

Difficulties in Defending Convents and Catholic Sisterhood in Victorian England

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The “Great Convent Case” of 1869 was described as a “monster case arising out of the miserable squabbles of a convent” that lasted nearly a whole month in the Court of Queen’s Bench, the highest court of law in England.¹ A sister from a convent associated with the Order of the Sisters of Mercy named Miss Susan Saurin, also known as Sister Mary Scholastica, accused her superiors, Mrs. Starr and Mrs. Kennedy, of deliberate assault, imprisonment, and conspiracy to have her absolved of her vows and banned from the religious life that she had devoted so much of her life to.² The case was an absolute sensation among the Victorian society divided by differing Christian ideologies and full of an abundance of anti-Catholic movements against Roman Catholic institutions in response to increases in religious tolerance.³ The case of Saurin versus Starr underlined some of these fears and misconceptions about convents being equal, if not worse, than prisons that forced constricting vows on innocent women and used their public works in the community to promote Catholic views. The conclusion of the case in favour of the plaintiff was deemed by several press editorials “as a ‘famous victory’,”⁴ that seemed to serve only as an outlet to perpetuate these anti-Catholic stereotypes. The details and events of the “Great Convent Case” in 1869 mirror common sources for anti-Catholic sentiments and concerns against convents and religious life that lingered in the minds of Victorians throughout the nineteenth-century.

¹ “Court of Queen’s Bench, Westminster, Feb. 26,” *The Times*, February 27, 1869, 11, accessed November 20, 2016, *The Times Digital Archive*.

² Sir John Duke Coleridge, *Speeches in the Case of Saurin v Starr & Another*, (London: Sampson Low, Son, and Marston, 1869), 1-2, accessed November 20, 2016, <https://books.google.ca/books/reader?id=SPhNAAAACAAJ&printsec=frontcover&output=reader&pg=GBS.PA68>.

³ Walter L. Arnstein, *Protestant Versus Catholic in Mid-Victorian England* (London: University of Missouri Press, 1982), 3-4.

⁴ Arnstein, *Protestant Versus Catholic*, 121.

In order to fully understand the anti-Catholic perspective against convents and the “Great Convent Case” of February 1869, it is important to first explore the religious climate of the nineteenth-century in Britain and the contentious relationship that existed between the Protestant majority and the growing population of Roman Catholics. Walter Arnstein describes the anti-Catholic movement in Victorian England as a collective cause “that was at times remarkably successful in uniting peer and peasant, Anglican and Dissenter, right-wing Tory and left-wing Liberal beneath the banner of a common cause[.]”⁵ Protestantism had become deeply ingrained in England’s collective national identity by the nineteenth-century and there was a belief that “the Protestant nature of the Constitution... gave Britons both their religious and their civil freedoms.”⁶ To anti-Catholics of all Protestant denominations, the papal establishment represented a number of political and theological perspectives that, not only went against their religious beliefs, but their Constitutional beliefs as well. Any semblance of reinstating the civil rights to Roman Catholics was considered a threat to all of the progress they had made since the events of the Reformation.⁷ The Catholic Emancipation Act of 1829 did exactly that: Roman Catholics were now open to vote, run as candidates in elections, and sit in elected seats of Parliament.⁸ However, certain regulations were put forward to ensure that elected Catholics would hold their loyalty to the state above their religious ties to the Pope and to

⁵ Walter L. Arnstein, *Protestant Versus Catholic*, 1.

⁶ G.D. Paz, *Popular Anti-Catholicism in Mid-Victorian England* (Stanford: Stanford University Press, 1992), 2-3.

⁷ Paz, *Popular Anti-Catholicism*, 2-3.

