntly identity and their ability to publicly proclaim their faith with impunity. Yet the Gordons were not alone in public, architectural displays of religious identity, although less powerful individuals had to do so much more subtly. According to Ian Bryce and Alasdair Roberts, the shared use of Catholic imagery including the *Arma Christi* [weapons of Christ's passion – symbols of victory] and cross-shaped gun loops evidenced a collective political and religious statement among the Gordons, Hays, Leslies and Ogilvies.<sup>41</sup>

Catholicism served as a binding force between the Gordons, and other leading members of the clan openly expressed their faith. William Gordon, fifth laird Gight, who carved a crucifixion scene above the entry of his castle, and who murdered the earl of Moray, was eventually excommunicated in 1595. Despite this, he remained in his home until his death in 1605. The following year the Synod of Aberdeen complained that the Gordons – not just Huntly, but a number of the cadet branches as well – perpetuated Catholicism and flaunted attempts of the Kirk to suppress it.<sup>42</sup> Yet acts of Catholic devotion could also reflect the power of Scots noblemen and gentry over their tenantry. A report of 1621 from a Protestant source claimed that James Gordon of Letterfourie (Banffshire) demanded that his tenants attend a public Mass held at his castle home and which drew a crowd of 160 people.<sup>43</sup> Five years later, the minister of Rathven claimed an agent of the marquis of Huntly declared in the Kirk after the sermon that none living in the bounds of the nobleman should attend the parish church or risk losing their house, land and incurring the wrath of "thair master."<sup>44</sup> Thus the Gordons could use Catholicism as a means of exerting influence, or evidencing loyalty – as evidenced by the persistent commitment to Catholicism by the cadet branches of Abergeldie,

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<sup>40</sup> Simpson, *Huntly Castle*, 16.

<sup>41</sup> Bryce and Roberts, "Post-Reformation Catholic Symbolism," 371.

<sup>42</sup> McLennan, "Presbyterianism Challenged," 186.

<sup>43</sup> Calderwood 2, vol. 7, 514–515.

<sup>44</sup> McLennan, "Presbyterianism Challenged," 186.

Auchintoul, Letterfourie, Newton and Gight; supporting priests and providing access to them could serve as a powerful form of political capital. William Gordon of Abergeldie (d.1630), for instance, had been implicated in the Spanish Blanks plot, accused by the Privy Council in 1593 for consorting with “priestis and papisti” and attending mass, and fought at the Battle of Glenlivet. Yet, the Privy Council reported in 1602 that he continued to ignore his excommunication from the Kirk “but still remain in this country practising against the true religion.”<sup>45</sup> This provides context for the 1628 claim of the Jesuit, James Macbreck, that “it is known that most of the Catholics, especially in the north of Scotland, are relatives or friends or clansmen of Huntly.”<sup>46</sup> That year, to put greater pressure on him, the marquis of Huntly was ordered as sheriff of Aberdeen to apprehend suspected Catholics. Huntly refused and was outlawed, but within a few months was restored. North-east Catholics also appear to have formed protection networks. Although it is not altogether clear exactly how these functioned, Allan Macinnes has identified “the Companie and Societie of the Boyis” – including John Gordon of Gight, several Forbeses, and others – as “a confederacy of Catholic gentry … a territorial grouping of kinsmen and local associates intent on upholding Gordon hegemony in the north-east.”<sup>47</sup> Vested local interests and a shared Catholic faith bonded leading landowners together for mutual protection and the enforcement of the status quo. For extended Gordon networks, Catholicism served as a marker of identity and an important form of social capital that could be used to bolster their regional hegemony.

Despite the commitment of several other north-east families, it was widely agreed that the house of Huntly and the wider Gordon clan were the lynchpin for Catholicism in Scotland. The Synod of Fife (which also covered Scotland north of the river Tay) was so convinced of Huntly’s influence that it supplicated the king in 1614 to deal with the matter as “all the rest of the papistes depend upon his example … that the purpois be no longer delayed, but that he may be fullie reconciled to the Kirk, or then removed aff the countrey.”<sup>48</sup> The new episcopal hierarchy of the Church of Scotland, notably the archbishop of St Andrews and bishops of Dunblane, Dunkeld, Moray, and Ross all agreed.<sup>49</sup> Despite being warded on multiple occasions and excommunicated from the Kirk twice, Huntly was reconciled on both

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<sup>45</sup> Bulloch, *House of Gordon* 1, 86–87.