⁸ “Documents: The Catholic Emancipation Act, 1829,” in *Anti-Catholicism in Victorian England* (London: George Allen and Unwin, Ltd, 1968), 131-139.

formally dissolve all male oriented religious orders.⁹ Despite the legal system's attempt to promote religious toleration of all Christians in England, "the liberalization of the law often unwittingly helped to inspire religious discord."¹⁰ Renewed doubts about the morality of theological and institutional practices within the Roman Catholic Church lead to a number of misconceptions and stereotypes surrounding confessionals, celibate priests, and, most especially, life in convents.¹¹

There was a significant growth in the number of convents across the nation following the Catholic Emancipation Act in 1829 that was met with increased unease among non-Catholic Victorians. At the beginning of the nineteenth-century, there was only a mere two convents that were running illegally in York and Hammersmith and that number grew substantially to nearly six hundred by the year 1900.¹² The growth in these religious establishments was expected after the rights of Roman Catholics were legally re-established. However, what was most alarming to those who did not understand it was the rate at which it occurred in addition to their growing influence within local communities.¹³ The influence was so strong that a number of Protestant women converted to Catholicism in order to be a part of this new and active religious lifestyle that "was in advance of the general development of a professional life for women"

⁹ "Documents: The Catholic Emancipation Act, 1829," 131-139.

¹⁰ Arnstein, *Protestant Versus Catholic*, 3.

¹¹ Arnstein, *Protestant Versus Catholic*, 3-4.

¹² Susan O'Brien, "'Terra Incognita': The Nun in Nineteenth-Century England." *Past & Present* No. 121 (November, 1988): 110-111, accessed November 20, 2016, <http://www.jstor.org/stable/650913>.

¹³ Susan O'Brien, "'Terra Incognita': The Nun in Nineteenth-Century England," 111.

through work in educational, nursing, and social welfare settings.¹⁴ However, there were horror stories, like that of Susan Saurin, which showed a darker side of convents that were better suited the anti-Catholic narrative. Despite the charitable works of orders like the Sisters of Mercy, cases like Saurin versus Starr were sensationalized and the negative outlook of what went on within the walls of these religious institutions only added fuel to the fire of uninformed debates against the legitimacy of life in a convent.

The plaintiff of the “Great Convent Case” Miss Susan Saurin was the first to take the stand and tell her story to the court with the help of her capable lawyer Sir John Duke Coleridge. The declaration of charges made sure to use detailed descriptions that explicitly expressed how she was deprived of her rights within the order and had been “greatly distressed in body and mind.”¹⁵ Coleridge’s opening statements against the defendants were extremely effective in setting the stage for what would be a long and arduous trial that was considered by newspapers, like the Glasgow Herald, as “a peep into convent life.”¹⁶ According to Coleridge, “the facts of [the case were] strange and painful... as a revelation of conventual female nature: showing what women are capable of when they shut themselves up from their kind... and what mean and petty cruelty they can wreak upon sister-women in the name of [God].”¹⁷ Some of these facts included being forced to eat poor quality food, how letters containing news of her father’s illness and her brother’s death were withheld by her superiors, and that she was refused simple necessities of

¹⁴ Susan O’Brien, “‘Terra Incognita’: The Nun in Nineteenth-Century England,” 115-116.

¹⁵ Coleridge, *Speeches in the Case of Saurin v Starr*, 1.

¹⁶ “A Peep Into Convent Life,” *Glasgow Herald*, February 6, 1869, accessed November 20, 2016, *British Library Newspapers*.

¹⁷ Coleridge, *Speeches in the Case of Saurin v Starr*, 3.

life for the duration of her month-long confinement.¹⁸ Despite the opening line that attempts to discern impartiality, an editorial in *The Times* a week into the court sessions appears to use Saurin's story as a chance to take a stance against the legitimacy of convents. In it, the editor expresses feelings of mistrust toward this way of life that sometimes disguises the hard truth through their outside appearance as a "charming... paradise that even the [Devil] may not disturb."¹⁹ At that point in the case, they acknowledge that there may be contradicting evidence on the side of the defence on the horizon, but that her story "has the look of truth."²⁰ It most definitely did not take long before these words and sentiments filtered into the minds of Victorians in a way that brought up familiar anti-Catholic sentiments regarding convents.

As expected, fellow sisters from the Order of the Sisters of Mercy painted a much more complex picture of the plaintiff during their testimonies when it was time for the defence to take the stand. They presented the courtroom with a number of different complaints against Saurin compiled from the written evidence that Mrs. Starr had sent to the Bishop of Beverly, which had initially been needed in order to have her removed from the convent and absolved of her religious vows.²¹ The counter-evidence suggested that Saurin was unfit for religious life because of her tendency to break her vows of obedience and poverty to the point where the frequency of this misconduct lead to her expulsion.²² After hearing the defence, Coleridge summed up some of

¹⁸ "Court of Queen's Bench, Westminster, Feb. 3," *The Times*, February 4, 1869, 10, accessed November 20, 2016, *The Times Digital Archive*.

¹⁹ "We Have Not the Slightest Wish to Prejudge Either," *The Times*, February 10, 1869, 7, accessed November 20, 2016, *The Times Digital Archives*.

²⁰ "We Have Not the Slightest Wish to Prejudge Either," *The Times*, February 10, 1869, 7.

²¹ Coleridge, *Speeches in the Case of Saurin v Starr*, 99.

²² Arnstein, *Protestant Versus Catholic*, 113.

these infractions, which included things like sending letters without permission, stealing meals from school children and beating them, fixing her clothing with purchased goods, and being “excited” by the travelling priest.²³ Saurin denied all of these claims, except for the unsolicited letters, in both the ecclesiastical inquiry and in the secular trial in the Court of Queen’s Bench.²⁴

The Lord Chief Justice acknowledged that “what a person voluntarily submits to cannot be matter of complaint,” so the claims of abuses, such as stripping her of her dress to see if she had stolen food, were deemed as the defendants simply practicing their right to uphold “conventual discipline.”²⁵ As for the charge of imprisonment, Saurin willingly stayed in the convent even after being absolved because she absolutely refused to leave: “God had placed her in the house... but she would stay there till death.”²⁶ Mrs. Starr and Mrs. Kennedy decided that the best course of action was to confine her in order to have her leave of her own volition. Since some of the details were deemed as an exaggeration on the part of Saurin and she was never physically restrained, only the charge of libel was left standing for consideration.²⁷ Sir Coleridge often suggested that Mrs. Starr wrote in a particular way to allow for assumptions on the part of the Bishop of Beverly, and, later on, of the jury and courtroom.²⁸ He also questioned Mrs. Starr’s deliberate collection of the written confessions she forced Saurin to pen and asserted that “they

²³ Coleridge, *Speeches in the Case of Saurin v Starr*, 100-109.

²⁴ “Court of Queen’s Bench, Westminster, Feb. 26,” *The Times*, 11.

²⁵ *Ibid.*

²⁶ “Court of Queen’s Bench, Westminster, Feb. 3,” *The Times*, 10.

²⁷ “Court of Queen’s Bench, Westminster, Feb. 24,” *The Times*, February 25, 1869, 11, accessed November 20, 2016, *The Times Digital Archive*.

²⁸ Coleridge, *Speeches in the Case of Saurin v Starr*, 104.

were kept for the purpose of being produced against her.”²⁹ Ultimately, the jury saw sense in Coleridge’s persecution of the defence and the jury voted in favour of charging Mrs. Starr and Mrs. Kennedy with libel and conspiracy – owing 500£ in damages to Miss Saurin.³⁰