<sup>46</sup> Forbes-Leith, *Memoirs of Scottish Catholics* 1, 29.

<sup>47</sup> Macinnes, “Catholic Recusancy,” 37; Roberts, “Knights of the Mortar.”

<sup>48</sup> *Ecclesiastical Records*, 76–77.

<sup>49</sup> MacDonald, *Jacobean Kirk*, 154.

occasions. While Keith Brown has argued both Maxwell and Huntly truly believed a national counter-Reformation was possible until 1588 and 1596 respectively, they and other Catholics failed to “translate their very real local power into something with the national appeal of the Lords of the Congregation during 1558-60.”<sup>50</sup> This is true, but it may ultimately be the reason Catholicism proved so resilient in post-Reformation Scotland. Whereas the early proponents of Protestant Scotland had invoked a model of national obligation and the imperative of total uniformity in religion under threat of divine judgement, Scottish Catholics refrained from making the counter claim for their church. As such Catholicism did not need to be contested at the national level to be authenticated, rather it was embodied in loosely connected networks, private households or in personal piety. For the Maxwells and Huntlys, their continued support for the old faith within the bounds of their traditional hegemonies strengthened their influence, which in turn solidified their regional dominance. Moreover, the rejection of a national obligation opened the way for the faith to be authentically privatized and this gave Catholicism and its adherents resilience.

Perhaps the archetype of prudential internalization of the faith was Alexander Seton (1555–1622), first earl of Dunfermline. He received his education at the German Jesuit college in Rome, the *Collegium Germanicum*, before returning to Scotland in 1580. When James VI assumed his personal rule in 1585, Seton, a jurist, was added to the Privy Council. Under pressure from critics over his religious views, Seton conformed to the Kirk in the Spanish Armada year of 1588 while remaining privately Catholic. He maintained great political influence through his presidency of the Court of Session from 1593, overseeing the “Octavians” appointed to manage royal finances in 1596 and becoming lord chancellor of Scotland in 1604 after James’s ascent to the English throne. In this role he led the political wing of restoring episcopal government, which only served to increase fears among presbyterians to whom it served as a veiled reintroduction of Catholicism. Although Seton was widely known to be Catholic, his outward adherence to the Kirk, political power and dutiful performance of responsibilities, as well as his close links to the king, all protected him.<sup>51</sup> He resisted being drawn into plots to reimpose Catholicism and upheld the status quo.<sup>52</sup> Seton publicly conformed to the established Protestant Kirk, accepted the confession

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<sup>50</sup> Brown, “The Making of a Politique,” 174–175.

<sup>51</sup> Calderwood 2, vol. 7, 549.

<sup>52</sup> Lee, “King James’s Popish Chancellor.”

of faith and even partook of Protestant Communion (a practice by some Catholics explicitly denounced as “deceitful and against their own conscience” in the King’s or Negative Confession of 1581).<sup>53</sup> Why and how Seton could do this will be discussed below, but from the government’s perspective his outward conformity proved to be enough. Even though Seton hosted Jesuits and had a library containing numerous Catholic works, he was largely left to receive Catholic communion within his household and even to employ a Catholic tutor to educate his children and those under his charge. It has even been suggested Seton may have continued to support the last living monk from the Benedictine abbey of Pluscarden in Morayshire that the presbytery of Elgin accused of baptizing children as late as 1599.<sup>54</sup> However, since his actions did not seek to overturn the establishment and he served the government loyally in all matters except his personal religion, Seton had a distinguished political career at the highest level.

#### PARTIAL CONFORMITY AND CATHOLIC CLERICAL LENIENCE

Knowledge of lay Catholic experience below the nobility and gentry has historically been rather poorly understood. However, some recent studies have begun to explore how lay Catholics negotiated life in Protestant Scotland. What these have demonstrated is the ability of the middling rank to similarly sustain their faith, sometimes facilitated by a general sympathy from authorities and Catholic clergy.<sup>55</sup> Similar to the Netherlands, albeit without explicit toleration, the willingness of local authorities to be lenient seems to be rooted in sustaining community harmony. Overall the policy was not to exclude, banish or brutally repress Catholic Scots, but rather to bring them into the fold of the national Kirk. While banishment or warding of children might occur in extreme circumstances, authorities generally sought to reconcile Catholics through the coercive means of fines and, ultimately, excommunication which had greater secular than religious ramifications. This was a serious sentence, not because either Catholics or Reformed Scots believed it to be a sentence of damnation, but because anyone excommunicated from the Kirk could not be employed, traded with, or offered hospitality; nor were they permitted to hold public office. Evidence that the Kirk took this seriously survives in the records of the Synod of Fife, which in 1611 reiterated the sentences of excommunication against the Francis Hay, ninth earl of Errol and

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<sup>53</sup> Hazlett, “The Second Scottish Confession, 1581,” 187–188, 192, 223.