Saurin’s testimony of the damages done to her in the convent were all reminiscent of fears that assisted the anti-Catholic perspectives during the political debates nearly two decades before surrounding the proposed Bill for Parliamentary Inspection of Convents. Those who were in favour of this particular bill hoped that, if passed, it would prevent women from being forcibly detained in convent houses.³¹ In his book *A Foreign and Wicked Institution?: The Campaign Against Convents in Victorian England*, Rene Kollar suggests that some of these fears stemmed from questions that may have included whether or not unwilling women were being forced into this way of life by means of torture and abuse.³² Ullathorne, the Bishop of Birmingham at the time, became a vocal advocate for the works of sisterly orders. He asserted that sisters always had the right to stay in contact with family members, discuss issues that arose within the convent with bishops at any time, and at no point was imprisonment used to control “a rebellious or difficult sister.”³³ Although the call for government issued convent inspection had begun to dwindle after this initial mid-century push for parliamentary action, an anti-Catholic member of Parliament by the name of Newdegate earned a majority vote in favour of building a committee to inquire about the state of affairs in the convents and monasteries of Britain in 1870 — just one

²⁹ Ibid., 68

³⁰ “Court of Queen’s Bench, Westminster, Feb. 26,” *The Times*, 10.

³¹ Rene Kollar, *A Foreign and Wicked Institution?: The Campaign Against Convents in Victorian England* (Eugene: Pickwick Publications, 2011), 5.

³² Kollar, *A Foreign and Wicked Institution?*, 2.

³³ Ibid., 6-7.

year after the conclusion to the “Great Convent Case.”³⁴ Susan Saurin’s experiences with the Sisters of Mercy at the convent in Hull were the complete opposite of what Ullathorne had suggested in defence of these institutions. *The Times* speculated that it was the recent events so close to home that reintroduced “the spiritual tyranny and the moral degradation which might be concealed in Conventual Institutions under the most harmless exterior” and “may have legitimately aggravated the [public’s] suspicions.”³⁵ The concerns displayed by reception in the press and among those involved display how sensationalized cases like Saurin versus Starr allowed lingering anti-Catholic sentiments and fears associated with these religious establishments to resurface even when religious tolerance was becoming the norm in Victorian society.

Many anti-Catholic protests against convents surrounded the idea that “young girls were not competent to mortgage their future by irrevocable vows.”³⁶ More specifically, the Reformation journal *Bulwark* feared that convents preyed on “unsuspecting girls... decoyed by artful priests and their hackneyed female coadjutors” who used this buildup of trust to enforce vows of obedience with force.³⁷ The court frequently raised concerns regarding the “irrevocable vows,” not only because of Saurin breaking these vows, but also in questioning how they could have effected the validity of witness testimony. In his final address, the defendants’ lawyer Mr. Mellish pleaded with the jury to understand the sisters’ perspectives on the importance of vows

³⁴ “Mr. Newdegate Last Night Obtained by a Majority,” *The Times*, March 30, 1870, 10, accessed November 20, 2016, *The Times Digital Archive*.

³⁵ “Mr. Newdegate Last Night Obtained by a Majority,” *The Times*, 10.

³⁶ Frank H. Wallis, *Popular Anti-Catholicism in Mid-Victorian Britain* (New York: Edwin Mellen Press, 1993), 189.

³⁷ “Nunneries - Important Movement to Throw Them Open,” *The Bulwark*, vol. 1, ed. W. Cunningham (London: Seeleys and J. Nisbet & Co., 1851-1852), 147.

of obedience and to overcome any prejudices that claimed this dependence was “foolish.”³⁸ However, based on these vows of obedience, Mrs. Starr’s instructions within the convent were to be regarded as the word of God himself,³⁹ and that, Coleridge suggested, could have forced the defendant witnesses into negatively testifying against Saurin: “[They are] bound to see things with her eyes, to judge them with her judgement, and act according to her order.”⁴⁰ None of the fellow sisters had anything favourable to say about her time at the convent, especially with regards to the claim that Saurin had beat the school children and taken their lunches away. In contrast, Coleridge pointed out that Mrs. Grimstone, a Catholic patroness of the convent, thought highly of her⁴¹ and several of the school children she had taught were brought in to testify that she had done nothing of the sort.⁴² This contradicting evidence from both sides would have been confusing to anyone following the case. There was Coleridge’s way of thinking that the sisters felt obligated to say these things on behalf of their Mother Superior, and there was the possibility that the children may not have remembered the specifics of what transpired in the classroom. Although this evidence brought forward by the defence was meant to damage the character of the plaintiff, it only strengthened the charges of libel. Anti-Catholic sentiments prevailed because questioning the validity of these claims and whether or not the sisters were coerced by Mrs. Starr into saying these things may have come more naturally to the Protestant jury.

³⁸ “Extraordinary Revelations of Conventual Life,” *Reynolds’s Newspaper*, February 28, 1869, 8, accessed November 23, 2016, *British Library Newspapers*.

³⁹ “Court of Queen’s Bench, Westminster, Feb. 26,” *The Times*, 11.

⁴⁰ Coleridge, *Speeches in the Case of Saurin v Starr*, 40.

⁴¹ Coleridge, *Speeches in the Case of Saurin v Starr*, 17.

⁴² “Extraordinary Revelations of Conventual Life,” *Reynolds’s Newspaper*, February 28, 1869, 8.

On the subject of education offered by convents, there may have already been a prejudice against both sides of the conflict and their convent as a collective. Descriptions of Susan Saurin's misconduct within the schools were enlightening about her character, but also degraded the reputation of the education that they offered to young pupils. Some reports suggested that convent schools on the continent in Europe offered a higher standard of learning for pupils (most were female), but anti-Catholics in England upheld the misconceptions that similar schools in Britain were inefficient and inferior to secular institutions.⁴³ A group called the Protestant Alliance claimed that poor working class families were drawn to these schools despite their inferior teaching because it was a free service that also gave food and occasional gifts to their children. They believed that these bribes were all "part of the Catholic master plan" to mould young minds into converting.⁴⁴ More reasonable fears, based on the testimonies of past students, were that the curriculums were weak and the nuns were not sufficiently qualified to educate a large body of students on the wide range of necessary topics.⁴⁵ Kollar cites that Her Majesty's Inspector of Schools actually congratulated the merits of a school in Birmingham run by the Sisters of Mercy in 1853.⁴⁶ This gleaming review was eventually overshadowed by what was revealed during the Saurin versus Starr case. Mrs. Kennedy's pronouncement that the plaintiff could not spell even made the the Lord Chief Justice question why she was placed in a teaching

⁴³ Kollar, *A Foreign and Wicked Institution?*, 173.

⁴⁴ *Ibid.*, 174

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*, 176.

role when she was evidently under qualified.⁴⁷ In combination with beating children without cause, the stories relayed in court, regardless of being truth or false, could have perpetuated these anti-Catholic misconceptions of inferior convent schooling.

The “Great Convent Case” of Saurin versus Starr served as a perfect reflection of Victorian concerns about convents. The alleged abuses and imprisonment that Susan Saurin experienced at the hands of her superiors during her time at the Hull convent were all that anti-Catholic movements needed to inspire a resurgence in the demand for governmental inspections of Roman Catholic institutions. The validity of the contradictory testimonies from sisters of the convent was doubted because of misunderstandings about their religious vow of obedience that appeared to promote blind dependance on the absolute rule of superiors. These same testimonies, which detailed needless abuse against students and inexperienced nun teachers, created a damaging image for the reputation of convent schools and perpetuated the stereotype of Catholics with an ulterior motive to convert people in whatever way they could. Victorians throughout the nineteenth-century showcased a degree of anti-Catholic sentiments that would reemerge with complex and sensationalized cases like that of Saurin versus Starr.

⁴⁷ E. Griffiths and C.H. Clarke, *Extraordinary Trial by a Sister of Mercy: Startling Revelations of Life in a Convent* (London: E. Griffiths and C.H. Clark, 1869), 85, accessed November 25, 2016, https://play.google.com/store/books/details?id=_uJCAAAAcAAJ&rdid=book-_uJCAAAAcAAJ&rdot=1. Please note that there is no specific publishing information listed on the digitized version of this work available via Google Books.

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