<sup>54</sup> Davidson, “Alexander Seton”; Holmes, “Sixteenth Century Pluscarden Priory.”

<sup>55</sup> McOmish, “Adam King.”

David Lindsay (d.1646), laird of Edzell, warning that all should avoid them or risk receiving the same censure.<sup>56</sup> As such, many Catholics who faced excommunication from the Kirk reconciled themselves to the Protestant Church in order to have the socially detrimental implications alleviated.

The case of the Hegates, a Glasgow family, shed considerable light on this phenomenon. Multiple aspects of the Hegates' experience require greater attention. William Hegate served as professor at the University of Poitiers. Although graduating from the University of Glasgow in 1592 and taking the required Protestant subscriptions, he pursued further Catholic education on the Continent. Despite a new life, he maintained close ties to his Glaswegian family, including providing accoutrements for Catholic piety to his family and other prominent Catholics in Glasgow, including burgesses.<sup>57</sup>

As was the case with Scots in European Protestant regions before and after 1560, the Continent also provided a wealth of opportunities for Scots Catholics. While Scotland's universities required profession of Protestant faith – something to which the Catholic William complied – the four Continental colleges were founded for Catholic Scots by the end of the 1620s (Paris, Douai, Madrid and Rome). These were intended to provide training for the priesthood, but less than half the students who entered these colleges received ordination between 1575 and 1799, despite the requirement to sign a missionary oath within six months of entering the college. Many students avoided ordination by leaving before completing their degrees.<sup>58</sup> At least fifty of the 163 students who enrolled in Rome left the college before completion of studies.<sup>59</sup> As such, the colleges served as an alternative educational opportunity to Scotland's Protestant institutions and provided networking opportunities for employment beyond Scotland. This is evidenced in the extraordinary careers of the author, Thomas Dempster (1579–1625), and the orientalist, George Strachan (*fl.* 1592–1634). According to David Worthington, Douai in particular became a “nexus” for the diaspora of Scottish Catholics throughout Hapsburg Europe.<sup>60</sup>

Perhaps even more instructive of Catholic survival within Scotland is the case of Archibald Hegate, William's brother. He was excommunicated three times between 1582 and

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<sup>56</sup> *Ecclesiastical Records*, 36.

<sup>57</sup> Goatman, ‘Religious Tolerance and Intolerance’.

<sup>58</sup> McInally, “Alumni of the Scots Colleges Abroad,” 93–96.

<sup>59</sup> *Records of the Scots Colleges*, 101–114.

<sup>60</sup> Worthington, *Scots in Habsburg Service*, 26.

1595, and on each occasion subsequently reconciled to the Kirk. Archibald Hegate, a notary and town clerk of Glasgow, made his personal views on religion clear in his protocol book, where he denounced Luther and Calvin as no better than wolves and bears in sheep's clothing.<sup>61</sup> Despite the strength of these sentiments he conformed to the ~~Kirk Scotland's Protestant church~~ to escape the secular implications of excommunication. Both Archibald and William publicly conformed to the Protestant faith while at heart remaining Catholic. Archibald and his fellow-Catholic burgesses were not alone in their ability to navigate ~~maintenance of~~ having a private faith and conforming externally to the extent that they could maintain a public role -- as Alexander Seton and others had done before them. This represents one of the key aspects of Catholicism in the first half-century of post-Reformation Scotland, occasional outward conformity to the Kirk was not necessarily considered apostasy, even by the usually rigorous Jesuits. Anyway, there was the (unrealized) expectation of papal dispensation. Down to 1606, ~~Father~~ William Murdoch SJ emphasized the necessity of latitude in allowing lay Catholics to outwardly conform to the Kirk (even though the general of the order had forbidden the practice in 1598) in order to provide the necessary space to inwardly maintain faith and resort to the Mass on the rare occasions they could access it.<sup>62</sup> The experience of the Hegates is evidence of this practice in action. This confessional game of cat and mouse was employed regularly by Scottish Catholics. What in England has been called "church papism," was in the Scottish context normalized and more accurately called by Thomas McCoog "occasional conformity." In 1612 a certain Patrick Gray was caught reciting Catholic prayers at the surviving pre-Reformation altar in Fowlis Kirk. Under investigation, he was discovered to be a Catholic, to be in possession of censured books and to have feigned taking Communion by simply passing the bread and the wine to the person next to him. By September the Synod of Fife reported he had subscribed the Scots Confession and taken the Reformed sacrament. Yet Patrick was not practising in isolation. He had been caught saying his prayers in the church which Lord Gray had been accused of maintaining as a place of Catholic worship and failing to remove pre-Reformation decoration. Moreover, the synod had identified Patrick along with some other Catholics, including Andrew, seventh Lord Gray (d.1663), who also faced repeated summons before the synod. He too conformed to the Kirk, subscribed a long declaration of faith rejecting the merit of works and transubstantiation, and took Reformed Communion. Despite this, Lord Gray and

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<sup>61</sup> Goatman, "Religious Tolerance and Intolerance," 167

<sup>62</sup> Chadwick, "Crypto-Catholicism," 397. Cf. Durkan, "William Murdoch."

his household continued to practice Catholic worship domestically and was eventually excommunicated in 1629 as a Catholic recusant and had much of his estates sequestered.<sup>63</sup> Where social elites might be suspected of being Catholic, but not proven, ecclesiastical authorities might target their households. For instance, being unable to determine the true religious predilections of William Douglas, eleventh earl of Angus, on his return from Rome in 1627, the presbytery of Lanark “turned on his servants, bullying them either into conformity or out of the earl’s employment.”<sup>64</sup>

Perhaps the most important aspect of Catholic survival is how individuals dealt with the disciplinary mechanisms of the Kirk. For the powerful, such as George Gordon, heir of Gight, local political power allowed him and his wife to evade Kirk sanctions for four years. Such personal influence could also be used to intervene on behalf of others, as the earl of Errol demonstrated when interceding to stop disciplinary proceedings against Lady Wood of Boniton and her sisters.<sup>65</sup> For others, outward conforming to the Kirk allowed enough space to hold Catholic faith privately. On no less than four occasions, the earl of Huntly conformed to the Kirk and subscribed the Scots Confession before reasserting himself as Scotland’s leading Catholic. Similarly, through his outward conformity to the Kirk, the marquis of Douglas’s family, including his wife, a daughter of Huntly, managed to continue their Catholic faith at home for more than a decade.<sup>66</sup> For those who came under direct suspicion, lay Catholics employed a range of strategies for dealing with Kirk discipline. This could include claims of taking Communion in other parish churches, contesting parish boundaries so as to deny the jurisdiction of a particular parish – although if the neighbouring parish was in the same presbytery, any relief would be short – or claiming ill health as an excuse for absence from church services. Others might attempt to delay censure by requesting time to reflect on their consciences, to discuss matters of faith with the local minister, or to brush up on their catechism. More significantly, it seems to have been common practice in Scotland for Catholics to attend church services and even Communion – which could take place as infrequently as once a year – but feign taking the elements or simply pass the elements on without partaking.<sup>67</sup>

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<sup>63</sup> *Ecclesiastical Records*, 48, 55, 60, 72, 75, 80, 106.

<sup>64</sup> Brown, *Noble Society in Scotland*, 245.

<sup>65</sup> Sanderson, “Catholic Recusancy,” 96; *Narratives and Extracts*, 11-12.

<sup>66</sup> *Domestic Annals of Scotland* 2, 24, 26; Bellesheim, *History* 4, 29, 36.

<sup>67</sup> Roberts, “Popery in Buchan and Strathbogie,” 134-135; *Ecclesiastical Records*, 48.

Reports out of Scotland from the late 1590s indicated the practice of Jesuits permitting external conformity to the Kirk. According to an English secular priest, Jesuits in Scotland “freely permitted Catholickes to goe to church with protestants, and made no sinne or scruple of this as we doe. And thus, no law could take hold on them, for who could be knowne to be a Catholicke?” The Jesuit, Robert Abercrombie, even requested that Jesuits themselves be permitted to attend Protestant services on occasion to provide moral support for their crypto-Catholics in attendance, and to hear the sermon so they could counter it later.<sup>68</sup> As a result, Jesuit reports in the late 1620s highlighted the need to continue the practice of their predecessors. The report claimed that prior to 1617, Jesuit priests had openly permitted Scots Catholics to attend Kirk services and feign taking Communion.<sup>69</sup> They did this, the report explained, because of the effectiveness of the Kirk’s disciplinary strategy of pecuniary fines and social marginalization. According to Abercrombie, “satan himself could not have devised a more effective way of impeding the salvation of souls” than such methods.<sup>70</sup> Abercrombie went on to claim the strategy had been so effective that no more than eight Catholics in the north of Scotland refrained from conforming.<sup>71</sup> The threat of losing possessions prompted outward conformity to the Kirk and had, according to later Jesuits who took a more hard-line approach, “occisioned many not bad Catholics to make a lamentable shipwreck of their faith.”<sup>72</sup> It may be this hardening attitude of the Jesuits from the 1620s that led Huntly’s daughter-in-law, Lady Aboyne (Sophia Gordon, c.1606–1642) to claim in 1631 that she felt abandoned by them, as “they wil not come at me any more unles it will be upon termes which I cannot performe.”<sup>73</sup>

Overall, however, the small number of Catholic clergy in Scotland persisted in demonstrating more leniency towards accommodation of lay conformity than their counterparts in England or on the Continent. Perhaps the primary reason for this rested on the lack of a functioning ecclesiastical infrastructure, the limited provision of Catholic ministrations, and the long and persistent policies of the Kirk to reclaim recusants for the Reformed Kirk. Although Archbishop Beaton remained a bishop in exile until 1603, this was

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<sup>68</sup> McCoog, *Society of Jesus*, 63–64, 280, 303.

<sup>69</sup> *Ecclesiastical Records*, 18.

<sup>70</sup> McCoog, *Society of Jesus*, 63..

<sup>71</sup> *Memoirs of Scottish Catholics* 1, 17–18.

<sup>72</sup> Ibid.

<sup>73</sup> Blakhall, *Briefe Narration*, 64; Roberts, “The Role of Women,” 134.

a nominal role, and no provision was made by Rome for supplying a Catholic ministry to Scotland until the nation was placed within the remit of the newly established *Propaganda Fide* in 1623. Only in 1653 was an prefect appointed to provide oversight to Scottish missions. For a modern writer, Peter Anson, this meant, “from 1603 to 1653 the few remaining Catholics in Scotland were left without even a rudimentary organized Church.”<sup>74</sup> It has been estimated that between 1580 and 1653 just fifty-five secular priests ministered in Scotland, for varying lengths of time.<sup>75</sup> Some went on to become Jesuits. However, this small number over three-quarters of a century, even supplemented with a the steady but numerically small number of Jesuits and a handful in regular orders, was an insufficient number to have provided regular or sustained ministry. More importantly, they were poorly provided for from Continental sources. The lack of central direction and funding that typified this period has led Fiona MacDonald to emphasize “the priest’s personal zeal for sustaining their countrymen” and the importance of their “ability to attract the necessary stipends.”<sup>76</sup> Catholic priests in Scotland in the late-16<sup>th</sup> and early-17<sup>th</sup> centuries tended to find themselves in a situation that was rather unique in western Europe. For whether they were in regular or secular orders, they had little direct oversight and the sustenance of their mission depended primarily on the lay people to whom they ministered, or to the support offered by their relatives.<sup>77</sup>

This was almost certainly the case with the Jesuit, Robert Abercrombie, who by 1605 had resided with the marquis of Huntly for an entire year, and from a base in the household ministered to the wider community.<sup>78</sup> In a report to Rome in 1628, five of the six Jesuits working in Scotland were all identified as being based in politically powerful households – the earl of Errol, the marquis of Huntly, the second earl of Abercorn (James Hamilton), the countess of Linlithgow (Helen Livingstone, although she had died the year before) and the French ambassador.<sup>79</sup> The Privy Council records for December 1628 list over forty individuals in the north-east of Scotland, primarily within the bounds of Huntly’s sphere of

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<sup>74</sup> Anson, *Underground Catholicism*, 7.

<sup>75</sup> McCoog, *Society of Jesus*, 38; Halloran, *Scottish Secular Priests*, *passim*.

<sup>76</sup> Macdonald, *Missions to the Gaels*, 40.

<sup>77</sup> Durkan, “Catholic Survival,” 91.

<sup>78</sup> *Narratives of Scottish Catholics*, 280.

<sup>79</sup> Anson, *The Catholic Church in Modern Scotland*, 25.

influence, who not only harboured priests, but accompanied “them through the country, armed with unlawful weapons.” A few days later, the Privy Council complained that the major obstacle to apprehending the priests, whom they deemed “most pernicious pests in this commonweal,” was the fact that the marquis of Huntly overawed all who might molest them.<sup>80</sup> Beyond protection, powerful magnates and their networks also provided the much-needed money required to sustain priests. It has been argued that for secular clergy it was impossible to remain and work in Scotland without a patron or the support of kin networks.<sup>81</sup> Even the Jesuits reported that they were dependent on the financial generosity of the Huntly Gordons.<sup>82</sup> This dependence made some priests feel uneasy. The Capuchin, George Archangel Leslie, for example, explained the difficulty of disciplining wayward Catholics for fear of being turned away from their homes – a priest’s only source of food and shelter.<sup>83</sup> Thus in Scotland, continuing Catholic laity served as the backbone of the old faith, with the clergy frequently being temporary or transient participants.

#### ROLE OF WOMEN

What is remarkable is that against all odds, the Catholic faith persevered in Scotland with intermittent support from outside. No doubt the minimalist backing which Scottish Catholics received from the Continent played an important part, but it cannot explain the doggedness of the faithful remnant. This is because the small number of priests in Scotland at any one time were insufficient to foster and maintain the Catholic faith on their own. Instead, the laity must be understood as having taken on a primary role in sustaining the faith, particularly women. Some served as important patrons. Lady Mar’s chaplain was summoned before the General Assembly in 1587/8 and confiscated his vestments, while Lady Atholl purportedly kept three priests in her household.<sup>84</sup> Yet perhaps the best example is Lady Aboyne, who wielded her temporal influence to support missionaries such as Gilbert Blakhall (d.1671).<sup>85</sup> Jean [or Janet] Scott, Lady Ferniehirst, used her influence over the estate of her exiled husband, Sir Thomas Kerr of Ferniehirst, to continue to offer a Catholic safe haven in the Scottish Borders in the

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<sup>80</sup> *Domestic Annals of Scotland* 2, 22; Bellesheim, *History* 4, 12.

<sup>81</sup> *Blairs Papers*, 134.

<sup>82</sup> Bellesheim, *History* 4, 119.

<sup>83</sup> Leslie’s report to Propaganda Fide quoted in ibid. 4, 77–8 n. 2.

<sup>84</sup> Sanderson, “Catholic Recusancy,” 96; BUK 2, 551, 722.

<sup>85</sup> Roberts, “The Role of Women,” 129-150.

1580s.<sup>86</sup> There is evidence in some landed families that husbands conformed to the Kirk in order to placate the authorities, while wives supported the Catholic devotional life of the family. Accusations of this type against peeresses were levied at the houses of Huntly, Angus, Nithsdale and Abercorn.<sup>87</sup> The Synod of Fife in the early-17<sup>th</sup> century made it a habit at its meetings to record if any witches, excommunicants or papists were reported by the presbyteries. In July 1611 they confirmed (as they had for the previous months) that there were no reports of papists “except” for Lady Linlithgow (Helen Livingstone), the sister of the ninth earl of Errol and aunt of Sophia Gordon, Lady Aboyne. From as early as 1594 the presbytery had identified her as an unrepentant Catholic and forced her to conform to the Scots Confession, an act that had to be repeated in 1596. By 1602 the authorities agreed to delay her excommunication in order to “deal with her at all times carefully for her conversion.”<sup>88</sup> Despite this, she persisted in her support of the old faith. A Jesuit report dated 1628, the year after her death, claimed that she continued to provide a refuge for Jesuit priests. However, a posthumous publication claimed her late conversion to the Reformed faith in the hope of persuading others.<sup>89</sup>

Women could also be instrumental in changing the religious profession of an entire household. In 1609, Archibald Campbell, the seventh earl of Argyll married his second wife, Anne Cornwallis, daughter of Sir William Cornwallis of Brome (in Suffolk). A Catholic, she reportedly converted her husband to the faith. By 1617 he professed Catholicism and the following year entered into Spanish military service in the Netherlands. Conversion did not need to be the outcome in all such mixed marriages, however. Alexander Fraser, eighth lord of Philorth (Aberdeenshire), was a Protestant and in good standing with the Kirk. His wife, Margaret Ogilvie, however, along with her extended family remained Catholic. The private chapel that Fraser erected for his wife, hidden in the upper floor of a tower, indicates his acceptance of her own religious practice, while he himself remained loyal to the Reformed Kirk.<sup>90</sup>

Yet further down the social strata, it seems that women played just as important a role in fostering devotion within homes and in teaching children the fundamental principles of the

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<sup>86</sup> Grant, “Politicking Jacobean Women,” 97.

<sup>87</sup> *Domestic Annals of Scotland* 2, 24, 26.

<sup>88</sup> BUK 3, 1004.

<sup>89</sup> Livingstone, *Confession and Conversion*.

<sup>90</sup> Roberts, “The Role of Women”, 132.

Catholic faith and doctrines – the Aberdeen General Assembly of 1616 in its second and third sessions proposed measures against conforming husbands' Catholic wives who not only provided safe houses for priests, but also facilitated Catholic religious instruction in schools they were running.<sup>91</sup> But the nature of early-modern sources fails to provide comprehensive evidence. In part this is because early-modern Scottish society was, as Michael Lynch has noted, "co-agnatic." That is to say, women retained a degree of independence from the family into which they married, retained their own surname and maintained strong kin-links with their family. Lynch draws on the example of the devoted Protestant and activist, James Watson, an Edinburgh merchant, who was married to a Catholic woman known to have attended Mass in the Queen's chapel at Holyrood in 1563. Lynch argues, "a resolutely Protestant household ... might often conceal a second household, resolutely Catholic, within it."<sup>92</sup> As a result, women who fostered Catholic devotion and education within their domestic or wider kin spheres could function below a level easily detected in Scottish historical records. However, occasional glimpses of the activity of Catholic women fostering the faith do appear. Margaret Rankin of Glasgow, for instance, may have been hosting priests delivering the Mass in her house in 1576, as she was prosecuted for receiving a processional cross, two silver chalices and two patens or plates for serving the Eucharist – to which her lawyer responded by accusing William Hegate.<sup>93</sup>

Other glimpses of the kind of role women and children could have in promulgating the faith outside their domestic spaces is provided in a 1714 report from the parishes of Glenlivet and Strathavon, two years before the establishment of the seminary at Scalan (Banffshire), noting that priests sent women "through the Country to propagate their delusions."<sup>94</sup> Evidence of previous missionary activity in mid-seventeenth-century Scotland demonstrates the possibility of utilising lay agency in education. Vincentians working in the lands of Clanranald reported that "one needed only teach the Pater, Ave and Credo to one young child in each village and a few days later all in that village knew them, grown-ups as well as little ones."<sup>95</sup> Beyond education, a priest reporting in the 1650s noted that women ministering "minister with perfect humility to the sick and dying, and wrap the dead poor in winding

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<sup>91</sup> Hazlett, "Concilium Aberdoniense 1616," xx, and xxx-xxx.

<sup>92</sup> Lynch, "The Reformation in Edinburgh," 287.

<sup>93</sup> *Burgh Records of the City of Glasgow*, 64.

<sup>94</sup> Stiubhart, "Women and Gender," 242.

<sup>95</sup> Purcell, *The Story of the Vincentians*, 49.

sheets, and lay them out for burial; and these and similar spiritual and corporal works of mercy, all make it a practice to observe.”<sup>96</sup>

Yet another key aspect whereby women could contribute to sustaining Catholicism was baptism. The Reformed Kirk emphatically rejected any necessity of infant baptism, and as such forbade the Catholic practice of permitting midwives to baptize new-borns at risk of death.<sup>97</sup> Despite this, the evidence demonstrates that midwife baptisms persisted, contrary to the wishes of the Kirk.<sup>98</sup> Certainly as late as 1574, the practice still occurred in St Andrews, while in more rural areas evidence it would have been much harder to police and may have continued.<sup>99</sup> Concerns about keeping better records to monitor religious acts expressed at the 1616 Aberdeen General Assembly prompted the Privy Council in the same year to decree that all baptisms, marriages and burials had to be recorded.<sup>100</sup> This came in the wake of several years of intensive measures to police popular holy sites attracting Catholic pilgrims, crack down on missionary priests and a nation-wide communion ordered in 1614 with the explicit intention that “recusantis and non-communicants … salbe knowne.” Moreover, the General Assembly in 1616 was held in Aberdeen specifically due to concerns about the vibrant state of Catholicism in the north-east, to legislate about the role of women in this, and to hold the earl of Huntly, George Gordon, to account by compelling him to subscribe (yet again) the Scots Confession at the Assembly.<sup>101</sup> Alasdair Roberts has noted the survival of midwife baptism in the MacPherson’s *Carmina gadelica* may be a remnant of the continuing lay baptisms by Catholic midwives centuries after the Reformation.<sup>102</sup> Post-Tridentine canon law continued to make allowance for baptism. As such, Jane Dawson has argued that the continuing practice of midwife baptisms led local sessions – perhaps rightly – to accusations of popery.<sup>103</sup> Michael Mullett has pushed Roberts’s claim further, arguing that by the early-eighteenth century “one of the results of the scarcity of priests in the Scottish mission … was

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<sup>96</sup> Forbes-Leith, *Memoirs of Scottish Catholics* 2, 57.

<sup>97</sup> Calderwood 2, vol. 2, 33.

<sup>98</sup> Todd, *Culture of Protestantism*, 120; *Perth Kirk Session Books*, 290.

<sup>99</sup> *St And. Regist.* 1, 395.

<sup>100</sup> *RPC* 10, 601, 687.

<sup>101</sup> Ibid., 215–217 at 216. Cf. Hazlett, “Concilium Aberdoniense 1616, [Aberdeen General Assembly 1616],” [xx-xx, and xxx-xxx].

<sup>102</sup> Roberts, “The Role of Women,” 148–149; *Carmina gadelica*, 194–195.

<sup>103</sup> Dawson, “Discipline and the Making of Protestant Scotland,” 148.

to highlight the claims of women in the roles of midwives to deploy religious, including, at baptisms, sacramental power, bestowing on them sacerdotal traits such as blessing a house on entry.”<sup>104</sup> Thus, the absence of Catholic clergy may have in fact enhanced the importance of women in sustaining the faith. This was certainly the case in Ireland, and even in early Reformed Geneva.<sup>105</sup> Although no evidence survives to outline the doctrinal framing for a role of women in the missionary context of Scotland, by the 18<sup>th</sup> century, evidence indicates established practices.

## CONCLUSION

Despite the systematic efforts of Kirk and government to reconcile the whole population to Protestant faith, Catholicism persisted. While in extreme cases Catholics might be banished, the modes of discipline used such as fines, warding children and excommunication sought to reconcile rather than exclude. Reconciliation also required acts of humiliation which were highly unpleasant, but this was part of the penitential process and demonstration of true contrition and reconciliation.<sup>106</sup> Yet more significant than losing face publicly was the social marginalisation and ostracization of excommunication. For the vast majority of Scots who lacked the power, influence or social connections to overcome being banned from employment, trade, social interaction and the communal fabric of early-modern society, excommunication was profoundly crippling. Fines themselves were highly effective means of coercion, as the Jesuit reports noted. It is for this reason that Jesuit missionaries felt compelled to permit degrees of conformity, setting an expectation other priests felt pressured to follow. However, it may also be that this willingness was more reflective of a lay driven reality than a clerical ideal.

Although a definitive history of lay Catholicism remains a significant lacuna in early-modern Scottish history, some important and distinctive aspects of Catholic persistence in post-Reformation Scotland can be identified. The infrastructure of the church, which had become increasingly institutional through the Middle Ages, rapidly imploded after 1560 leaving a clerical and sacramental vacuum that was not significantly addressed for over a century. As Scotland never represented a strategic priority for authorities in Rome or the religious orders (in the way that Ireland did, for instance) the provision of clergy was

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<sup>104</sup> Mullett, *Catholics in Britain and Ireland*, 119.

<sup>105</sup> Tait, “Spiritual Bonds,” 306, 311; Spierling, “Daring Insolence toward God?”

<sup>106</sup> Todd, *Culture of Protestantism*, 169.

sporadic and poor. The lack of institutional infrastructure and the paucity of priests meant sustaining Catholic faith fell primarily to the laity who provided the networks, support and accommodation to sustain the small number of priests working in the country at any one time. Those priests who were present often depended on their family networks for support or were sustained by powerful patrons, who benefitted from their presence. The provision of access to a priest and the sacraments could act as a form of social capital. For the laity, access to the sacraments could be very infrequent, and the persistent efforts of the Kirk to reconcile all Scots to the Kirk meant occasional conformity was, for the vast majority of Scots Catholics, a pragmatic necessity which Catholic clergy generally accepted. Accordingly, the dynamic between priests and lay people fostered a distinctly lay-driven tradition and internalized expressions of faith in both of which women especially played very important roles in maintaining.

R. Scott Spurlock 8903 words

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